

JOURNAL OF THE HOUSE.

Monday, July 24, 2006.

Met according to adjournment, at eleven o'clock A.M., with Mr. Petrolati of Ludlow 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, our belief and hope in You gives direction, meaning and happiness to us and to our daily living. Your assistance, ways and precepts enable us to have a clearer vision of reality and an objective set of values to live by. You help and presence in our lives save us from discouragement as we fail, on occasion, to reach our personal and legislative goals. Guide our daily efforts to do our best in proposing and enacting legislation which bring peace, prosperity, stability and confidence in our institutions to our communities.

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

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

Statement Concerning Representative Kulik of Worthington.

A statement of Mr. Rogers of Norwood concerning Mr. Kulik of Worthington 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 one of our colleagues, Representative Kulik of Worthington, will not be present in the House Chamber for today's sitting due to a longstanding commitment outside of the Commonwealth. Any roll calls that he may miss today will be due entirely to the reason stated. Representative Kulik of Worthington.

Prayer.

Statement
concerning
Representative
Kulik of
Worthington.

Statement Concerning Representative Scibak of South Hadley.

A statement of Mr. Rushing of Boston concerning Mr. Scibak of South Hadley 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 one of our colleagues, Representative Scibak of South Hadley, will not be present in the House Chamber for today's sitting due to a longstanding commitment outside of the Commonwealth. Any roll calls that he may miss today will be due entirely to the reason stated.

Statement
concerning
Representative
Scibak of
South Hadley.

Resolutions.

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

Brian
Matthew
Johns.

Resolutions (filed by Mrs. Coppola of Foxborough) congratulating Brian Matthew Johns on receiving the Eagle Award of the Boy Scouts of America;

Kevin M.
Donovan.

Resolutions (filed by Mr. Nyman of Hanover) congratulating Chief Kevin M. Donovan on the occasion of his retirement from the Rockland Police Department;

Patrick J.
Burke.

Resolutions (filed by Messrs. O'Brien of Kingston and deMacedo of Plymouth) congratulating Patrick J. Burke on receiving the Eagle Award of the Boy Scouts of America;

Joseph L.
Verzone.

Resolutions (filed by Messrs. O'Brien of Kingston and deMacedo of Plymouth) congratulating Joseph L. Verzone on receiving the Eagle Award of the Boy Scouts of America; and

Edward W.
Forman.

Resolutions (filed by Messrs. Scibak of South Hadley and Smola of Palmer) honoring Edward W. "Eddie" Forman;

Mrs. Parente of Milford, 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. Murphy of Lowell, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Papers from the Senate.

Bills

Electronic
transfer
failure.

Requiring a financial institution to pay late fees when it fails to conduct an electronic transfer (Senate, No. 618, amended in lines 12 to 16, inclusive, by striking out the sentence contained therein and inserting in place thereof the following sentence: "If a financial institution willfully and knowingly fails to comply with this section, then the consumer shall be entitled to 3 times the actual damages sustained by the consumer.") (on a petition); and

Public works,
dispute
resolution.

Promoting alternative resolution of certain public work disputes (Senate, No. 2655) (on Senate bill, No. 2607);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Bills

Sign
installers.

Relative to the licensing of sign installers (Senate, No. 202) (on a petition);

Norton,
Craig Blake.

Exempting Craig Blake of Norton from the maximum requirements for appointment as a firefighter in the town of Norton (Senate, No. 2568) (on a petition) [Local Approval Received];

Dementia.

Relative to dementia special care units in long-term care facilities (Senate, No. 2652) (on Senate bill, No. 2533);

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.

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

Birth
certificates.

Petition (accompanied by bill, Senate, No. 2664) of Cynthia S. Creem and Frank I. Smizik for legislation relative to birth certifi-

cates of certain adopted children. To the committee on Children and Families.

adopted
children.

Petition (accompanied by bill, Senate, No. 2662) of Morris Rodney for legislation to increase the limit on small claims procedures; and

Small claim
procedure,
limit.

Petition (accompanied by bill, Senate, No. 2663) of Paul LaCamera for legislation to provide protection against compelled disclosure of certain information by the news media;

Disclosure,
news media.

Severally to the committee on the Judiciary.

Petition (accompanied by bill, Senate, No. 2665) of Mark C. Montigny and Antonio F. D. Cabral for legislation to establish a sick leave bank for a certain employee of the Department of Social Services. To the committee on Public Service.

Patricia
Miller
sick leave.

The following notice was received from the Clerk of the Senate, to wit:

July 19, 2006.

Honorable Salvatore F. DiMasi
Speaker of the House of Representatives
Room 356 State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Robert E. Travaglini, President of the Senate, has announced his appointment (pursuant to Section 112 of Chapter 58 of the Acts of 2006) of Senator Richard T. Moore as the Senate designee to "any terms and conditions negotiated with the Federal Centers of Medicare and Medicaid Services".

Medicare
and Medicaid
Services.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate

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 Rules 12 and 9 be suspended on the petition of Cleon H. Turner, Robert A. O'Leary and another relative to authorizing the Dennis Water District and MHC Old Chatham L.L.C. to exchange certain parcels of land. Under suspension of the rules, on motion of Mr. Turner of Dennis, the report was considered forthwith. Joint Rules 12 and 9 were suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Dennis
Water
District,
land.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

North
Reading,
water
services.

Petition (accompanied by bill) of Bradley H. Jones, Jr., and others relative to the delivery of water services to the town of Reading by the Water Resources Authority. To the committee on Environment, Natural Resources and Agriculture.

Adopted
children,
birth
certificates.

Petition (accompanied by bill) of Frank I. Smizik and Cynthia S. Creem for legislation to authorize the changing of names on birth certificates of certain adopted children. To the committee on Public Health.

Westborough,
Zara Cisco
Brough.

Petition (accompanied by bill) of Karyn E. Polito and others for legislation to designate the Department of Youth Services site in the town of Westborough as the Zara Cisco Brough-“Little White Flower” Facility. To the committee on State Administration and Regulatory Oversight.

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

Board of
Registration
in Medicine,
compensation.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to the compensation and expenses of members of the Board of Registration in Medicine (Senate, No. 1288, amended) be scheduled for consideration by the House.

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

North
Andover,
Stevens
Estate.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of North Andover to hold a license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4693) be scheduled for consideration by the House.

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

Algonquin Gas
Transmission,
LLC.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the Commissioner of the Division of Capital Asset Management and Maintenance to grant easements to Algonquin Gas Transmission, LLC and Colonial Gas Company d/b/a Keyspan Energy Delivery New England (House, No. 5173) be scheduled for consideration by the House.

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

Boston,
Expressway
Motors LLC.

By Mr. Flynn of Bridgewater, for the committee on Bonding, Capital Expenditures and State Assets, on a recommitted petition, a Bill authorizing the conveyance of a certain parcel of land in the city of Boston (House, No. 4801). 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 providing for a certain tax exemption (House, No. 5205) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Tax
exemption.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill further regulating horse and greyhound racing (Senate, No. 2626) ought to pass with an amendment substituting therefore a Bill further regulating horse and greyhound racing (House, No. 5221). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Horse and
greyhound
racing,
regulate.

Engrossed Bill.

The engrossed Bill authorizing the town of Topsfield to grant an additional license for the sale of wine and malt beverages not to be drunk on the premises (see House, No. 4810) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Mr. Correia of Fall River being in the Chair,—

The engrossed Bill relative to the renewable energy portfolio standard (see House, No. 5090, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted.

Bill
enacted.

Mr. Rodrigues of Westport moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill then was signed by the acting Speaker and sent to the Senate.

Motions to Discharge Certain Matters in the Orders of the Day.

Mr. Carron of Southbridge moved that the House Bill Authorizing the town of Oxford to make certain loans (House, No. 4238) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

Oxford,
loans.

The bill then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Eldridge of Acton then moved that the House Bill relative to the redetermination of municipal sewer assessments (House, No. 4435), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

Municipal
sewer
assessments.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Loscocco of Holliston then moved that the House Bill relative to the department of public works in the town of Hopkinton (House, No. 4747), be discharged from its position in the Orders of

Hopkinton,
public works.

Hopkinton,
public works.

the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Military
relief tax.

Mr. Verga of Gloucester then moved that the House Bill establishing the Massachusetts military enhanced relief individual tax (MERIT) plan (House, No. 4660) be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed. The bill was read a second time

The amendment previously recommended by the committee on Veterans and Federal Affairs,— that the bill be amended by adding at the end thereof the following section:—

“SECTION 20. This act shall be known as the ‘Edward G. Connolly Massachusetts Military Enhanced Relief Individual Tax (MERIT) Plan’.”— was adopted.

The bill (House, No. 4660, amended) was ordered to a third reading.

Recess.

Recess.

At sixteen minutes after eleven o’clock A.M., Mr. Petrolati of Ludlow took the Chair and, on motion of Mr. Spellane of Worcester, the House recessed until the hour of one o’clock P.M.; and at twenty-four minutes after one o’clock the House was called to order with Mr. Petrolati in the Chair.

Quorum.

Quorum.

Mr. Flynn of Bridgewater thereupon asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Petrolati of Ludlow), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum,
yea and nay
No. 662.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 144 members were recorded as being in attendance. No. 662.

[See Yea and Nay No. 662 in Supplement.]

Therefore a quorum was present.

Engrossed Bill — Land Taking.

UMass
Boston,
land.

The engrossed Bill authorizing the University of Massachusetts to convey a certain parcel of land in the city of Boston to the United States of America acting by and through the National Archives and Records Administration (see Senate, No. 2597, amended) (which originated in the Senate), in respect to which the Senate had concurred in adoption of the emergency preamble, was put upon its final passage.

Bill enacted
(Land taking),
yea and nay
No. 663.

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 150 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 663 in Supplement.]

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

Messages from the Governor — Vetos.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill granting school nurses eligibility for professional teacher status [see House, No. 1087] (for message, see House, No. 5214) was filed in the Office of the Clerk on Thursday, July 20.

School
nurses,
status.

The message was read; and, under the provisions of Article II of Section I of Chapter I of the Constitution, the House proceeded to “reconsider” the said bill.

