

Statement of Representative Callahan of Sutton.

A statement of Ms. Callahan of Sutton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was not present in the House Chamber for the early portion of today's sitting due to a family medical emergency. My missing of roll call numbers 480, 481, 482 and 483 was due entirely to the reason stated. Representative Callahan of Sutton.

Guests of the House.

During the session, Ms. Reinstein of Revere took the Chair, declared a brief recess and introduced Jonathan McTague of Saugus, who sang the Star Spangled Banner. He was the guest of Representative Reinstein.

During the session, Mr. Turkington of Falmouth took the Chair, declared a brief recess and introduced Katie Mayhew of West Tisbury. The Martha's Vineyard Regional High School sophomore won the chance to sing with the Boston Pops after she prevailed over more than 200 contestants in a series of auditions and public performances. Katie, who sang "Joanna" from Sweeny Todd, was the guests of Representative Turkington.

During the session, Mr. Kujawski of Webster took the Chair, declared a brief recess, introduced Bill Monbouquette of Medford, former Boston Red Sox hall of famer, and read resolutions previously adopted in the House in his honor. Mr. Monbouquette, who is currently a spokesman for bone marrow donors at the Dana Farber Cancer Institute and battling Leukemia himself, then addressed the House briefly. He was the guest of Representatives Kujawski and Donato of Medford.

Recess.

At eight minutes after eleven o'clock A.M., on motion of Mr. Rodrigues of Westport (Mr. Donato of Medford being in the Chair), the House recessed until the hour of one o'clock P.M.; and at nine minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

Papers from the Senate.

The engrossed Bill relative to rates for human and social service programs (see Senate, No. 2764, amended), which had been returned to the Senate by His Excellency the Governor, in accordance with the provisions of Article LVI of the Amendments to the Constitution, with recommendation of amendments (for message, see Senate, No. 2850), came from said branch with endorsement that it had adopted the amendments recommended by His Excellency contained in said message and as corrected by the Senate committee on Bills in the Third Reading.

Under suspension of the rules, on motion of Mr. Scaccia of Boston, the amendments were considered forthwith; and they were it was adopted, in concurrence.

The Senate Bill to promote cost containment, transparency and efficiency in the delivery of quality health care (Senate, No. 2660, amended) came from the Senate with the endorsement that said branch had non-concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4974).

The bill bore the further endorsement that the Senate had asked for a committee of conference on the disagreeing votes of the two branches; and that Senators Moore, Panagiotakos and Tisei had been appointed as the committee on the part of the Senate.

On motion of Mrs. Walrath of Stow, the House insisted on its amendment; and concurred with the Senate in the appointment of a committee of conference. Representatives Walrath, Bosley of North Adams and Hargraves of Groton then were appointed as the committee on the part of the House. Sent to the Senate to be noted.

The House Bill providing for the preservation and improvement of land, parks, and clean energy in the Commonwealth (House, No. 5005) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2855.

Under suspension of the rules, on motion of Mr. Smizik of Brookline, the amendment was considered forthwith.

The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Smizik, Dempsey of Haverhill and Evangelidis of Holden then were appointed the committee on the part of the House. Sent to the Senate to be joined.

Subsequently the bill came from the Senate with the endorsement that said branch had insisted on its amendment, concurred in the appointment of a committee of conference; and that Senators Resor, Brewer and Tarr had been joined as the committee on the part of the Senate.

A Bill relative to the North Raynham Water District (Senate, No. 2736, amended at the end of section 1 by adding the following paragraph:

"The fair market value of the 1.746 acre parcel shall be equal or greater than the fair market value of the 1.45 acre parcel described above, as determined by an independent appraisal. For the purposes of these appraisals, the fair market value of the 1.746 acre parcel shall be calculated in its highest and best use. If there is a disparity in these values in favor of the North Raynham Water District, Prospect Leasing Inc. will pay a sum equal to the difference to the North Raynham Water District for deposit in its water supply land conservation fund or otherwise dedicated to preservation of water supply land.") (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.

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. Flynn of Bridgewater, the bill was read a second time forthwith; and it was ordered to a third reading.

Bills

To provide for the public inspection of law enforcement records made or received by special state police officers at colleges and universities (Senate, No. 2657) (on Senate, No. 1872 and House, No. 3249);

Authorizing the town of Weymouth to transfer certain water supply land (Senate, No. 2734) (on a petition) [Local Approval Received];
Relative to credit union mortgages (Senate, No. 2854) (on Senate bill No. 647);
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 petition of Michael F. Rush (with the approval of the mayor and city council) that the Secretary of the Commonwealth be directed to prepare ballots in English-Chinese and English-Vietnamese for designated polling places in the city of Boston. Under suspension of the rules, on motion of Mr. Rush of Boston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Election Laws. 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 punishing assault and battery by means of a bodily substance upon correctional facility employees (Senate, No. 1341),- - and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Scaccia of Boston, for the committee on Rules, on House No. 4626, reported, in part, a Bill providing for the promotion of affordable housing through the promotion of manufactured housing in the Commonwealth (House, No. 1293).

By the same member, for the same committee, on House No. 4885, reported, in part, a Bill relative to educator excellence (House, No. 451).

