

## JOURNAL OF THE HOUSE.

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Monday, November 10, 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:

Eternal God, we begin this work week with a prayer to You in which we seek Your guidance and direction in addressing pending legislative and administrative items and issues. We depend upon Your gift of wisdom to comprehend clearly the signs of the times, the consequences of our personal choices and the courage to make the right, moral and just decisions. As elected leaders inspire us to build confidence and trust in You, our constituents, colleagues and traditional long-standing institutions. As a people and nation, tomorrow we observe Veterans Day a national holiday. We pause to remember, to thank and to pray for both living and deceased veterans and their families. On Veterans Day we also remember the sacrifices and dedication of all veterans who have made it possible for us to enjoy personal freedom and the blessings of this country.

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.

### *Message from the Governor — Disapproval of a Section of the Supplemental Appropriation Bill.*

A message from His Excellency the Governor returning with his disapproval of Section 3 contained in the engrossed Bill making appropriations for the fiscal year 2009 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 5132] (for message, see House, No. 5141) was filed in the Office of the Clerk on Friday, November 7.

The message was read; and, under House Rule 30, it was referred to the committee on Ways and Means.

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

A message from His Excellency the Governor returning with recommendation of amendment Section 9 contained in the engrossed Bill making appropriations for the fiscal year 2009 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 5132] (for message, see House, No. 5142) was filed in the office of the Clerk on Friday November 7.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, Section 9 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, No. 5143) was referred, on motion of Mr. Golden of Lowell, to the committee on Bills in the Third Reading.

*Resolutions.*

Resolutions (filed with the Clerk by Mr. Sannicandro of Ashland) honoring Captain Michael D. Brogan on his retirement from the Ashland Fire Department, were referred, under Rule 85, to the committee on Rules.

Mr. Scaccia of Boston, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Sannicandro of Ashland, 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 petition (accompanied by bill, Senate, No. 2886) of Bruce E. Tarr and Bradford Hill (by vote of the town) for legislation to establish a post employment health insurance liability fund in the town of Ipswich, was referred, in concurrence, to the committee on Public Service.

*Reports of Committees.*

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill designating a certain bike path in the town of Millbury as the Honorable Richard Dwinell Memorial Blackstone Valley Bike Path (House, No. 5102) 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; 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 validating the actions taken at an annual town meeting and special town meeting of the town of Rockland (House, No. 5107) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. O'Day of Worcester, 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 city of Chicopee to abandon certain park land (House, No. 5111) 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. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill designating a certain park in the town of Dedham as the Honorable Marie Louise Kehoe Memorial Park (House, No. 5112, changed) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. McMurtry of Dedham, 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 voting practices of the Franklin Regional Council of Governments (House, No. 5134) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Galvin of Canton, 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 Resolve supporting economic opportunities in the Commonwealth (House, No. 1870) ought to pass with an amendment in line 30 by striking out the year "2007" and inserting in place thereof the following: "2008". Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

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. Wolf of Cambridge, the resolve was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the resolve (House, No. 1870, amended) was ordered to a third reading.

At twenty-five minutes before twelve o'clock noon, on motion of Mr. Rodrigues of Westport (Mr. Donato of Medford being in the Chair), the House recessed until twelve o'clock noon; and at fourteen minutes after twelve o'clock noon the House was called to order with Mr. Donato in the Chair.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill relative to Gold Star license plates (Senate, No. 2352, amended) ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5140. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

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, as amended, was ordered to a third reading.

Michael D. Brogan.

Ipswich, liability fund.

Millbury, Dwinell Bike Path.

Rockland, town meeting.

Chicopee, park land.

Dedham, Marie Louise Kehoe Park.

Franklin Regional Government.

Job creation, study.

Recess.

Gold Star license plates.

Subsequently under suspension of the rules, on motion of the same member, 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, its title having been changed by said committee to read: "An Act relative to Gold Star registration plates." The bill (Senate, No. 2352, amended) then was sent to the Senate for concurrence in the amendment.

Malden  
District  
Court.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill relative to the District Court of Malden (House, No. 1408) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Kenneth J.  
Murphy,  
sick leave.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Kenneth J. Murphy an employee of the Department of Correction (House, No. 5139, changed by adding the following paragraph:

"Sick leave bank days may not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the department." Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Recess.

*Recess.*

At a quarter after twelve o'clock noon, on motion of Ms. Provost of Somerville (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at that time the House was called to order with Mr. Donato in the Chair.

Next  
sitting.

*Order.*

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

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At five minutes after one o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Wednesday next at eleven o'clock A.M., in an Informal Session.