After debate the question on passing the bill, notwithstanding the said objections, was determined by the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution; and on the roll call 152 members voted in the affirmative and 0 in the negative.

Bill passed
over veto,
yea and nay
No. 664.

[See Yea and Nay No. 664 in Supplement.]

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

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill to establish a personal care attendant quality home care workforce council [see House, No. 4758, amended] (for message, see House, No. 5218) was filed in the Office of the Clerk on Friday, July 21.

Home care
workforce
council.

The message was read; and, under the provisions of Article II of Section I of Chapter I of the Constitution, the House proceeded to “reconsider” the said bill.

The question on passing the bill, notwithstanding the said objections, was determined by the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution; and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill passed
over veto,
yea and nay
No. 665.

[See Yea and Nay No. 665 in Supplement.]

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

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. 5150), 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 2007 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. 5000), reported,

General
Appropriation
Bill.

General
Appropriation
Bill

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 the rules, on motion of Mr. DeLeo, item 4000-0600 (contained in section 2) was considered.

The Governor had stricken certain wording and reduced said item from \$1,726,309,136 to \$1,695,809,136.

After debate on the question on passing said item, notwithstanding the action of the Governor, 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 152 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 666 in Supplement.]

Therefore item 4000-0600 (contained in section 2) passed, notwithstanding the action 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.

Under suspension of the rules, on motion of Mr. DeLeo, item 4000-0700 (contained in section 2) was considered.

The Governor had stricken certain wording and reduced said item from \$1,538,637,750 to \$1,524,137,750.

On the question on passing said item, notwithstanding the action of the Governor, 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 134 members voted in the affirmative and 18 in the negative.

[See Ye and Nay No. 667 in Supplement.]

Therefore item 4000-0700 (contained in section 2) passed, notwithstanding the action 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.

Mr. DeLeo of Winthrop then moved that the rules be suspended in order that the House might consider item 4000-0880 (contained in section 2).

The pending motion to suspend rules was divided, at the request of Mr. Peterson of Grafton.

On the first pending question, the motion to suspend Rule 41, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 131 members voted in the affirmative and 21 in the negative.

[See Ye and Nay No. 668 in Supplement.]

Therefore Rule 41 was suspended.

On the second pending question, the motion to suspend Rule 7A, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 131 members voted in the affirmative and 21 in the negative.

[See Ye and Nay No. 669 in Supplement.]

Therefore Rule 7A was suspended.

Adult day
health
transportation
4000-0600
stands,
yea and nay
No. 666.

Community
health centers
item
4000-0700
stands,
yea and nay
No. 667.

Rule 41
suspended,
yea and nay
No. 668.

Rule 7A
suspended,
yea and nay
No. 669.

Item 4000-0880 (contained in section 2) then was considered.

The Governor had stricken certain wording and reduced said item from \$100,095,712 to \$98,595,712.

On the question on passing said item, notwithstanding the action of the Governor, 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 141 members voted in the affirmative and 12 in the negative.

[See Ye and Nay No. 670 in Supplement.]

Therefore item 4000-0880 (contained in section 2) passed, notwithstanding the action 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.

Mr. DeLeo of Winthrop then moved that the rules be suspended in order that the House might consider item 4190-0102 (contained in section 2).

The pending motion to suspend rules was divided, at the request of Mr. Peterson of Grafton.

On the first pending question, the motion to suspend Rule 41, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 131 members voted in the affirmative and 21 in the negative.

[See Ye and Nay No. 671 in Supplement.]

Therefore Rule 41 was suspended.

On the second pending question, the motion to suspend Rule 7A, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 130 members voted in the affirmative and 22 in the negative.

[See Ye and Nay No. 672 in Supplement.]

Therefore Rule 7A was suspended.

Subsequently a statement of Mr. Walsh of Lynn 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 on the previous roll call I voted in the affirmative. However, now I find that, for some inexplicable reason, I was recorded as having voted in the negative. Walsh of Lynn.

Item 4190-0102 (contained in section 2) then was considered.

The Governor had stricken certain wording in said item.

After debate on the question on passing said item, notwithstanding the action of the Governor, 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 131 members voted in the affirmative and 22 in the negative.

[See Ye and Nay No. 673 in Supplement.]

Therefore item 4190-0102 (contained in section 2) passed, notwithstanding the action 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.

Mr. DeLeo of Winthrop then moved that the rules be suspended in order that the House might consider item 4200-0100 (contained in section 2).

DSS children
benefits
item
4000-0880
stands,
yea and nay
No. 670.

Rule 41
suspended,
yea and nay
No. 671.

Rule 7A
suspended,
yea and nay
No. 672.

Statement of
Representative
Walsh of
Lynn.

Holyoke
Soldiers Home
item
4190-0102
stands,
yea and nay
No. 673.

The pending motion to suspend rules was divided, at the request of Mr. Peterson of Grafton.

After debate on the first pending question, the motion to suspend Rule 41, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 132 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 674 in Supplement.]

Therefore Rule 41 was suspended.

After debate on the second pending question, the motion to suspend Rule 7A, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 130 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 675 in Supplement.]

Therefore Rule 7A was suspended.

Item 4200-0100 (contained in section 2) then was considered.

The Governor had reduced said item from \$23,441,647 to \$23,078,206.

After debate on the question on passing said item, notwithstanding the action of the Governor, 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 132 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 676 in Supplement.]

Therefore item 4200-0100 (contained in section 2) passed, notwithstanding the action 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.

A determination then was made by the Clerk that it was not necessary to suspend Rule 41.

Under suspension of Rule 7A, on motion of Mr. DeLeo of Winthrop, the following items (contained in section 2) were considered; and the sense of the House was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, as follows:

Item 7007-0900 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$29,255,852 to \$12,667,852.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 150 members voted in the affirmative and 3 in the negative.

[See Yea and Nay No. 677 in Supplement.]

Therefore item 7007-0900 (contained in section 2) passed, notwithstanding the action 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 8910-0105 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$43,645,877 to \$42,096,029.

On the question on passing said item, notwithstanding the action 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 13 in the negative.

[See Yea and Nay No. 678 in Supplement.]

Therefore item 8910-0105 (contained in section 2) passed, notwithstanding the action 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 8910-0110 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$12,024,589 to \$11,685,032.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 133 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 679 in Supplement.]

Therefore item 8910-0110 (contained in section 2) passed, notwithstanding the action 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 8910-0145 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$14,934,974 to \$14,443,695.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 133 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 680 in Supplement.]

Therefore item 8910-0145 (contained in section 2) passed, notwithstanding the action 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 4000-0300 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$137,095,096 to \$133,928,096.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 132 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 681 in Supplement.]

Therefore item 4000-0300 (contained in section 2) passed, notwithstanding the action 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.

Mr. Mariano of Quincy being in the Chair,—

Mr. Jones of North Reading asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Mariano), having

Rule 41
suspended,
yea and nay
No. 674.

Rule 7A
suspended,
yea and nay
No. 675.

Non-residential
youth care
programs
item
4200-0100
stands,
yea and nay
No. 676.

Travel and
Tourism
item
7007-0900
stands,
yea and nay
No. 677.

Worcester
Sheriff s
facilities
item
8910-0105
stands,
yea and nay
No. 678.

Hampshire
Sheriff s
facilities
item
8910-0110
stands,
yea and nay
No. 679.

Berkshire
Sheriff s
facilities
item
8910-0145
stands,
yea and nay
No. 680.

Health and
Human
Services item
4000-0300
stands,
yea and nay
No. 681.

Quorum.

determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum,
yea and nay
No. 682.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call (Mr. Petrolati of Ludlow being in the Chair 148 members were recorded as being in attendance.

[See Yea and Nay No. 682 in Supplement.]

Therefore a quorum was present.

Supplemental
Appropriation
Bill,
reductions
and
disapprovals.

Mr. DeLeo of Winthrop, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 5091), returning with his disapproval of certain items and sections and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5056) , reported, in part, in each instance, that certain items (contained in section 2A) 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 of Winthrop, the following items 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 1599-1110 (contained in section 2A), which had been vetoed by the Governor, then was considered.

Sheriffs
compensation
item
1599-1110
stands,
yea and nay
No. 683.

On the question on passing said item, notwithstanding the action of the Governor, 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 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 683 in Supplement.]

Therefore item 1599-1110 (contained in section 2A) passed, notwithstanding the action 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 1599-7800 (contained in section 2A), which had been vetoed by the Governor, then was considered.

Justices
compensation
item
1599-7800
stands,
yea and nay
No. 684.

On the question on passing said item, notwithstanding the action of the Governor, 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 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 684 in Supplement.]

[Mrs. Creedon of Brockton answered "Present" in response to her name.]

Therefore item 1599-7800 (contained in section 2A) passed, notwithstanding the action 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 1599-7900 (contained in section 2A), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, 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 142 members voted in the affirmative and 4 in the negative.

Court
employees
compensation
item
1599-7900
stands,
yea and nay
No. 685.

[See Yea and Nay No. 685 in Supplement.]

[Representatives Correia of Fall River, Creedon of Brockton, Quinn of Dartmouth, Timilty of Milton, Tobin of Quincy and Turner of Dennis answered "Present" in response to their names.]

Therefore item 1599-7900 (contained in section 2A) passed, notwithstanding the action 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.

*Messages from the Governor — Bills Returned with
Recommendation of Amendments.*

A message from His Excellency the Governor returning with recommendation of amendments the engrossed Bill relative to the minimum wage [see House, No. 4781, amended] (for message, see House, No. 5217) was filed in the office of the Clerk on Friday, July 21.

Minimum
wage.

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

Pending the question on adoption of the amendments recommended by His Excellency, the bill was referred, on motion of Mr. Golden of Lowell, to the committee on Bills in the Third Reading.

Subsequently, under suspension of Rule 47, on motion of Mr. Rodrigues of Westport, the amendment was considered in the following form (as recommended by the committee on Bills in the Third Reading:

By striking out all after the enacting clause and inserting in place thereof the following:

"SECTION 1. Section 1 of chapter 151 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by striking out, in line 5, the figure '\$6.75' and inserting in lace thereof the following figure:- \$7.00.