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

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill relative to a parcel of land in the city of Lowell (Senate, No. 2726) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

Subsequently, under suspension of Rule 7A, on motion of Mr. Nangle of Lowell, 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. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill further regulating rates of pilotage and pilot requirements (Senate, No. 515, amended) ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5036. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Verga of Gloucester, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 515, amended) was ordered to a third reading.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill relative to Rutland Heights State Hospital (Senate, No. 2353, amended) ought to pass with an amendment by striking out sections 1 to 4, inclusive. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Pedone of Worcester, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2353, amended) was ordered to a third reading.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement in certain land in the town Holden (Senate, No. 2794, amended) ought to pass with an amendment in section 1, in line 14, by striking out the words "a single family residence" and inserting in place thereof the words "educational or scientific purposes consistent with the mission of the Worcester Natural History Society or not more than two dwelling units". Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Evangelidis of Holden, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2794, amended) was ordered to a third reading.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill authorizing the conveyance of certain Commonwealth property to the town of Sherborn (House, No. 4630) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5043). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Linsky of Natick, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 5043) was ordered to a third reading.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill authorizing the Commissioner of Capital Asset Management to convey certain land to the city of Newburyport (House, No. 4716) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5038). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Costello of Newburyport, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 5038) was ordered to a third reading.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill designating certain land in the towns of Acton and Concord for conservation, agriculture, open space and recreational purposes (Senate, No. 38, amended) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill authorizing the conveyance of an easement over certain conservation and recreation lands in the town of Blackstone (Senate, No. 45) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill designating certain land in the town of Monson from agricultural, conservation and public recreation purposes (Senate, No. 2695, amended) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill relative to safety at the John Adams Courthouse (Senate, No. 2777) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill establishing a sick leave bank for Gloria Phillips, an employee of the Department of Public Health (Senate, No. 2787, changed) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill providing the terms of certain bonds to be issued by the Commonwealth to finance production and preservation of housing for low and moderate income residents and certain other bonds and notes to be issued by the Commonwealth (printed in House, No. 4813) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill relative to the disposition of property in the town of Westborough (House, No. 4853) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill authorizing the Department of Highways and the town of Kingston to exchange a certain parcel of land (House, No. 4913) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill authorizing the town of Tewksbury to enter into a lease with the Division of Capital Asset Management (House, No. 4943) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Bill relative to the notification of mammographic examinations (House, No. 2188) be scheduled for consideration by the House.

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

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the charter of the town of Ashland (House, No. 4790) be scheduled for consideration by the House.

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

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Arlington to issue pension obligation bonds or notes (House, No. 4876) be scheduled for consideration by the House.

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

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing affordable housing covenants in the town of Arlington (House, No. 4938) be scheduled for consideration by the House.

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

Emergency Measures.

The engrossed Bill concerning marriage laws (see Senate, No. 800), 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.

Pending the question on adoption of the emergency preamble, the Chair (Mr. Donato of Medford), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 143 members were recorded as being in attendance. No. 480.

[See Yea and Nay No. 480 in Supplement.]

Therefore a quorum was present.

On the question on adoption of 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 100 to 10. Sent to the Senate for concurrence.

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.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant a certain easement over lands held for conservation and recreation purposes (see Senate, No. 2511, 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 49 to 1. Sent to the Senate for concurrence.

Engrossed Bill -- Land Taking.

The engrossed Bill authorizing the town of Harwich to acquire certain real property (see House, No. 4257, amended) (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be re-enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative. <ctr>[See Yea and Nay No. 481 in Supplement.]</ctr>

Therefore the bill was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Emergency Measure.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to make certain conveyances in the city of Somerville (see Senate, No. 2705), 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 12 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 Senate) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 482 in Supplement.]

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

Engrossed Bill -- Land Taking.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property to the town of Acton (see Senate, No. 2509) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 483 in Supplement.]

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

Matters Discharged from the Orders of the Day.

Mr. Perry of Sandwich moved that the engrossed Bill establishing a sudden infant death syndrome advisory council (see House, No. 1678), which had been returned to the House by His Excellency the Governor with recommendation of amendment (for message, see House, No. 5012), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The amendment recommended by the Governor then was considered in the following form (as approved by the committee on Bills in the Third Reading):

In section 1 by striking out clause (g).

The House then refused to adopt the amendment recommended by His Excellency.

Mr. Perry then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

"SECTION 1. The state child fatality review team, established by section 2A of chapter 38 of the General Laws, shall conduct a study of training and protocols related to sudden, unexplained deaths of children under the age of 3. The team shall examine the adoption of statewide training and protocols, including those developed by the federal Centers for Disease Control, for first responders and investigators, including emergency medical systems personnel, municipal police, state police, and medical examiners. The training and protocols shall promote: (1) forensically competent death scene investigations and autopsies; (2) sensitivity towards families and child care providers affected by these deaths, including notification of available community resources and support groups; and (3) coordination with experts, including the Massachusetts Center for Sudden Infant Death Syndrome at Boston Medical Center Corporation, to provide research data on these deaths. The team shall solicit input from persons who have been affected by these types of deaths.

