

## JOURNAL OF THE HOUSE.

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Thursday, August 14, 2008.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God, Our Creator, each day we try to serve You and constituents, who depend upon our sound judgements, in a faithful manner. Each day, we also renew our commitment to our traditional personal principles, high ideals and to Your ways and precepts. We believe that Your assistance enables us, more readily, to make the right intellectual and ethical legislative choices. We pray for the wisdom and courage, as elected leaders in our communities and in the Commonwealth, to select those legislative options which serve the current and future needs of people in these changing and challenging times. May we together build a peaceful, stable, ethical and just society.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

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

### *Messages from the Governor — Appropriation and Bond Bills Returned with Reductions and Disapprovals.*

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill making appropriations for the fiscal year 2008 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 5022] (for message, see House, No. 5066) which was filed in the Office of the Clerk on Friday, August 8;

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill financing improvements to the Commonwealth's transportation system [see House, No. 5039, amended] (for message, see House, No. 5067) which was filed in the Office of the Clerk on Friday, August 8; and

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill providing for capital facility repairs and improvements for the Commonwealth [see House, No. 5055] (for message, see House, No. 5075) which was filed in the Office of the Clerk on Monday, August 11;

Severally were referred, under Rule 30, to the committee on Ways and Means.

### *Messages from the Governor — Vetoes.*

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to the arti-

cles and by-laws of cooperative housing corporations [see House, No. 1224, amended] (for message, see House, No. 5070) which was filed in the Office of the Clerk on Friday, August 8;

Plainfield,  
land.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill conveying land from the town of Plainfield to the Plainfield Congregational Church [see House, No. 4474] (for message, see House, No. 5071) which was filed in the Office of the Clerk on Friday, August 8;

Amesbury,  
eminent  
domain.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill to limit use of eminent domain in the city of Amesbury [see House, No. 4583] (for message, see House, No. 5072) which was filed in the Office of the Clerk on Friday, August 8;

Interior  
designers.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to interior designers bidding on state contracts [see House, No. 4731] (for message, see House, No. 5073) which was filed in the Office of the Clerk on Friday, August 8; and

State pension  
system.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to the Commonwealth's pension system [see House, No. 4959, amended] (for message, see House, No. 5074) which was filed in the Office of the Clerk on Friday, August 8;

The messages were read; and, under House Rule 12, they severally were placed in the Orders of the Day for the next sitting.

*Message from the Governor — Section of  
Transportation Bond Bill Returned with  
Recommendation of Amendment.*

Transportation  
bond,  
signal permit  
applicants.

A message from His Excellency the Governor returning with recommendation of amendment section 74 of the engrossed Bill financing improvements to the Commonwealth's transportation system [see House, No. 5039, amended] (for message, see House, No. 5068) was filed in the office of the Clerk on Friday August 8.

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

Pending the question on adoption of the amendment recommended by His Excellency, the section (printed as House bill No. 5069) was referred, on motion of Mr. Golden of Lowell, to the committee on Bills in the Third Reading.

*Appointment to an Advisory Commission.*

Ocean  
Advisory  
Commission.

The Minority Leader announced the appointment of Representative deMacedo of Plymouth as his designee to serve on the advisory commission established (under Section 2 of Chapter 114 of the Acts of 2008) to assist the Secretary of Energy and Environmental Affairs in developing an ocean management plan.

*Petitions.*

Representative Peake of Provincetown and Senator O'Leary presented a joint petition (accompanied by bill, House, No. 5077) of Sarah K. Peake and Robert A. O'Leary (by vote of the town) that the town of Harwich be authorized to establish an affordable housing fund under the jurisdiction of the treasurer of said town; and the same was referred to the committee on Housing. Sent to the Senate for concurrence.

Harwich,  
affordable  
housing.

Mr. Finegold of Andover presented a petition (subject to Joint Rule 12) of Barry R. Finegold for legislation to establish a sick leave bank for John Vitale, an employee of the land court; and the same was referred, under Rule 24, to the committee on Rules.

John Vitale,  
sick leave.

*Resolutions.*

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

Resolutions (filed by Mr. Driscoll of Braintree) recognizing Deputy Chief Kevin P. McHugh for his twenty-nine years of outstanding and dedicated service as a police officer for the town of Braintree; and

Kevin P.  
McHugh.

Resolutions (filed by Representatives Peisch of Wellesley and Linsky of Natick) honoring Charles M. Hughes on his service to the town of Natick;

Charles M.  
Hughes.

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Kujawski of Webster, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Paper from the Senate.*

A Bill relative to the granting of certain licenses for the sale of alcoholic beverages to be drink on the premises in the town of Wenham (Senate, No. 2824) (on Senate, No. 2667) [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.

Wenham,  
liquor  
license.

*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 joint petition of Anthony J. Verga and others for legislation to provide for a contribution by the Commonwealth to the Disabled Veterans' Life Memorial Foundation located in Washington, D.C. Under suspension of the rules, on motion of Mr. Galvin of Canton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Veterans and Federal Affairs. Sent to the Senate for concurrence.

Disabled  
Veterans  
Memorial.

Alice  
Eldridge,  
sick leave  
bank.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill establishing a sick leave bank for Alice Eldridge, an employee of the Department of Revenue (Senate, No. 2745, amended) be scheduled for consideration by the House.

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

Linda  
McKinley,  
sick leave.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Public Service to make an investigation and study of certain House documents concerning active and retired public employees (House, No. 4607), reported, in part, a Bill establishing a sick leave bank for Linda McKinley, an employee of the Department of Transitional Assistance (House, No. 5045). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of the rules, on motion of Ms. Peisch of Wellesley, the bill was read a second time forthwith; and it was ordered to a third reading.

Springfield,  
finances.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, on House, No. 4824, a Bill providing for the financial stability of the city of Springfield (House, No. 5076). Read; and 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. McMurtry of Dedham, the bill was read a second time forthwith; and it was ordered to a third reading.

Immigrants,  
food stamps.

Report of the committee on Children, Families and Persons with Disabilities, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 84) of Antonio F. D. Cabral and others for legislation to restore TAFDC and food stamp benefits to legal immigrants; and

Medical  
day care  
providers.

Report of the same committee, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 87) of Robert K. Coughlin relative to establishing medical day care providers;

Severally were considered forthwith, under suspension of the rules, on motion of Ms. Basler of Newton, the question, in each instance, being on acceptance.

Pending the question, in each instance, on acceptance of the report, the petition was recommitted, on motion of Ms. Coakley-Rivera of Springfield.

Family  
therapy,  
access.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill increasing consumer access to licensed marriage and family therapists (Senate, No. 120); ought to pass.

By the same member, for the same committee, that the Bill relative to the conversion by a Massachusetts chartered credit union to a federal charter (House, No. 1106) ought to pass.

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

Credit  
unions,  
federal  
charters.

#### *Engrossed Bills.*

##### *Engrossed bills*

Relative to Rutland Heights State Hospital (see Senate, No. 2353, amended) (which originated in the Senate); and

Establishing a sick leave bank for Timothy M. Larkin, an employee of the executive office of administration and finance (see House, No. 4955) (which originated in the House);

In respect to each of which the Senate had concurred in adoption of the emergency preamble, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Bills  
enacted.

##### *Engrossed bills*

Exempting the position of police captain in the town of Hudson from the provisions of the civil service law (see House, No. 4777); and

Removing the deputy chief of police of the town of Acton from the civil service laws (see House, No. 4870);

(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.

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#### *Order.*

On motion of Mr. DiMasi of Boston,—

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

Next  
sitting.

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