SECTION 2. The minimum wage shall be reviewed every two years beginning July 1, 2008, by the secretary for administration and finance, in consultation with the secretary of economic development, the director of labor and the director of workforce development, to recommend to the governor and the general court any changes to the minimum wage, effective January 1st of the following year. Such recommendation shall consider the rate of

Minimum wage.

inflation, the minimum wage in other states, the commonwealth's competitiveness, and the status of the commonwealth's labor market.

SECTION 3. This act shall take effect on January 1, 2007."

After remarks on the question on adoption of the amendment recommended by the Governor, Mr. Jones of North Reading moved that it be amended at the end of section 1 by striking out the figure "\$7.00" and inserting in place thereof the figure "\$7.75".

On the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 23 members voted in the affirmative and 130 in the negative.

[See Ye and Nay No. 686 in Supplement.]

Therefore the further amendment was rejected.

The amendment recommended by the Governor then also was rejected.

Mr. Rodrigues of Westport then moved that the bill be amended by inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to increase forthwith the minimum wage, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendment was adopted. Sent to the Senate for concurrence.

Early education.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to early education and care [see House, No. 4755, amended] (for message, see House, No. 5220) was filed in the office of the Clerk on Friday, July 21.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill 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 bill was referred, on motion of Mr. Golden of Lowell, to the committee on Bills in the Third Reading.

Subsequently, under suspension of Rule 47, on motion of Mrs. Haddad of Somerset, the amendment was considered in the form appearing in House, No. 5220 (as perfected by said committee); and it was rejected.

Sent to the Senate for its action.

Quorum.

Quorum.

Mr. Donato of Medford then asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Petrolati of Ludlow), 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 151 members were recorded as being in attendance.

[See Ye and Nay No. 687 in Supplement.]

Therefore a quorum was present.

Quorum, ye and nay No. 687.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill regarding choice of long-term care settings (Senate, No. 2273, amended) be placed in the Orders of the Day for the next sitting for a second reading, with the amendment previously recommended by the committee on Ways and Means pending.

Long term care.

Under suspension of Rule 7A, on motion of Mrs. Walrath of Stow, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5203),— was adopted.

After debate 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 the same member; and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill ordered to a third reading, ye and nay No. 688.

[See Ye and Nay No. 688 in Supplement.]

Therefore the bill (Senate, No. 2273, amended) was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of Mr. Correia, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn), was read a third time), its title having been changed by said committee to read: "An Act relative to choice of long-term care."

On the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill passed to be engrossed ye and nay No. 706.

[See Ye and Nay No. 706 in Supplement.]

Therefore the bill (Senate, No. 2273, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Recess.

At twenty minutes after five o'clock P.M., on motion of Ms. Candaras of Wilbraham (Mr. Petrolati of Ludlow being in the Chair), the House recessed until half past six o'clock; and at twelve minutes before seven o'clock the House was called to order with Mrs. Harkins of Needham in the Chair.

Recess.

Quorum.

Mr. Jones of North Reading thereupon asked for a count of the House to ascertain if a quorum was present. The Chair (Mrs. Harkins of Needham), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

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. 689.

Quorum, ye and nay No. 689.

[See Ye and Nay No. 689 in Supplement.]

Therefore a quorum was present.

Reports of Committees.

Supplemental
Appropriation
Bill.

Mr. DeLeo of Winthrop, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 5091), 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 Bill making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5056), reported, in part, that section 104 stand (as passed by the General Court). 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.

Mr. DeLeo the moved that Rule 7A be suspended in order that said item might be considered forthwith.

Rule 7A
suspended,
yea and nay
No. 690.

On the question on suspension of Rule 7A, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 130 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 690 in Supplement.]

Therefore Rule 7A was suspended.

Section 104, which had been vetoed by the Governor, then was considered.

New Boston
Pilot Middle
School, etc.,
section 104
stands,
yea and nay
No. 691.

On the question on passing said section, notwithstanding the action of the Governor, 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 133 members voted in the affirmative and 18 in the negative.

[See Yea and Nay No. 691 in Supplement.]

Therefore section 104 passed, notwithstanding the action 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.

General
Appropriation
Bill.

Mr. DeLeo of Winthrop, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 5150), 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 2007 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. 5000), 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.

Mr. DeLeo of Winthrop then moved that Rule 7A be suspended in order that item 7007-0515 (contained in section 2) might be considered forthwith.

On question on suspension of Rule 7A, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 130 members voted in the affirmative and 21 in the negative.

Rule 7A
suspended,
yea and nay
No. 692.

[See Yea and Nay No. 692 in Supplement.]

Therefore Rule 7A was suspended.

Item 7007-0515 (contained in section 2) then was considered.

The Governor had stricken certain wording and reduced said item from \$950,000 to \$405,000.

On the question on passing said item, notwithstanding the action of the Governor, 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 135 members voted in the affirmative and 17 in the negative.

Economic
development
grants
item
7007-0515
stands,
yea and nay
No. 693.

[See Yea and Nay No. 693 in Supplement.]

Therefore item 7007-0515 (contained in section 2) passed, notwithstanding the action 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.

Mr. DeLeo of Winthrop then moved that Rule 7A be suspended in order that item 0339-2100 (contained in section 2) might be considered forthwith.

On question on suspension of Rule 7A, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 132 members voted in the affirmative and 21 in the negative.

Rule 7A
suspended,
yea and nay
No. 694.

[See Yea and Nay No. 664 in Supplement.]

Therefore Rule 7A was suspended.

Item 0339-2100 (contained in section 2) then was considered.

The Governor had reduced said item from \$2,310,457 to \$2,164,249.

On the question on passing said item, notwithstanding the action of the Governor, 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 133 members voted in the affirmative and 18 in the negative.

Office of
the Jury
Commissioner
item
0339-2100
stands,
yea and nay
No. 695.

[See Yea and Nay No. 695 in Supplement.]

Therefore item 0339-2100 (contained in section 2) passed, notwithstanding the action 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.

Under suspension of Rule 7A, in each instance, on motion of Mr. DeLeo, the following items 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 0321-2000 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$753,248 to 603,506.

Mental Health
legal advisors
item
0321-2000
stands,
yea and nay
No. 696.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 133 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 696 in Supplement.]

Therefore item 0321-2000 (contained in section 2) passed, notwithstanding the action 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 0321-1520 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$8,456,513 to \$7,609,723.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 135 members voted in the affirmative and 17 in the negative.

[See Yea and Nay No. 697 in Supplement.]

Therefore item 0321-1520 (contained in section 2) passed, notwithstanding the action 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 0321-1510 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$119,763,305 to \$117,449,609.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 144 members voted in the affirmative and 9 in the negative.

[See Yea and Nay No. 698 in Supplement.]

Therefore item 0321-1510 (contained in section 2) passed, notwithstanding the action 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 7000-9402 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$390,000 to \$325,000.

On the question on passing said item, notwithstanding the action 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 14 in the negative.

[See Yea and Nay No. 699 in Supplement.]

Therefore item 7000-9402 (contained in section 2) passed, notwithstanding the action 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 7000-9406 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$2,182,175 to \$1,978,550.

Indigent
persons
court costs
item
0321-1520
stands,
yea and nay
No. 697.

Private
counsel
compensation
item
0321-1510
stands,
yea and nay
No. 698.

Worcester
talking book
library
item
7000-9402
stands,
yea and nay
No. 699.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 144 members voted in the affirmative and 9 in the negative.

[See Yea and Nay No. 700 in Supplement.]

Therefore item 7000-9406 (contained in section 2) passed, notwithstanding the action 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.

Subsequently a statement of Mr. Rush of Boston 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 on the previous roll call I voted in the affirmative. However, now I find that, for some inexplicable reason, I was recorded as having voted in the negative. Rush of Boston.

Item 7000-9506 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$2,833,000 to \$2,039,000.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 701 in Supplement.]

Therefore item 7000-9506 (contained in section 2) passed, notwithstanding the action 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 7000-9507 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 702 in Supplement.]

Therefore item 7000-9507 (contained in section 2) passed, notwithstanding the action 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 4200-0500 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$3,300,000 to \$2,550,000.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 132 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 703 in Supplement.]

Therefore item 4200-0500 (contained in section 2) passed, notwithstanding the action 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.

Watertown
Braille and
talking book
library
item
7000-9406
stands,
yea and nay
No. 700.

Statement of
Representative
Rush of
Boston.

Technology
resource
sharing
item
7000-9506
stands,
yea and nay
No. 701.

Public library
grant program
item
7000-9570
stands,
yea and nay
No. 702.

Youth Services
education
system
item
4200-0500
stands,
yea and nay
No. 703.

Item 8000-0000 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$2,298,049 to \$2,148,049.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 132 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 704 in Supplement.]

Therefore item 8000-0000 (contained in section 2) passed, notwithstanding the action 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 8000-0619 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 705 in Supplement.]

Therefore item 8000-0619 (contained in section 2) passed, notwithstanding the action 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.

Recess.

At twenty-nine minutes after eight o'clock P.M. (Monday, July 24), on motion of Mr. Tobin of Quincy (Mrs. Harkins of Needham being in the Chair), the House recessed until the hour of twelve o'clock noon on Tuesday, July 25; and at that time, the House was called to order with Mr. Petrolati of Ludlow in the Chair.

Tuesday, July 25, 2006 (at 12:00 o'clock noon).

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

Eternal God, Spirit of Goodness and Truth, we begin today's legislative session by focusing our thoughts and attention on You, Our Creator. We seek Your guidance and assistance as we take up and discuss today's legislative calendar items. In listening to the proposals and the concerns of others, colleagues and constituents, teach us to be open, patient and objective in our decision-making process. In addressing today's often complex and sensitive issues, inspire us to follow right reason and Your guidelines for personal happiness, peace of mind and an orderly society. In this era of worldwide violence, may we continue to recognize and respect the rights and dignity of all people.

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

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

Pledge of
allegiance.

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

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill establishing state trademarks [see House, No. 3500] (for message, see House, No. 5227) was filed this day in the office of the Clerk.

State
trademark.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill 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 bill was referred, on motion of Mr. Golden of Lowell, to the committee on Bills in the Third Reading.

Subsequently, under suspension of Rule 47, on further motion of the same member, the amendment recommended by the Governor was adopted in the following form (as approved by the said committee):

By striking out the emergency preamble.

Sent to the Senate for concurrence.