The team shall submit a report of its findings and any legislative or regulatory recommendations to the secretary of public safety, the secretary of health and human services, and the general court, by filing the report with the house and senate clerks, no later than July 1, 2009.

SECTION 2. This act shall be known as the Paige Victoria Perry Act."; and by striking out the title and inserting in place thereof the following title: "An Act relative to sudden, unexplained child deaths."

The amendments were adopted. Sent to the Senate for its action.

Mr. Kaufman of Lexington moved that the engrossed Bill relative to the Commonwealth's pension system (see House, No. 4959), being a printed copy of sections 11 and 12 contained in the engrossed Bill making appropriations for the fiscal year 2009 (see House, No. 4900), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see attachment D of House, No. 4957), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

By striking out all after the enacting clause and inserting in place thereof the text contained in said message.

The House then refused to adopt the amendment recommended by His Excellency.

Mr. Kaufman then moved to amend the bill by striking out section 2 and inserting in place thereof the following six sections:

"SECTION 2. Section 102 of said chapter 32, as so appearing, is hereby amended by striking out, in line 7, the words 'and the teachers' retirement system' and inserting in place thereof the following words:- , the teachers' retirement system and teachers who are members of the state-Boston retirement system.

SECTION 3. Said section 102 of said chapter 32, as so appearing, is hereby further amended by striking out, in lines 32, 36, and 43, the figure '\$12,000' and inserting in place thereof, in each instance, the following figure:- \$16,000.

SECTION 4. Notwithstanding the provisions of any general or special law to the contrary, in any case where a former employee, spouse, or other beneficiary is receiving an annual retirement allowance, pension or annuity which is \$40,000 or more, exclusive of additional annuity obtained by special purchase under paragraph (g) of subdivision (1) of section 22 of chapter 32 of the General Laws, the sum of \$16,000 referred to in said subdivision (1) shall be reduced to \$12,000.

SECTION 5. Section 4 shall only apply for fiscal year 2009.

SECTION 6. The second paragraph of section 111 of chapter 182 of the acts of 2008 is hereby amended by inserting after the words 'cost-of-living-adjustments base' the following words: - , the impact of instituting a tiered cost-of-living base system tied to the value of a retiree's pension.

SECTION 7. This act shall take effect as of July 1, 2008."

The amendment was adopted. Sent to the Senate for its action.

The Senate Bill relative to age requirements for certain students (Senate, No. 286) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time, under suspension of Rule 47, on motion of Mrs. Haddad of Somerset; and it was passed to be engrossed, in concurrence.

The Senate Bill relative to certain easements held by the Commonwealth of Massachusetts and the Massachusetts Water Resources Authority in the town of Wellesley (Senate, No. 2219), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Ms. Peisch of Wellesley; and it was passed to be engrossed, in concurrence.

The Senate Bill establishing a special reserve fund in the town of Sunderland (Senate, No. 2686), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of Rule 47, on motion of Mr. Kulik of Worthington; and it was passed to be engrossed, in concurrence.

The Senate Bill to improve dropout prevention and reporting of graduation rates (Senate, No. 2766, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of Rule 47, on motion of Ms. St. Fleur of Boston; and it was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment previously adopted by the House.

The House Bill relative to discontinuing that portion of Gravelly Brook Road lying in the town of Topsfield as a county highway (House, No. 4065) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time, under suspension of Rule 47, on motion of Mr. Speliotis of Danvers; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to certain health insurance options for municipal retirees (House, No. 4516) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time, under suspension of Rule 47, on motion of Mr. Kaufman of Lexington; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill limiting use of eminent domain in the city of Amesbury (House, No. 4583) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time, under suspension of Rule 47, on motion of Mr. Costello of Newburyport; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain land in the city of North Adams (House, No. 4585), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of Rule 47, on motion of Mr. Kulik of Worthington; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill releasing certain land in the town of Deerfield from the operation of an agricultural preservation (House, No. 4779), having been reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of Rule 47, on motion

of Mr. Bosley of North Adams; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Resolve reviving and continuing the special commission relative to middle education in the Commonwealth (House, No. 4800) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time, under suspension of Rule 47, on motion of Mrs. Haddad of Somerset; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the mayor to appoint an additional eight members to the reserve force of firemen of the fire department of the city of Revere (House, No. 4838) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time, under suspension of Rule 47, on motion of Ms. Reinstein of Revere; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the State Secretary to place the office of selectmen on the state election ballot in the town of Topsfield (printed in House, No. 4884) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time, under suspension of Rule 47, on motion of Mr. Bradley of Hingham; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to district courts (House, No. 4954), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of Rule 47, on motion of Mr. O'Flaherty of Chelsea; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill providing for a partial release of certain land in Sunderland from the operation of an agricultural preservation restriction (House, No. 5011), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of Rule 47, on motion of Mr. Kulik of Worthington; and it was passed to be engrossed. Sent to the Senate for concurrence.

The Senate Bill authorizing a certain transfer of funds in the town of Kingston (Senate, No. 2690) was read a second time, under suspension of Rule 47, on motion of Mr. Calter of Kingston; and it was ordered to a third reading.

The recommitted House Bill relative to the modernization of optometric patient care (House, No. 2044) was read a second time, under suspension of Rule 47, on motion of Mr. Koutoujian of Waltham; and it was ordered to a third reading.

The House Bill relative to green jobs in the Commonwealth (House, No. 5018), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Bosley of North Adams.

Pending the question on passing the bill to be engrossed, the same member moved to amend it in section 1, in proposed subsection (c), in clause (2) and in clause (4), by striking out, in each instance, the word "matching"; in section 2, in subsection 1, in the definition of "Bonds", by striking out the following: "issued by or entered into by the center pursuant to sections 2 and 3", at the end of the definition of "Clean energy", by inserting after the words "recyclable fuel" the following: "and for purposes of this Act, an alternative energy generating source as defined in clauses (1) to (5), inclusive, of subsection (a) of section 11F1/2 of chapter 25A", in subsection 2, in subsection (b), by inserting after the word "Trust" the following: ", 1 of whom shall be the executive director of the Massachusetts Technology Collaborative", and at the beginning of subsection (c), by striking out the word "Five" and inserting in place thereof the word "Six"; in section 3, in subsection (a), in clause (13), by inserting after the words "public purposes" the words

"provided that all such funds be placed, in their entirety, in the fund", at the end of clause (16), by inserting after the words "subdivision thereof" the words "provided that all said revenues be placed, in their entirety, in the fund", and in clause (28), by striking out the word "would" and inserting in place thereof the word "may"; in section 8, by inserting after the words "higher education", each time they appear, and also by inserting after the words "technical schools", each time they appear, the words ", as defined in this section,".

The amendments were adopted.

After remarks Mr. Cabral of New Bedford and other members of the House moved to amend the bill in section 13, in the first sentence, by inserting after the words "environmental affairs" the words ", in consultation with secretary of labor and workforce development"; and in the second paragraph, by striking out the following: "by awarding at least 1 grant to entities located in the western 4 counties, 1 in Worcester and Middlesex counties, and 1 in the remaining eastern counties" and inserting in place thereof the words "with consideration given to the commonwealth's gateway cities, which shall include Brockton, Fall River, Fitchburg, Haverhill, Holyoke, Lawrence, Lowell, New Bedford, Pittsfield, Springfield, and Worcester". After debate the amendments were adopted.

After debate on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Sanchez of Boston; and on the roll call 156 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 484 in Supplement.]

Therefore the bill (House, No. 5018, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Reports of Committees.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill establishing the Global Warming Solutions Act (Senate, No. 2540) ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5035. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Smizik of Brookline, the bill was read a second time forthwith.

Pending the question on adoption of the amendment recommended by the committee on Ways and Means, Mr. Jones of North Reading and other members of the House moved to amend the proposed substitute text by striking out section 9, as follows:

"SECTION 9. Notwithstanding any general or special law to the contrary, nothing in this act shall restrict the secretary from adopting greenhouse gas emission limits or emission reduction measures prior to January 1, 2011, imposing those limits or measures prior to January 1, 2012, or providing early reduction credit, where appropriate, nor shall this act be seen as preventing any more stringent limits on emissions."; and inserting in place thereof the following section:

"SECTION 9. Nothing in this act shall be construed to restrict the secretary from adopting greenhouse gas emission limits or emission reductions measures prior to January 1, 2011 that are consistent with the intent or purpose of general or special laws, rules or regulations; imposing those

limits prior to January 1, 2012; or providing early reduction credit where appropriate, nor shall this act be seen as preventing any more stringent limits on emissions."

The further amendment was adopted.

The amendment recommended by the committee on Ways and Means (text of House, No. 5035, printed as amended) then also was adopted.

After debate on the question on ordering the bill, as amended, to a third reading (Mr. Petrolati of Ludlow being in the Chair), Ms. Flanagan of Leominster asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Petrolati), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 153 members were recorded as being in attendance. No. 485.

[See Yea and Nay No. 485 in Supplement.]

Therefore a quorum was present.

After remarks on the question on ordering the bill, as amended, to a third reading, the sense of the House was taken by yeas and nays, at the request of Mr. Smizik of Brookline; and on the roll call (the Speaker being in the Chair) 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 486 in Supplement.]

[Representatives deMacedo of Plymouth and Rogeness of Longmeadow answered "Present" in response to their names.]

Therefore the bill (Senate, No. 2540, amended) was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Dempsey of Haverhill, the bill (having been 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, as amended, to be engrossed, in concurrence, the same member moved to amend it in section 6, in subsection 2, in paragraph (a), by striking out clause (5) and inserting in place thereof the following clause:

"(5) require reporting of greenhouse gas emissions from generation sources producing all electricity consumed, including transmission and distribution line losses from electricity generated within the commonwealth or imported from outside the commonwealth; provided, however, that this requirement shall apply to all retail sellers of electricity, including electric utilities, municipal electric departments and municipal light boards as defined in section 1 of chapter 164A".

The amendment was adopted; and the bill (Senate, No. 2540, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5035, printed as amended).

Emergency Measure.

The engrossed Bill providing for the disposition of certain property at Medfield State Hospital (see House, No. 4214), 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 26 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 Senate) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call (Ms. Reinstein of Revere having been in the Chair) 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 487 in Supplement.]