Message from the Governor.

A message from His Excellency the Governor (under Section 7 of Chapter 150E of the General Laws) submitting requests for appropriations to fund certain collective bargaining agreements between the Commonwealth and the Massachusetts Nurses Association, and between the Plymouth County Sheriff and the National Association of Government Employees, Unit RI-110 (House, No. 5226) was filed this day in the office of the Clerk.

Collective
bargaining agree-
ments, funding.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Statement of Representative Malia of Boston.

A statement of Ms. Malia of Boston 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 will not be able to be present in the House chamber for the remainder of today's sitting due to an unexpected illness. Any roll calls that I may miss today will be due entirely to reason stated.

Statement of
Representative
Malia of
Boston.

Guest of the House.

During the session, the Chair (Mr. Petrolati of Ludlow) declared a brief recess and introduced Nelly Thompson, who broke a barrier in the last century playing first base for a boys baseball team. Her glove and varsity letter are displayed at the National Baseball Hall of Fame in Cooperstown, New York. Ms. Thompson, who addressed the House briefly, calling it the happiest day of her life, was the guest of Representative Kujawski of Webster.

Nelly
Thompson.

Public Safety
and Homeland
Security
item
8000-0000
stands,
yea and nay
No. 704.

Fire awareness
education
programs
item
8000-0619
stands,
yea and nay
No. 705.

Recess.

Prayer.

*Resolutions.*Edwin R. Harrop,
Sr.

Resolutions (filed with the Clerk by Mr. Ross of Wrentham) congratulating Fire Chief Edwin H. Harrop, Sr., on the occasion of his retirement, were referred, under Rule 85, to the committee on Rules.

Mr. Petrolati of Ludlow, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Jones of North Reading, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Petitions.*Newbury,
board of
selectmen.

Ms. Stanley of West Newbury presented a petition (accompanied by bill, House, No. 4878) of Harriett L. Stanley and Bruce E. Tarr (by vote of the town) that the town of Newbury be authorized to increase the membership of the board of selectmen; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Paul F. Taylor,
sick leave.

Mr. Petrolati of Ludlow presented a petition (subject to Joint Rule 12) of Thomas M. Petrolati for legislation to establish a sick leave bank for Paul F. Taylor, an employee of the Division of Professional Licensure; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Jones of North Reading, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

*Papers from the Senate.*Boston,
sewer and
drainage
easements.

The engrossed Bill authorizing the city of Boston and the Commonwealth to grant sewer and drainage easements over certain parcels of land in the city of Boston (see Senate, No. 2627) came from the Senate with an amendment inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to authorize the granting of certain easements in the city of Boston, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

Under suspension of Rule 35, on motion of Mr. Wallace of Boston, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

*Bills*Optometric
patient care.

Relative to the modernization of optometric patient care (Senate, No. 1277) (on a petition);

Taunton, land
conveyances.

Authorizing the transfer of certain parcels of land in the city of Taunton (Senate, No. 2666) (on part of Senate bill No. 60);

Relative to establishing the Massachusetts Conservation Corps (Senate, No. 2667) (on Senate bill No. 520);

Regarding real estate appraisal trainees (Senate, No. 2669) (on Senate bill No. 2348); and

Promoting safe schools (Senate, No. 2670) (on Senate bill No. 2431);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Conservation
Corps.Real estate,
trainees.School,
safety.

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

Petition (accompanied by bill, Senate, No. 2674) of Edward M. Augustus, Jr., Vincent A. Pedone, Robert P. Spellane, John P. Fresolo and other members of the General Court for legislation to re-establish a regional office of the Massachusetts Commission Against Discrimination in the city of Worcester;

Petition (accompanied by bill, Senate, No. 2675) of Richard T. Moore, Robert A. O’Leary, Cleon H. Turner, Harriette L. Chandler and other members of the General Court for legislation to establish a Police Officer’s Memorial Flag for the Commonwealth; and

Petition (accompanied by bill, Senate, No. 2676) of Richard T. Moore, Robert A. O’Leary, Cleon H. Turner, Harriette L. Chandler and other members of the General Court for legislation to establish a Firefighter’s Memorial Flag for the Commonwealth;

Severally to the committee on State Administration and Regulatory Oversight.

Worcester,
Commission
against
discrimination.Police Officer’s
Memorial Flag.Firefighter’s
Memorial Flag.*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 be suspended on the following petitions:

Petition (accompanied by bill) of Viriato Manuel deMacedo and others relative to the date for the installation of carbon monoxide alarms and smoke detectors in residential buildings. To the committee on Public Safety and Homeland Security.

Petition (accompanied by bill) of Robert J. Nyman that the Teachers’ Retirement Board be directed to grant creditable service for retirement purposes to Otis Magoun, Jr., for certain non-public school employment. To the committee on Public Service.

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

Carbon
monoxide
detectors.Otis Magoun,
Jr., teacher
credits.

Mr. Scaccia of Boston, for the committee on Rules, asking to be discharged from further consideration of 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. 4800), reported, in part, asking to be

Public
employees,
study.

discharged from further consideration of the petition (accompanied by bill, House, No. 3593) of Arthur J. Broadhurst and Steven A. Baddour (with the approval of the mayor and city council) that the city of Methuen be authorized to pay certain retirement benefits to the family of David San Antonio,— and recommending that the same be recommitted to the committee on Public Service. Under Rule 42, the report was considered forthwith; and it was accepted.

Maynard,
traffic
improvements.

By Mr. Wagner of Chicopee, for the committee on Transportation, on a petition, a Bill relative to traffic improvements in the town of Maynard (House, No. 5190). 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 Mrs. Walrath of Stow, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on further 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. Sent to the Senate for concurrence.

Greenfield and
Franklin,
district courts.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill relative to clerks of the district court (House, No. 5188). 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 Rule 7A, on motion of Mr. O'Flaherty, the bill was read a second time forthwith; and it was ordered to a third reading.

Karen W.
Boyson,
sick leave.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Karen W. Boyson, an employee of the Trial Court of the Commonwealth (House, No. 5189). 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 Rule 7A, on motion of Mr. Perry of Sandwich, the bill was read a second time forthwith; and it was ordered to a third reading.

Barnstable
land.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Barnstable (Senate, No. 2420) be scheduled for consideration by the House.

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

Fitchburg,

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the city of Fitchburg to abate certain taxes (House, No. 5177) be scheduled for consideration by the House.

tax
abatements.

Under suspension of Rule 7A, on motion of Mr. Goguen of Fitchburg, 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 equitable coverage for annuity policies (House, No. 2970) be scheduled for consideration by the House.

Annuity
policies.

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. Balsler of Newton, the bill was read a second time forthwith.

The same member then moved that the bill be amended in section 1, in line 11, by striking out the word "issued" in inserting in place thereof the words "or certificate issued on or after January first, two thousand and seven".

The amendment was adopted; and the bill (House, No. 2970, amended) was ordered to a third reading.

By Mr. Binienda of Worcester, for the committee on Revenue, on a petition, a Bill relative to taxation of research and development corporations in the Commonwealth (House, No. 4645), which was read.

Research
corporations,
taxation.

Under suspension of Rule 33, on motion of Ms. Kaprielian of Watertown, the bill 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 further motion of Ms. Kaprielian, the bill was read a second time forthwith.

Pending the question on ordering the bill to a third reading, Mr. Jones of North Reading and other members of the House moved that it be amended by adding at the end thereof the following section:

"SECTION 3. Notwithstanding section 1 of chapter 58A of the General Laws or any other general or special law to the contrary, a temporary member of the appellate tax board appointed on or before October 1, 2006 may hear any case that may be assigned to him by the chairman. For purposes of this provision, said temporary member shall be counted for purposes of a quorum, shall vote on the specific cases to which that temporary member has been assigned by the chairman, and may otherwise participate fully in the deliberative and decision-making process associated with that case; further, said member may participate fully in the deliberative and decision-making process associated with any case heard by him, as a permanent member or otherwise, prior to the effective date of this act."

The amendment was adopted; and the bill (House, No. 4645, amended) was ordered to a third reading.

Spencer,

easement.

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 lease certain land in the town of Spencer to the Worcester County 4H Center (Senate, No. 35, 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. Smola of Palmer, the bill was read a second time forthwith; and it was ordered to a third reading.

Walpole,
MWRA.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill permitting the Massachusetts Water Resources Authority to enter into an agreement with the town of Walpole to use certain land for recreational purposes (Senate, No. 2588) 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. Ross of Wrentham, the bill was read a second time forthwith; and it was ordered to a third reading.

Weymouth,
land lease.

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 lease certain property in Weymouth to the South Shore Association of Retarded Citizens (Senate, No. 2649) 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. Mariano of Quincy, the bill was read a second time forthwith; and it was ordered to a third reading.

Boston,
Expressway
Motors LLC.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill authorizing the conveyance of a certain parcel of land in the city of Boston (House, No. 4801) 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. Walsh of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

Somerville,
land
conveyance.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill authorizing the Division of Capital Asset Management to release a portion of an easement in the city of Somerville (House, No. 4902) 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 the Rule 7A, on motion of Ms. Provost of Somerville, the bill was read a second time forthwith; and it was ordered to a third reading.

Boston,
land. MWRA

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 transfer easements in certain land in the city of Boston (House, No. 5223) 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. Petrucci of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

Chelsea,
DCR land.

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 transfer easements in certain land in the city of Chelsea (House, No. 5224) 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.

Emergency Measure.

Minimum
wage.

The engrossed Bill relative to the minimum wage (see House, No. 4781, 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 8 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) (which had been returned by His Excellency the Governor with recommendation of amendment) was put upon its final passage.

Bill
re-enacted,
yea and nay
No. 707.

On the question on passing the bill to be re-enacted, the sense of the House was taken by yeas and nays, at the request of Mr. Rodrigues of Westport; and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 707 in Supplement.]

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.

Reports of Committees.

Supplemental
Appropriation
Bill.

Mr. DeLeo of Winthrop, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 5091), 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 Bill making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5056), reported, in part, that certain sections 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.

Mr. DeLeo of Winthrop then moved that Rule 7A be suspended in order that said section 14 might be considered forthwith.

On the question on suspension of Rule 7A, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 134 members voted in the affirmative and 21 in the negative.