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

Report of a Committee.

The Speaker being in the Chair,--

Mr. Wagner of Chicopee, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2800) of the House Bill financing improvements to the Commonwealth's transportation system (House, No. 4846), reported a bill with the same title (House, No. 5039).

Under suspension of the rules, on motion of Mr. Wagner of Chicopee, the report was considered forthwith.

After remarks on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call (Mr. Donato of Medford being in the Chair) 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 488 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

Engrossed Bill -- Land Taking.

The engrossed Bill releasing certain land in Dudley from the operation of an agricultural preservation restriction (see Senate, No. 46, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 156 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 489 in Supplement.]

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

Reports of Committees.

Mr. DeLeo of Winthrop, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 4956), returning with his disapproval of certain items and a section and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2009 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4900), reported, in part, in each instance, that certain items (contained in section 2) stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, in each instance, on motion of Mr. DeLeo, the following items and section 104 were considered; and the sense of the House, in each instance, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, as follows:

Item 2300-0100 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$5,700,068 to \$5,500,068.

After debate the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 137 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 490 in Supplement.]

Therefore item 2300-0100 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2511-0100 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$5,506,927 to \$5,187,195.

After debate the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 136 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 491 in Supplement.]

Therefore item 2511-0100 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2800-0500 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$4,303,025 to \$4,120,000.

After remarks the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 136 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 492 in Supplement.]

Therefore item 2800-0500 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2820-0300 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$1,603,959 to \$1,438,634.

After remarks the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 132 members voted in the affirmative and 24 in the negative.

[See Yea and Nay No. 493 in Supplement.]

Therefore item 2820-0300 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4120-2000 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$10,982,471 to \$10,882,471.

After debate (Mrs. Harkins of Needham being in the Chair) the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 138 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 494 in Supplement.]

Therefore item 4120-2000 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4120-3000 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$8,561,446 to \$8,461,446.

After debate the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 138 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 495 in Supplement.]

Therefore item 4120-3000 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4120-4000 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$12,449,034 to \$12,349,034.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 138 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 496 in Supplement.]

Therefore item 4120-4000 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4120-6000 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$10,933,588 to \$10,833,588.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 138 members voted in the affirmative and 18 in the negative.

[See Yea and Nay No. 497 in Supplement.]

Therefore item 4120-6000 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4403-2120 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$87,224,342 to \$86,579,147.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 135 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 498 in Supplement.]

Therefore item 4403-2120 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4510-0710 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$8,817,714 to \$8,717,714.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 137 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 499 in Supplement.]

Therefore item 4510-0710 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4513-1000 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$7,620,000 to \$7,260,000.

After debate the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 131 members voted in the affirmative and 25 in the negative.

[See Yea and Nay No. 500 in Supplement.]

Therefore item 4513-1000 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4513-1111 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$14,709,996 to \$14,198,362.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call (Mr. Donato of Medford being in the Chair 136 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 501 in Supplement.]

Therefore item 4513-1111 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4590-0250 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$17,457,134 to \$17,067,134.

After remarks the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 148 members voted in the affirmative and 9 in the negative.

[See Yea and Nay No. 502 in Supplement.]

Therefore item 4590-0250 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

The Chair (Mr. Donato of Medford) then placed before the House the question on suspension of Rule 1A in order that the House might continue to meet beyond the hour of nine o'clock P.M.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provision of said rule; and on the roll call 133 members voted in the affirmative and 23 in the negative.

[See Yea and Nay No. 503 in Supplement.]

Therefore Rule 1A was suspended.

Item 5920-2000 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$569,561,352 to \$568,961,352.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 141 members voted in the affirmative and 16 in the negative.

[See Yea and Nay No. 504 in Supplement.]

Therefore item 5920-2000 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 5920-3010 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$6,264,413 to \$5,264,413.

After remarks the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 154 members voted in the affirmative and 3 in the negative.

[See Yea and Nay No. 505 in Supplement.]

Therefore item 5920-3010 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Resolutions.

Resolutions (filed this day by Mr. Peterson of Grafton) recognizing the Supreme Court's decision on the Second Amendment (House, No. 5029) were referred, under Rule 85, to the committee on Rules.

Mr. Scaccia of Boston, for said committee, reported that the resolutions ought to be adopted. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Peterson, the resolutions (having been reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith.

Pending the question on adoption of the resolutions, Mr. Linsky of Natick moved to amend them by striking out all after the title and inserting in place thereof the following:

"Whereas, On Thursday, June 26, 2008 the Supreme Court of the United States affirmed that the Second Amendment to the Constitution protects an individual's civil right to possess a firearm unconnected with service in a militia; and

Whereas, On Thursday, June 26, 2008 the Supreme Court of the United States affirmed that the Second Amendment to the Constitution protects an individual civil right to use arms for traditionally lawful purposes; and

Whereas, On Thursday, June 26, 2008 the Supreme Court of the United States affirmed that the Second Amendment to the Constitution protects the lawful use of arms for self-defense within the home; and

Whereas, On Thursday, June 26, 2008 the Supreme Court of the United States affirmed that the core lawful purpose of the Second Amendment is self defense; and

Whereas, The term firearm used in this resolution is a generic term not specific to any class of guns; now therefore be it

Resolved, That the Massachusetts General Court joins in the opinion of the United States Supreme Court and officially recognizes that the Second Amendment to the Constitution does protect an individual civil right to possess a firearm unconnected with service in a militia and protects an individual civil right to use arms for traditionally lawful purposes and protects the lawful use of arms for self-defense within the home and officially recognizes that the core lawful purpose of the Second Amendment to the Constitution is self defense; and be it further

Resolved, That a copy of these resolutions be transmitted forthwith by the Clerk of the House of Representatives to Gun Owners' Action League."

The amendment was adopted.

On the question on adoption of the resolutions, as amended, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson; and on the roll call 115 members voted in the affirmative and 40 in the negative.

[Messrs. Guyer of Dalton and Moran of Boston answered "Present" in response to their names.]

[See Yea and Nay No. 506 in Supplement.]

[Messrs. Guyer of Dalton and Moran of Boston answered "Present" in response to their names.]

Therefore the resolutions (House, No. 5029, amended) were adopted.

Matters Discharged from the Orders of the Day.

The engrossed Bill authorizing superannuation retirement for Leo Senecal (see House, No. 4139), which had been returned by His Excellency the Governor with his objections thereto in writing (for message, see House, No. 4439), was considered, there being no objection.

On the question on passing the bill, notwithstanding the said objections, the sense of the House was determined by yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution; and on the roll call 128 members voted in the affirmative and 27 in the negative.

[See Yea and Nay No. 507 in Supplement.]

[Ms. Atkins of Concord answered "Present" in response to her name.]

Therefore the bill was passed, notwithstanding the objections of His Excellency the Governor (more than two-thirds of the members having agreed to pass the same). Sent to the Senate for its action.

The engrossed Bill authorizing the appointment of certain persons as firefighters in the city of Fall River (see House, No. 4089), which had been returned by His Excellency the Governor with his objections thereto in writing (for message, see House, No. 4549), was considered, there being no objection.

On the question on passing the bill, notwithstanding the said objections, the sense of the House was determined by yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution; and on the roll call 139 members voted in the affirmative and 18 in the negative.

[See Yea and Nay No. 508 in Supplement.]

Therefore the bill was passed, notwithstanding the objections of His Excellency the Governor (more than two-thirds of the members having agreed to pass the same). Sent to the Senate for its action.

Engrossed Bills -- Land Takings.

The engrossed Bill authorizing the city of Fitchburg to lease certain park land to the Wallace Civic Center and Planetarium (see Senate, No. 2589) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 509 in Supplement.]

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

The engrossed Bill relative to certain easements held by the Commonwealth of Massachusetts and the Massachusetts Water Resources Authority in the town of Wellesley (see Senate, No. 2219) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 156 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 510 in Supplement.]

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

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property to the town of Shirley (see Senate, No. 2510) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 511 in Supplement.]

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

Papers from the Senate.

The House Bill financing an accelerated structurally-deficient bridge improvement program (House, No. 4972) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2841.

Under suspension of Rule 35, on motion of Mr. Wagner of Chicopee, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith.

The same member then moved that the House concur with the Senate in its amendment with the following further amendments:

By striking section 6 and inserting in place thereof the following section:

"SECTION 6. Chapter 6A of the General Laws is hereby amended by inserting after section 8B the following new section:-

Section 8C. (a) There shall be established a structurally deficient bridge improvement program coordination and oversight council, hereinafter referred to as the council. The council shall consist of a chair appointed by the governor, the secretary of the executive office of administration and finance, or his designee, the secretary of the executive office of transportation and public works, the secretary of the executive office of energy and environmental affairs, the commissioner of the department of highways, the commissioner of the department of conservation and recreation, and the commissioner of the division of capital asset management and maintenance.

(b) Said council shall be responsible for the coordination and oversight of the accelerated structurally deficient bridge improvement program including, without limitation:- (i) ensuring

regular communication and coordination between the department of highways and the department of conservation and recreation as to their bridge development projects, programs and plans and any regulations or guidelines promulgated pursuant thereto; (ii) establishing and implementing project controls to ensure adequate tracking and reporting of program progress, cost and schedules; (iii) establishing an annual structurally deficient bridge improvement plan which shall include the number and location of bridges which shall be replaced or rehabilitated in the preceding year and the cost estimates of said replacement or rehabilitation; (iv) directing appropriate agencies to provide technical assistance as necessary to accomplish the objectives of the structurally deficient bridge improvement program; (v) coordinating and resolving any inconsistencies between capital investments made pursuant to the structurally deficient bridge improvement program and capital improvements made pursuant to commonwealth's capital plan; (vi) establish criteria for project selection relative to funding from the structurally deficient bridge improvement program.

(c) The council shall annually, not later than December 31st, submit a report of its activities to the chairs and ranking members of the house and senate committees on ways and means, the chairs and ranking members of joint committee on bonding, capital expenditures and state assets and the chairs and ranking members of the joint committee on transportation. The council shall annually submit a report pursuant to clause (iii) of subsection (b) not later than December 31st to the chairs of the house and senate committees on ways and means, the chairs of joint committee on bonding, capital expenditures and state assets and the chairs of the joint committee on transportation.