[See Yeas and Nays No. 708 in Supplement.]

Therefore Rule 7A was suspended.

On the question on passing said section 14, notwithstanding the action of the Governor, 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 133 members voted in the affirmative and 21 in the negative.

[See Yeas and Nays No. 709 in Supplement.]

Therefore section 14 passed, notwithstanding the action 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.

Under suspension of Rule 7A, in each instance, on motion of Mr. DeLeo of Winthrop, the following sections 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:

Section 16, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House 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 Yeas and Nays No. 710 in Supplement.]

Therefore Section 16 passed, notwithstanding the action 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.

Section 18, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by

Rule 7A
suspended,
yea and nay
No. 708.

State Geologist
section 14
stands,
yea and nay
No. 709.

Retired State and
MDC Police
section 16
stands,
yea and nay
No. 710.

Municipal bonds
section 18
stands,
yea and nay
No. 711.

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 Yeas and Nays No. 711 in Supplement.]

Therefore Section 18 passed, notwithstanding the action 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.

Section 121, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 134 members voted in the affirmative and 21 in the negative.

[See Yeas and Nays No. 712 in Supplement.]

Therefore Section 121 passed, notwithstanding the action 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.

Section 145, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 133 members voted in the affirmative and 22 in the negative.

[See Yeas and Nays No. 713 in Supplement.]

Therefore Section 145 passed, notwithstanding the action 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.

Motions to Discharge Certain Matters in the Orders of the Day.

Ms. St. Fleur of Boston moved that the engrossed Bill authorizing the town of Franklin to establish a post-retirement health insurance trust fund (see House, No. 4150, amended), which had been returned by His Excellency the Governor with his objections thereto in writing (for message, see House, No. 5186), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The question on passing the bill, notwithstanding the said objections, then was determined by the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution; and on the roll call 132 members voted in the affirmative and 21 in the negative.

[See Yeas and Nays No. 714 in Supplement.]

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

Mr. Donato of Medford then moved that the House Bill relative to certain roadways of the Department of Conservation and Recreation formerly known as the Metropolitan District Commission (House, No. 3146), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

Bridgewater
emergency
safety
equipment
section 121
stands,
yea and nay
No. 712.

Effective dates
section 145
stands,
yea and nay
No. 713.

Franklin,
retirees
insurance
fund.

Bill passed
over veto,
yea and nay
No. 714.

MDC
roadways.

Pending the question on passing the bill to be engrossed, further consideration thereof was postponed, on further motion of the same member, until tomorrow and specially assigned to the hour of two o'clock P.M.

Leominster,
restrictions.

Ms. Flanagan of Leominster then moved that the Senate bill authorizing the commonwealth to acquire conservation restrictions in and to lands of the city of Leominster (Senate, No. 31, amended), be discharged from its position in the Order of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed, in concurrence.

Cheryl
Ferrara,
sick leave
bank.

Mr. Flynn of Bridgewater then moved that the House Bill establishing a sick leave bank for Cheryl Ferrara, an employee of the Department of Mental Retardation (Senate, No. 2550, amended), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed, in concurrence.

Palmer,
liquor
licenses.

Mr. Smola of Palmer then moved that the Senate Bill authorizing the town of Palmer to grant 4 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2551), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed, in concurrence.

Raymond M.
Daniels
House.

Mr. Hill of Ipswich moved that the House Bill designating a group home in the town of Ipswich as the Raymond M. Daniels House (House, No. 4032), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Boylston,
open space
land.

Mr. Leary of Worcester then moved that the House Bill authorizing the town of Boylston to convey certain open space land (House, No. 4105), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Weymouth,
land
conveyance.

Mr. Murphy of Weymouth then moved that the House bill authorizing the town of Weymouth to sell and convey certain water supply land (House, No. 4745) (its title having been changed by the

committee on Bills in the Third Reading), reported by said committee to be correctly drawn, be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Harwich, Route
28.

Mrs. Gomes of Harwich then moved that the House Bill designating a state highway in the town of Harwich as Route 28-Head of the Bay Road (House, No. 4751, changed), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (having been reported by the committee on Bills in the Third Reading) then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Karen
Kilroy,
sick leave.

Ms. Callahan of Sutton then moved that the House Bill establishing a sick leave bank for Karen Kilroy, an employee of the Massachusetts Department of Correction (House, No. 5039) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Homelessness.

Mrs. Gomes of Harwich then moved that the House Bill providing for an investigation and plan by a special commission relative to ending homelessness in the Commonwealth (House, No. 5206), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Message from the Governor — Veto.

J. Michael
Ruane,
retirement.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to a certain retired employee of the Commonwealth [see House, No. 5063, amended] [for message, see House, No. 5219) was filed in the Office of the Clerk on Friday, July 21.

The message was read; and, under the provisions of Article II of Section I of Chapter I of the Constitution, the House proceeded to "reconsider" the said bill.

The question on passing the bill, notwithstanding the said objections, was determined by the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution; and on the roll call 121 members voted in the affirmative and 35 in the negative.

[See Ye and Nay No. 715 in Supplement.]

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

Bill passed
over veto,
yea and nay
No. 715.

General
Appropriation
Bill.

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. 5150), 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 2007 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. 5000), reported, in part, in each instance, that certain items (contained in section 2) and section 104 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 4200-0010 (contained in section 2) then was considered.

The Governor reduced said item from \$5,456,208 to \$5,273,400.

After debate the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call (Mr. Correia of Fall River being in the Chair) 135 members voted in the affirmative and 21 in the negative.

[See Yeas and Nays No. 716 in Supplement.]

Therefore item 4200-0010 (contained in section 2) passed, notwithstanding the action 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.

Department of
Youth Services
item
4200-0010
stands,
yea and nay
No. 716.

Recess.

Mr. Petrolati of Ludlow being in the Chair,—

At sixteen minutes after two o'clock P.M. (Tuesday, July 25), on motion of Mr. Jones of North Reading, the House recessed until a quarter before three o'clock; and at three minutes after three o'clock the House was called to order with Mr. Petrolati in the Chair.

Item 5047-0002 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$5,287,427 to \$4,500,000.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House 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 Yeas and Nays No. 717 in Supplement.]

Therefore item 5047-0002 (contained in section 2) passed, notwithstanding the action of the Governor (more than two-thirds of the

DCH acute
inpatient and
emergency
services
item
5047-0002
stands,
yea and nay
No. 717.

members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 5055-0000 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$6,607,903 to \$6,107,903.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House 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 Yeas and Nays No. 718 in Supplement.]

Therefore item 5055-0000 (contained in section 2) passed, notwithstanding the action 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 5920-5000 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$8,500,000 to \$6,467,670.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 719 in Supplement.]

Therefore item 5920-5000 (contained in section 2) passed, notwithstanding the action 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.

Forensic
services
program
item
5055-0000
stands,
yea and nay
No. 718.

Turning 22
day care
services
item
5920-5000
stands,
yea and nay
No. 719.

Item 3000-3050 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$54,673,130 to \$53,373,130.

On the question on passing said item, notwithstanding the action 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 16 in the negative.

[See Yeas and Nays No. 720 in Supplement.]

Therefore item 3000-3050 (contained in section 2) passed, notwithstanding the action 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.

Supportive
child care
item
3000-3050
stands,
yea and nay
No. 720.

Item 3000-4050 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$163,151,082 to \$160,179,275.

After debate the question on passing said item, notwithstanding the action of the Governor, the sense of the House 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 Yeas and Nays No. 721 in Supplement.]

Child care
vouchers
item
3000-4050
stands,
yea and nay
No. 721.

Therefore item 3000-4050 (contained in section 2) passed, notwithstanding the action 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 3000-7070 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$1,000,000 to \$800,000.

On the question on passing said item, notwithstanding the action 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 15 in the negative.

[See Yea and Nay No. 722 in Supplement.]

Therefore item 3000-7070 (contained in section 2) passed, notwithstanding the action 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 4400-1000 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor stricken certain wording in said item.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 135 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 723 in Supplement.]

Therefore item 4400-1000 (contained in section 2) passed, notwithstanding the action 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 4401-1000 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording in said item.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 134 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 724 in Supplement.]

Therefore item 4401-1000 (contained in section 2) passed, notwithstanding the action 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 4403-2000 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$296,555,455 to \$292,652,097.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 134 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 725 in Supplement.]

Therefore item 4403-2000 (contained in section 2) passed, notwithstanding the action 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, then was considered.

The Governor had stricken certain wording in said item.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 134 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 726 in Supplement.]

Therefore item 4403-2120 (contained in section 2) passed, notwithstanding the action 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 4406-3010 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 153 members voted in the affirmative and 2 in the negative.

[See Yea and Nay No. 727 in Supplement.]

Therefore item 4406-3010 (contained in section 2) passed, notwithstanding the action 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 4408-1000 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording in said item.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 134 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 728 in Supplement.]

Therefore item 4408-1000 (contained in section 2) passed, notwithstanding the action 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 4510-0720 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 729 in Supplement.]

Therefore item 4510-0720 (contained in section 2) passed, notwithstanding the action 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.

Reach out
and read
item
3000-7070
stands,
yea and nay
No. 722.

Department of
Transitional
Assistance
item
4400-1000
stands,
yea and nay
No. 723.

TAFDC
employment
services
item
4401-1000
stands,
yea and nay
No. 724.

TAFDC
item
4403-2000
stands,
yea and nay
No. 725.

Emergency
assistance
family shelters
item
4403-2120
stands,
yea and nay
No. 726.

Housing
first initiative item
4406-3010
stands,
yea and nay
No. 727.

Emergency aid to
elderly,
disabled and chil-
dren
item
4408-1000
stands,
yea and nay
No. 728.

Item 4512-0225 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item \$1,000,000 to \$800,000.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 134 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 730 in Supplement.]

Therefore item 4512-0225 (contained in section 2) passed, notwithstanding the action 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.

Section 104, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 134 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 731 in Supplement.]

Therefore section 104 (contained in section 2) passed, notwithstanding the action 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 4512-0500 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken wording and reduced said item from \$1,868,150 to \$1,678,150.

On the question on passing said item, notwithstanding the action 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 17 in the negative.

[See Yea and Nay No. 732 in Supplement.]