(d) The council shall meet at least quarterly. The secretary of executive office of transportation shall provide personnel necessary to coordinate the activities of the council and to provide administrative support to the council, as requested.";

In section 12, in line 282, and also in line 293, by inserting after the words "maintaining and repairing", in each instance, the words "highways, roadways, boulevards, and parkways";

In section 16, in lines 356 and 357, by striking out the words "secretary of administration and finance in conjunction with the secretary of transportation" and inserting in place thereof the word "council", in line 358, by inserting after the words "any other" the word "MassHighway", in line 369, by inserting after the words "in the opinion of the" the words "council with consultation from the", and, in said line, by striking out the words "and public works";

In section 17, in lines 380 and 381, by striking out the words "secretary of transportation and public works, the department of highways and the department of conservation and recreation, hereinafter referred to as the agencies, shall perform appropriate oversight and" and inserting in place thereof the word "council", in line 384, by striking out the word "agencies" and inserting in place thereof the word "council", in line 386 and 387, by striking out the words "secretary of transportation and public works, acting on behalf of the agencies" and inserting in place thereof the word "council", in line 393, by inserting after the words "subject to a" the word "joint", and, in line 394, by inserting after the words "oversight hearing conducted by" the words "the joint committee on transportation and"; and

In section 19, lines 403 and 404, and also in line 413, by striking out the words "secretary of transportation and public works" and inserting in place thereof, in each instance, the word "council".

The further amendments were adopted. After remarks the House concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendments.

The House Bill making appropriations for the fiscal year 2008 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5022) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after

the enacting clause and inserting in place thereof the text contained in Senate document numbered 2857.

Under suspension of Rule 35, on motion of Mr. DeLeo of Winthrop, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith.

Pending the question on concurring with the Senate in its amendment, Mr. Jones of North Reading and Ms. St. Fleur of Boston moved that it be amended by inserting after section 21 the following four sections:

"SECTION 21A. Section 17A of chapter 180 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Deductions on pay-roll schedules may be made from the salary of any state, county or municipal employee of any amount which such employee may specify in writing to any state, county or municipal officer, or the head of the state, county or municipal department, board of commission, by whom or which he is employed, or which may be specified by a collective bargaining agreement with the PCA Quality Homecare Workforce Council, for the payment of union dues to an association of state, county or municipal employees, dues to the Massachusetts State Employees Association, dues to the Massachusetts Nurses Association, or dues payable to any relief association of any municipal department.

SECTION 21B. Said section 17A of said chapter 180, as so appearing, is hereby further amended by striking out the first sentence, as amended by section 21A of this act, and inserting in place thereof the following sentence:- Deductions on pay-roll schedules may be made from the salary of any state, county or municipal employee of any amount which such employee may specify in writing to any state, county or municipal officer, or the head of the state, county or municipal department, board or commission, by whom or which he is employed, for the payment of union dues to an association of state, county or municipal employees, dues to the Massachusetts State Employees Association, or dues payable to any relief association of any municipal department.

SECTION 21C. Section 17G of said chapter 180, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Deductions on pay-roll schedules shall be made from the salary of any state, county or municipal employee of any amount which such employee may specify in writing to any state, county or municipal officer, or the head of the state, county or municipal department, board or commission, by whom or which he is employed, or which may be specified by a collective bargaining agreement with the PCA Quality Homecare Workforce Council, for the payment of agency service fees to the employee organization, which, in accordance with the provisions of chapter 150E is duly recognized by the employer or designated by the labor relations commission as the exclusive bargaining agent for the appropriate unit in which such employee is employed.

SECTION 21D. Said section 17G of said chapter 180, as so appearing, is hereby further amended by striking out the first sentence, as amended by section 21C of this act, and inserting in place thereof the following sentence:- Deductions on pay-roll schedules shall be made from the salary of any state, county or municipal employee of any amount which such employee may specify in writing to any state, county or municipal officer, or the head of the state, county or municipal department, board or commission, by whom or which he is employed, for the payment of agency service fees to the employee organization, which, in accordance with the provisions of chapter 150E is duly recognized by the employer or designated by the labor relations commission as the exclusive bargaining agent for the appropriate unit in which such employee is employed."

The further amendment was adopted.

The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendment.

Reports of Committees.

Mr. DeLeo of Winthrop, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 4956), returning with his disapproval of certain items and a section and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2009 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4900), reported, in part, in each instance, that certain items (contained in section 2) stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported, in each instance, that the matters be scheduled for consideration by the House.

Under suspension of Rule 7A, in each instance, on motion of Mr. DeLeo, the following items and section 104 were considered; and the sense of the House, in each instance, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, as follows:

Item 0320-0010 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$1,283,205 to \$1,229,651.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 138 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 512 in Supplement.]

Therefore item 0320-0010 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 0321-1500 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$29,294,603 to \$28,836,138.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 138 members voted in the affirmative and 18 in the negative.

[See Yea and Nay No. 513 in Supplement.]