Therefore item 4512-0500 (contained in section 2) passed, notwithstanding the action 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 4590-0915 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$128,956,272 to \$126,166,272.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 733 in Supplement.]

Therefore item 4590-0915 (contained in section 2) passed, notwithstanding the action 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.

Recess.

Recess.

At twenty-three minutes after five o'clock P.M. (Tuesday, July 25), on motion of Mr. Pedone of Worcester (Mr. Petrolati of Ludlow being in the Chair), the House recessed until a quarter before seven o'clock; and at five minutes before seven the House was called to order with Mrs. Harkins of Needham in the Chair.

Emergency Measures.

The engrossed Bill authorizing the city of Boston and the Commonwealth to grant sewer and drainage easements over certain parcels of land in the city of Boston (see Senate, No. 2627, 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 33 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 passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Boston, sewer and drainage easements.

Bill enacted.

Cheryl Ferrara, sick leave bank.

The engrossed Bill establishing a sick leave bank for Cheryl Ferrara, an employee of the Department of Mental Retardation (see Senate, No. 2550, 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 52 to 0. Sent to the Senate for concurrence.

Early education.

The engrossed Bill relative to early education and care (see House, No. 4755, 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 17 to 0. Sent to the Senate for concurrence.

Long-term care.

Engrossed Bill.

The engrossed Bill relative to choice of long-term care (see Senate, No. 2273, 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.

Bill enacted, yea and nay No. 734.

Gamblers treatment program item 4512-0225 stands, yea and nay No. 730.

Public employee health benefits section 104 stands, yea and nay No. 731.

Dental health services item 4512-0500 stands, yea and nay No. 732.

Hospital operations item 4590-0915 stands, yea and nay No. 733.

After remarks on the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, at the request of Mr. Correia of Fall River; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 734 in Supplement.]

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

General
Appropriation
Bill.

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. 5150), 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 2007 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. 5000), reported, in part, that item 7080-0200 (contained in section 2) stand (as passed by the General Court). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. DeLeo, said item, which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, 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 154 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 735 in Supplement.]

Therefore item 7080-0200 (contained in section 2) passed, notwithstanding the action 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.

Sales tax
holiday.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill providing for a certain exemption from the sales tax (House, No. 5200) 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. Binienda of Worcester, the bill was read a second time forthwith.

Pending the question on ordering the bill to a third reading, Mrs. Paulsen of Belmont and other members of the House moved that it be amended by adding the following section:

“SECTION 6. The Massachusetts Bay Transportation Authority State and Local Contribution Fund and the School Modernization and Reconstruction Trust Fund shall be held harmless from any revenue loss that may occur as the result of the enactment of this act.

Upon certification by the commissioner of revenue of the amount of sales tax revenue foregone due to the operation of this act, the amount of revenue lost to each of the aforementioned agencies by the operation of this act shall be withdrawn from the Stabilization Fund and transferred by the comptroller to each of the aforementioned agencies.”

Amendment
rejected,
yea and nay
No. 736.

After debate on the question on on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 34 members voted in the affirmative and 120 in the negative.

[See Ye and Nay No. 736 in Supplement.]

Therefore the amendment was rejected.

Subsequently a statement of Mr. Naughton of Clinton was spread upon the records of the House, as follows:

Statement of
Representative
Naughton of
Clinton.

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous roll call I voted in the negative. However, now I find that, for some inexplicable reason, I was recorded as having voted in the affirmative.

Mr. Jones of North Reading and other members of the House then moved that the bill be amended by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Notwithstanding any general or special law to the contrary, for the Saturday and Sunday of the second full weekend in August of each year, an excise shall not be imposed upon non-business sales at retail in the commonwealth of tangible personal property, as defined in section 1 of chapter 64H of the General Laws, but for the purposes of this act, tangible personal property shall not include telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals, or a single item whose price is in excess of \$2,500.

SECTION 2. Notwithstanding any general or special law to the contrary, for the Saturday and Sunday of the second full weekend in August of each year, a vendor in the commonwealth shall not add to the sales price or collect from any non-business purchaser an excise upon sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. The commissioner of revenue shall not require any vendor to collect and pay excise upon sales at retail of tangible personal property purchased on the Saturday and Sunday of the second full weekend in August of each year; provided, however, that any excise erroneously or improperly collected during the Saturday and Sunday of the second full weekend in August of each year shall be remitted to the department of revenue; and provided further, that the provisions of this section shall not apply to the sale of telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals, or any single item whose price is in excess of \$2,500.

SECTION 3. Reporting requirements imposed upon vendors of tangible personal property, by law or by regulations, including, but not limited to the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales for

Sales tax
holiday.

the Saturday and Sunday of the second full weekend in August of each year.

SECTION 4. On or before December 31 of each year, the commissioner of revenue shall certify to the comptroller the amount of sales tax revenue foregone due to the operation of this act. The commissioner shall issue a report, detailing by fund the amounts under general and special laws governing the distribution of revenues under chapter 64H of the General Laws which would have been deposited in each fund, notwithstanding this act.

SECTION 5. The commissioner of revenue shall issue instructions or forms, or promulgate rules or regulations, necessary for the implementation of this act.”.

Mr. Binienda of Worcester thereupon raised a point of order that the amendment offered by Mr. Jones, et als, was beyond the scope of the subject-matter before the House.

The Chair (Mrs. Harkins of Needham) stated that the amendment offered by the gentleman from North Reading and others would call for a sales tax holiday in perpetuity for a Saturday and Sunday in August of each year. The bill under consideration would call for a sales tax holiday for a Saturday and a Sunday in this year only. The basis of the bill under consideration called for a sales tax holiday in perpetuity only for a Saturday in August of each year. Since the amendment offered by the gentleman from North Reading calls for an additional day each year, the Chair rules that the point of order was well taken; and the amendment was laid aside accordingly.

Mr. Peterson of Grafton then appealed from the ruling of the Chair; and the appeal was second by Mr. Jones.

The question was then put: “Shall the decision of the Chair stand as the judgement of the House?”.

After debate on that question, the sense of the House was taken by yeas and nays, at the request of Mr. Jones; and on the roll call 134 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 737 in Supplement.]

Therefore the decision of the Chair was sustained.

Mr. Binienda of Worcester then moved that the bill be amended by striking out section 4 and inserting in place thereof the following section:

“SECTION 4. On or before December 31, 2006, the commissioner of revenue shall certify to the comptroller the amount of sales tax forgone, as well as the new revenue raised from personal and corporate income taxes and other sources, due to the operation of this act. The commissioner shall issue a report, detailing by fund, the amounts under general and special laws governing the distribution of revenues under chapter 64H of the General Laws which would have been deposited in each fund, notwithstanding this act.”; and by adding the following section:

“SECTION 6. Eligible sales at retail of tangible personal property under sections 1 and 2 of this act are restricted to those transactions occurring on August 12, 2006 and August 13, 2006. Transfer of possession of or payment in full for the property shall occur on one of said days, and prior sales or layaway sales are ineligible.”.

The amendments were adopted.

The Chair (Mrs. Harkins of Needham) 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 129 members voted in the affirmative and 26 in the negative.

[See Yea and Nay No. 738 in Supplement.]

Therefore Rule 1A was suspended.

Mr. Jones of North Reading and other members of the House then moved that the bill be amended by adding the following section:

“SECTION 7. The provisions of this act shall apply on the second Saturday in August in every year after the effective date of this act.”.

On the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 22 members voted in the affirmative and 133 in the negative.

[See Yea and Nay No. 739 in Supplement.]

Therefore the amendment was rejected.

On the question on 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. Jones; and on the roll call 150 members voted in the affirmative and 4 in the negative.

[See Yea and Nay No. 740 in Supplement.]

Therefore the bill (House, No. 5200, amended) was ordered to a third reading.

Paper from the Senate.

The House Bill relative to child labor (House, No. 4638, amended) 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 of Senate document numbered 2614.

Under suspension of the rules, on motion of Mr. Rodrigues of Westport, the amendment was considered forthwith.

The same member then moved that the House concur with the Senate in its amendment with a further amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5231.

After remarks on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Rodrigues; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 741 in Supplement.]

Therefore 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.

Recess.

At twenty-two minutes before ten o'clock P.M. (Tuesday, July 25), on motion of Mr. Scaccia of Boston (Mrs. Harkins of Needham being in the Chair), the House recessed until the hour of twelve o'clock noon on Wednesday, July 26; and at that time, the House was called to order with Mr. Petrolati of Ludlow in the Chair.

Rule 1A
suspended,
yea and nay
No. 738.

Amendment
rejected,
yea and nay
No. 739.

Bill ordered
third,
yea and nay
No. 740.

Child
labor.

Further
amendment
adopted,
yea and nay
No. 741.

Point of
order.

Decision of Chair
sustained,
yea and nay
No. 737.

Suspension of
Rule 1A.

Wednesday, July 26, 2006 (at 12:00 o'clock noon).

Prayer.

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

Eternal God, as we take up, analyze and address the legislative items on today's calendar, we look to You for guidance and direction. Inspire us to make rational, not emotional, decisions and choices, which serve the best interests, as well as human and spiritual needs, of people and our communities. During these times of political and economic changes at home and abroad, grant us the vision to recognize and understand today's complex issues. Help us to be fully aware of the needs of children and families so that their futures will be peaceful, stable, bright and filled with great opportunities.

Pledge of allegiance.

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

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

Statement of Representative Kafka of Stoughton.

Statement of Representative Kafka of Stoughton.

A statement of Mr. Kafka of Stoughton 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 sittings from Tuesday, July 18 to Monday, July 24, inclusive, due to the recent death of my father. Any roll calls that I missed during said period of time was due entirely to the reason stated.

Statement of Representative Pedone of Worcester.

Statement of Representative Pedone of Worcester.

A statement of Mr. Pedone of Worcester 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 be present in the House Chamber for a portion of today's sitting due to a previously scheduled family commitment. Any roll calls that I may have missed was due entirely to the reason stated.

Provincetown, playground land.

Petitions.

Petitions severally were presented and referred as follows:

By Mrs. Gomes of Harwich, petition (accompanied by bill, House, No. 4879) of Shirley Gomes and Robert A. O'Leary (by vote of the town) relative to the transfer of a certain parcel of playground land from the board of selectmen of the town of Provincetown to the school committee of said town;

Provincetown, High Pole Hill.

By the same member, petition (accompanied by bill, House, No. 5136) of Shirley Gomes and Robert A. O'Leary (by vote of the town) relative to the relocation and alteration of the layout of High Pole Hill Road in the town of Provincetown; and

Lexington, town meetings.

By Mr. Kaufman of Lexington, petition (accompanied by bill, House, No. 5137) of Jay R. Kaufman and others (by vote of the town) relative to town meeting votes in the town of Lexington;

Severally to the committee on Municipalities and Regional Government.

Severally sent to the Senate for concurrence.

Walpole, bridge.

Mr. Rogers of Norwood presented a petition (subject to Joint Rule 12) of John H. Rogers and others relative to authorizing the Department of Highways to acquire a certain bridge in the town of Walpole; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Turner of Dennis, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Dorothy Sweeney, retirement credit.

Mr. Turner of Dennis presented a petition (subject to Joint Rule 12) of Cleon H. Turner and Robert A. O'Leary relative to authorizing the State Board of Retirement to grant creditable service for retirement purposes to Dorothy Sweeney of the town of Dennis, for certain temporary employment with the Department of Education; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Turner of Dennis, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Topsfield, wine and malt beverage license.

Papers from the Senate.

The engrossed Bill authorizing the town of Topsfield to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (see House, No. 4810) came from the Senate with an amendment striking out all after the enacting clause and inserting in place thereof the following:

"Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Topsfield may grant an additional license for the sale of wines and malt beverages not to be drunk on the premises to James H. Gifford, d/b/a Gil's Grocery, located at 36 Main street in said town under section 15 of said chapter 138; provided, however, that the selling of wines and malt beverages shall be incidental to the sale of food or other products. The license shall be subject to all of said chapter 138, except section 17; provided, however, that the licensing authority shall not approve the transfer of the license to any other person, organization, corporation or location."

Under suspension of Rule 35, on motion of Mr. Speliotis of Danvers, the amendment (reported by the committee on Bills in the

Sales
tax.

Third Reading to be correctly drawn, as changed) was considered forthwith; and it was adopted, in concurrence.

The House Bill providing for a certain exemption from the sales tax (House, No. 5200, amended) came from the Senate passed to be engrossed, in concurrence, with an amendment adding at the end thereof the following two sections:

“SECTION 7. Section 1 of chapter 64C of the General Laws is hereby amended by striking out the words ‘, smokeless tobacco, cigars and smoking tobacco’, inserted by section 23 of chapter 122 of the acts of 2006, and inserting in place thereof the following words:— and smokeless tobacco.

SECTION 8. In calculating the fiscal year 2008 base revenue amount for the Massachusetts Bay Transit Authority State and Local Contribution under section 35T of chapter 10 of the General Laws, the state comptroller shall add to the actual tax revenues received under chapter 64H and 64I of the General Laws in the preceding 12 months the amount of sales tax revenue foregone because of this act, as estimated by the commissioner of revenue.”

Under suspension of Rule 35, on motion of Mr. Binienda of Worcester, 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 a further amendment striking out section 8 (inserted by amendment by the Senate); and 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.

Dedham,
liquor
licenses.

The House Bill authorizing the town of Dedham to grant additional alcoholic beverages licenses (House, No. 5208) came from the Senate passed to be engrossed, in concurrence, with an amendment inserting after section 4 the following section:

“SECTION 4A. Notwithstanding sections 12 and 77 of chapter 138 of the General Laws, the board of selectmen of the town of Dedham may restrict the licenses issued pursuant to this act to holders of common victualler licenses.”

Under suspension of Rule 35, on motion of Mr. Coughlin of Dedham, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Yarmouth,
tourism
fund.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Revenue, on a petition, a Bill establishing a tourism revenue preservation fund in the town of Yarmouth (House, No. 4945, changed by striking out section 6 and inserting in place thereof the following two sections:

“SECTION 6. Nothing in or resulting from this act shall affect amounts distributed to the town of Yarmouth in any year from the Local Aid Fund under section 18C of chapter 58 of the general laws.

SECTION 7. This act shall take effect upon passage.”) [Local Approval Received]. 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. Atsalis of Barnstable, the bill was read a second time forthwith; and it was ordered to a third reading.

Capital
repairs
and
improvements

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill providing capital facility repairs, grants, and improvements (Senate, No. 2385, 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 5233 [Capital Bond Authorization: \$1,463,600,000.00]. 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. Jones of North Reading, 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. 2385, amended) was ordered to a third reading.

Teachers,
retirement
allowance

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to the retirement allowance for certain teachers (Senate, No. 2302, amended) be scheduled for consideration by the House.

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

Northborough,
liquor
licenses.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing the licensing authority of the town of Northborough to issue five additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2557) 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.

Ipswich,
land use
change.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing the town of Ipswich to change the use, the care, custody and control of town-owned land (Senate, No. 2678) be scheduled for consideration by the House.

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

Insured.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill relative to insurance and lawful travel by applicants for life and disability insurance and insured individuals (House, No. 4962) be scheduled for consideration by the House.

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

Saugus, land.

By Mr. Flynn of Bridgewater, for the committee on Bonding, Capital Expenditures and State Assets, on House, No. 1434, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the town of Saugus (House, No. 5204). Read; and referred, under Rule 33, to the committee on Ways and Means.

Islands, housing banks.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill establishing the Martha's Vineyard and Nantucket housing banks (Senate, No. 2555) ought to pass with amendments by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5228; and by striking out the title and inserting in place thereof the following title: "An Act establishing the Martha's Vineyard housing bank.". Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendments pending.

Sewer assessments.

Emergency Measures.

The engrossed Bill regulating the redetermination of municipal sewer assessments (see House, No. 4435), 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 51 to 0. Sent to the Senate for concurrence.

Permitting process.

The engrossed Bill relative to streamlining and expediting the permitting process in the Commonwealth (see House, No. 4968, 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 53 to 0. Sent to the Senate for concurrence.

Bills enacted.

Engrossed Bills.

Engrossed bills
Relative to sexual assault nurse examiners and forensic evidence in cases of sexual assault and rape (see House, No. 878); and
Relative to the use of the name of financial institutions (see House, No. 5195);

(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.

Quorum.

Quorum.

Mr. Jones of North Reading thereupon asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Petrolati of Ludlow), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum, yea and nay No. 742.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 144 members were recorded as being in attendance.

[See Yea and Nay No. 742 in Supplement.]

Therefore a quorum was present.

General Appropriation Bill.

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. 5150), 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 2007 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. 5000), 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 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 7100-0300 (contained in section 2), which had been vetoed by the Governor, then was considered.

The Governor reduced said item from \$1,323,948 to \$1,265,021.

After debate on the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 132 members voted in the affirmative and 18 in the negative.

Tox Use Reduction Institute item 7100-0300 stands, yea and nay No. 743.

[See Yea and Nay No. 743 in Supplement.]

Therefore item 7100-0300 (contained in section 2) passed, notwithstanding the action 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 7100-0700 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action 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 21 in the negative.

Office of Dispute Resolution item 7100-0700 stands, yea and nay No. 744.

[See Yea and Nay No. 744 in Supplement.]

Therefore item 7100-0700 (contained in section 2) passed, notwithstanding the action 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.

Salem State
aquaculture
item
7114-0105
stands,
yea and nay
No. 745.

Item 7114-0105 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action 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. 745 in Supplement.]

Therefore item 7114-0105 (contained in section 2) passed, notwithstanding the action 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.

Salem State
College
Second Degree
Program
item
7114-0106
stands,
yea and nay
No. 746.

Item 7114-0106 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 746 in Supplement.]

Therefore item 7114-0106 (contained in section 2) passed, notwithstanding the action 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.

North Shore
Community
College
Public Policy
item
7511-0101
stands,
yea and nay
No. 747.

Item 7511-0101 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action 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. 747 in Supplement.]

Therefore item 7511-0101 (contained in section 2) passed, notwithstanding the action 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.

Housing
Services
Program
item
7004-3036
stands,
yea and nay
No. 748.

Item 7004-3036 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$1,821,925 to \$1,600,000.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 137 members voted in the affirmative and 14 in the negative.

[See Yea and Nay No. 748 in Supplement.]

Therefore item 7004-3036 (contained in section 2) passed, notwithstanding the action 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 7061-0029 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$3,430,618 to \$2,500,000.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 120 members voted in the affirmative and 32 in the negative.

[See Yea and Nay No. 749 in Supplement.]

Therefore item 7061-0029 (contained in section 2) passed, notwithstanding the action 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.

Education
reform audits
item
7061-0029
stands,
yea and nay
No. 749.

Basketball,
official
state sport.

Matters Discharged from the Orders of the Day.

Mr. Turkington of Yarmouth then moved that the Senate Bill relative to designating basketball as the state sport (printed as Senate, No. 1851), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed, in concurrence.

Insurance
fees.

Mr. Mariano of Quincy then moved that the House Bill relative to the payment of referral fees to unlicensed employees of insurance producers (Senate, No. 2060), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (having been reported by the committee on Bill in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed, in concurrence.

Amherst,
voting
hours.

Ms. Story of Amherst then moved that the the House Bill further regulating voting hours in the town of Amherst (Senate, No. 2154), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Mashpee,
land.

Mr. Carron of Southbridge then moved that the House Bill relative to payment agreements for local taxes (House, No. 2463), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and the motion prevailed.

Mr. Patrick of Falmouth then moved that the House Bill relative to the disposition of certain conservation/recreation lands under the care, custody and control of the Department of Environmental Management within the town of Mashpee (House, No. 3416), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

Third
reading
bill.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed. Sent the Senate for concurrence.

Mr. Verga of Gloucester then moved that the House Bill relative to the sale of certain properties by the city of Gloucester (House, No. 4202), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

Naturopathic
doctors.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed.

Mrs. Teahan of Whitman then moved that the House Bill providing for the registration of naturopathic doctors (House, No. 4250), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

Mitochondrial
disease week.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Scibak of South Hadley then moved that the House Bill designating Mitochondrial Disease Awareness Week (House, No. 4358) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

Agricultural
land.