Therefore item 0321-1500 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 0330-3200 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$66,111,070 to \$65,251,601.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 138 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 514 in Supplement.]

Therefore item 0330-3200 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 0339-1001 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$142,372,102 to \$134,741,944.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 130 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 515 in Supplement.]

[Messrs. Costello of Newburyport, Petrolati of Ludlow and Quinn of Dartmouth answered "Present" in response to their names.]

Therefore item 0339-1001 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 0339-1003 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$7,776,254 to \$6,119,837.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 129 members voted in the affirmative and 24 in the negative.

[See Yea and Nay No. 516 in Supplement.]

[Messrs. Alicea of Charlton, Costello of Newburyport, Petrolati of Ludlow and Quinn of Dartmouth answered "Present" in response to their names.]

Therefore item 0339-1003 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 0339-1004 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$19,316,186 to \$19,110,141.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 129 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 517 in Supplement.]

[Messrs. Alicea of Charlton, Costello of Newburyport, Petrolati of Ludlow and Quinn of Dartmouth answered "Present" in response to their names.]

Therefore item 0339-1004 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7003-1641 (contained in section 2), which had been vetoed by the Governor then was considered.

On the question on passing said item, notwithstanding the objections of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 144 members voted in the affirmative and 13 in the negative.

[See Yea and Nay No. 518 in Supplement.]

Therefore item 7003-1641 (contained in section 2) was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7007-1200 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$250,000 to \$125,000.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 141 members voted in the affirmative and 16 in the negative.

[See Yea and Nay No. 519 in Supplement.]

Therefore item 7007-1200 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7061-0011 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$5,500,000 to \$5,250,000.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 139 members voted in the affirmative and 18 in the negative.

[See Yea and Nay No. 520 in Supplement.]

Therefore item 7061-0011 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 8100-0000 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$256,755,080 to \$256,514,959.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 139 members voted in the affirmative and 18 in the negative.

[See Yea and Nay No. 521 in Supplement.]

Therefore item 8100-0000 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 8324-0000 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$19,398,315 to \$16,369,503.

After debate the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 142 members voted in the affirmative and 15 in the negative.

[See Yea and Nay No. 522 in Supplement.]

Therefore item 8324-0000 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the city of New Bedford to grant eighteen additional licenses for the sale of wine and malt beverages to be drunk on the premises (House, No. 4994) be scheduled for consideration by the House.

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

Engrossed Bills -- Land Takings.

The engrossed Bill authorizing the partial release of certain land in Easthampton from the operation of an agricultural preservation restriction (see Senate, No. 42) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 156 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 523 in Supplement.]

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

The engrossed Bill authorizing the town of Middleborough to use a portion of town-owned land for purposes other than water supply protection and storage (see Senate, No. 1189) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 524 in Supplement.]

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

The engrossed Bill relative to the leasing of a certain parcel of land in the town of Gardner (see Senate, No. 2696, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 525 in Supplement.]

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

Emergency Measure.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant a sewer easement in certain land in the town of Belchertown (see Senate, No. 2355, 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 11 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 Senate) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 526 in Supplement.]

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

Engrossed Bill -- Land Taking.

The engrossed Bill relative to a parcel of land in the city of Lowell (see Senate, No. 2726) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 527 in Supplement.]

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

Emergency Measures.

The engrossed Bill establishing a sick leave bank for David Catanzaro, an employee of the Trial Court (see House, No. 4771, 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 23 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.

The engrossed Bill authorizing the Commissioner of Capital Asset Management and Maintenance to grant easements in the city of Somerville (see House, No. 4781), 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 21 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 528 in Supplement.]

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

Engrossed Bills.

The engrossed Bill relative to rates for human and social service programs (see Senate, No. 2764, amended) (which originated in the Senate) (which had been returned by His Excellency the Governor with recommendation of amendments), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Engrossed bills

Relative to District Court clerks (see Senate, No. 1004);

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

Relative to the use of a certain building in the town of Whitman (see Senate, No. 2474);

Authorizing the sale of alcoholic beverages on golf courses (see Senate, No. 2769);

(Which severally originated in the Senate);

Conveying land from the town of Plainfield to the Plainfield Congregational Church (see House, No. 4474); and

Relative to the post retirement liability fund in the town of Needham (see House, No. 4826);

(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.

Report of the Special Committee on Roll Call Security.

The Speaker being in the Chair,-- the report of the special committee (established under House order No. 4719 of 2008 and time for reporting extended by House order No. 4997 of 2008) to make recommendations for the installation of a secure roll call system for the House of Representatives (House, No. 5034), was referred, on motion of Mr. Scaccia of Boston, to the committee on Rules, with instructions to draft recommendations for changes in House Rules necessary to implement the provisions of the report in order to assist the next General Court.

Recess.

At five minutes after twelve o'clock midnight (Thursday, July 31), there being no objection, on motion of Mr. Jones of North Reading (the Speaker being in the Chair), the House recessed until eleven o'clock A.M.; and at that time, the House was called to order with Mr. Bosley of North Adams in the Chair.

Thursday, July 31, 2008 (at 11:00 o'clock A.M.).

At the request of the Chair (Mr. Bosley), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.