The bill then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Straus of Mattapoisett then moved that the House Bill relative to the leasing of publicly owned land for agricultural purposes (House, No. 4658, amended) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

Easton,
veterans
benefits.

The bill then was read a third time; and it was passed to be engrossed. Sent to the Senate from concurrence.

Mrs. Creedon of Brockton then moved the House Bill authorizing reimbursement to the town of Easton for veterans' benefits (House, No. 4917) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, be discharged from its position in the orders of the Day and considered forth with, under suspension of Rule 47; and the motion prevailed.

Insurers

The bill then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Insolvency
Fund.

Mr. Mariano of Quincy then moved that the House Bill relative to the Massachusetts Insurers Insolvency Fund (House, No. 5216), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (having been reported by the committee on Bill in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Research
corporations,
taxation.

The House Bill relative to taxation of research and development corporations (House, No. 4645) (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 the rules, on motion of Mr. Jones of North Reading; and it was passed to be engrossed. Sent to the Senate for concurrence.

Boston,
Expressway
Motors
LLC.

The House Bill authorizing the conveyance of a certain parcel of land in the city of Boston (House, No. 4801), 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. Walsh of Boston; and it was passed to be engrossed. Sent to the Senate for concurrence.

Somerville,
land
conveyance.

The House Bill authorizing the Division of Capital Asset Management to release a portion of an easement in the city of Somerville (House, No. 4902), 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. Sciortino of Medford; and it was passed to be engrossed. Sent to the Senate for concurrence.

Algonquin Gas
Transmission,
LLC.

The House Bill authorizing the Commissioner of the Division of Capital Asset Management and Maintenance to grant easements to Algonquin Gas Transmission, LLC and Colonial Gas Company d/b/a Keyspan Energy Delivery New England (House, No. 5173), 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. Perry of Sandwich; and it was passed to be engrossed. Sent to the Senate for concurrence.

Karen W.
Boyson,
sick leave.

The House Bill establishing a sick leave bank for Karen W. Boyson, an employee of the Trial Court of the Commonwealth (House, No. 5189), 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. Perry of Sandwich; and it was passed to be engrossed. Sent to the Senate for concurrence.

Sales
tax.

The House Bill providing for a certain exemption from the sales tax (House, No. 5200, amended), 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. Binienda of Worcester.

Bill passed
to be
engrossed,
yea and nay
No. 750.

On the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 147 members voted in the affirmative and 7 in the negative.

[See Yea and Nay No. 750 in Supplement.]

Therefore the bill (House, No. 5200) was passed to be engrossed. Sent to the Senate for concurrence.

Military relief tax.

The House Bill establishing the Massachusetts military enhanced relief individual tax (MERIT) plan (House, No. 4660, amended), 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. Verga of Gloucester.

Bill passed to be engrossed,

After debate on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of Miss Reinstein of Revere; and on the roll call 157 members voted in the affirmative and 0 in the negative. yea and nay No. 751.

[See Yea and Nay No. 751 in Supplement.]

Therefore the bill (House, No. 4660, amended) was passed to be engrossed. Sent to the Senate for concurrence.

General Appropriation Bill.

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. 5150), 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 2007 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. 5000), 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 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 1100-1100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 132 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 752 in Supplement.]

Therefore item 1100-1100 (contained in section 2) passed, notwithstanding the action 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.

Secretary for Administration and Finance item 1100-1100 stands, yea and nay No. 752.

Tax administration

Item 1201-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording.

After remarks on the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 134 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 753 in Supplement.]

Therefore item 1201-0100 (contained in section 2) passed, notwithstanding the action 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 1201-0100 stands, yea and nay No. 753.

Item 1108-5200 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$976,037,643 to \$853,092,760.

After debate on the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 152 members voted in the affirmative and 5 in the negative.

[See Yea and Nay No. 754 in Supplement.]

Therefore item 1108-5200 (contained in section 2) passed, notwithstanding the action 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.

Group Insurance premium and plan costs item 1108-5200 stands, yea and nay No. 754.

Item 1108-5500 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$6,727,448 to \$6,209,250.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 152 members voted in the affirmative and 5 in the negative.

[See Yea and Nay No. 755 in Supplement.]

Therefore item 1108-5500 (contained in section 2) passed, notwithstanding the action 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.

Dental and vision benefits item 1108-5500 stands, yea and nay No. 755.

Item 1108-5100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$3,068,229 to \$2,718,229.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 136 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 756 in Supplement.]

Therefore item 1108-5100 (contained in section 2) passed, notwithstanding the action 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.

Group Insurance administration item 1108-5100 stands, yea and nay No. 756.

Affirmative marketing

program
item
1775-1101
stands,
yea and nay
No. 757.

Item 1775-1101 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$299,588 to \$75,000.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 136 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 757 in Supplement.]

Therefore item 1775-1101 (contained in section 2) passed, notwithstanding the action 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.

Emergency
food
assistance
item
2511-0105
stands,
yea and nay
No. 758.

Item 2511-0105 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$12,000,000 to \$9,000,000.

On the question on passing said item, notwithstanding the action 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. 758 in Supplement.]

Therefore item 2511-0105 (contained in section 2) passed, notwithstanding the action 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.

Adult
basic skills
item
7035-0002
stands,
yea and nay
No. 759.

Item 7035-0002 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$29,522,628 to \$29,322,628.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 135 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 759 in Supplement.]

Therefore item 7035-0002 (contained in section 2) passed, notwithstanding the action 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.

Recess.

Recess.

At five minutes after three o'clock P.M. (Wednesday, July 26), on motion of Mr. Binienda of Worcester (Mr. Petrolati of Ludlow being in the Chair), the House recessed until half past three o'clock; and at eighteen minutes before four o'clock the House was called to order with Mr. Petrolati in the Chair.

Quorum.

Quorum.

Mr. Peterson of Grafton thereupon asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Petrolati),

Quorum,
yea and nay
No. 760.

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.

[See Yea and Nay No. 760 in Supplement.]

Therefore a quorum was present.

Early
education.

Engrossed Bill.

The engrossed Bill relative to early education and care (see House, No. 4755, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted,
yea and nay
No. 761.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, at the request of Mr. Kane of Holyoke; and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 761 in Supplement.]

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

General
Appropriation
Bill.

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. 5150), 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 2007 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. 5000), reported, in part, in each instance, that sections 58 and 94 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, said sections 58 and 94 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:

Section 58, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 157 members voted in the affirmative and 0 in the negative.

Community
spouse
resource
allowance
stands
section 58,
yea and nay
No. 762.

[See Yea and Nay No. 762 in Supplement.]

Therefore section 58 passed, notwithstanding the action 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.

MassHealth
non-emergency
transportation

section 94,
yea and nay
No. 763.

Section 94, which had been vetoed by the Governor, then was considered.

After debate on the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 135 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 763 in Supplement.]

Therefore section 94 passed, notwithstanding the action 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.

Supplemental
Appropriation
Bill.

Mr. DeLeo of Winthrop, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 5091), 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 Bill making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5056), reported, in part, that section 143 stand (as passed by the General Court). 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. DeLeo, said section, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, 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 137 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 764 in Supplement.]

Therefore section 143 passed, notwithstanding the action 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.

Health and
Human
Services
contract
section 143
stands,
yea and nay
No. 764.

General
Appropriation
Bill.

Mr. DeLeo of Winthrop, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 5150), 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 2007 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. 5000), 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 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:

Education
waiver reserve
item

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

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 765 in Supplement.]

Therefore item 7061-0011 (contained in section 2) passed, notwithstanding the action 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.

7061-0011
stands,
yea and nay
No. 765.

Item 7061-9404 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$10,332,793 to \$9,962,793.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 136 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 766 in Supplement.]

Therefore item 7061-9404 (contained in section 2) passed, notwithstanding the action 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.

M C A S
low-scoring
student
support
item
7061-9404
stands,
yea and nay
No. 766.

Item 7109-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$37,159,230 to \$36,705,098.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House 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. 767 in Supplement.]

Therefore item 7109-0100 (contained in section 2) passed, notwithstanding the action 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.

Bridgewater
State College
item
7109-0100
stands,
yea and nay
No. 767.

Item 7110-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$25,834,184 to \$25,518,458.

On the question on passing said item, notwithstanding the action 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. 768 in Supplement.]

Therefore item 7110-0100 (contained in section 2) passed, notwithstanding the action 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.

Fitchburg
State College
item
7110-0100
stands,
yea and nay
No. 768.

University of
Massachusetts
item
7110-0200
stands,
yea and nay
No. 769.

Item 7110-0200 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$443,803,408 to \$438,803,408.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 146 members voted in the affirmative and 11 in the negative.

[See Yea and Nay No. 769 in Supplement.]

Therefore item 7110-0200 (contained in section 2) passed, notwithstanding the action 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.

Framingham
State College
item
7112-0100
stands,
yea and nay
No. 770.

Item 7112-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$22,388,664 to \$22,115,047.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House 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. 770 in Supplement.]

Therefore item 7112-0100 (contained in section 2) passed, notwithstanding the action 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.

Massachusetts
College of
Liberal Arts
item
7113-0100
stands,
yea and nay
No. 771.

Item 7113-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$13,047,888 to \$12,888,427.

On the question on passing said item, notwithstanding the action 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. 771 in Supplement.]

Therefore item 7113-0100 (contained in section 2) passed, notwithstanding the action 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.

Salem
State College
item
7114-0100
stands,
yea and nay
No. 771.

Item 7114-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$35,473,985 to \$35,040,449.

On the question on passing said item, notwithstanding the action 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. 771 in Supplement.]

Therefore item 7114-0100 (contained in section 2) passed, notwithstanding the action 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.

Westfield
State College

Item 7115-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$21,866,728 to \$21,599,490.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 143 members voted in the affirmative and 14 in the negative.

[See Yea and Nay No. 772 in Supplement.]

Therefore item 7115-0100 (contained in section 2) passed, notwithstanding the action 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
7115-0100
stands,
yea and nay
No. 772.

Item 7116-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$22,020,727 to \$21,751,607.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 145 members voted in the affirmative and 12 in the negative.

[See Yea and Nay No. 774 in Supplement.]

Therefore item 7116-0100 (contained in section 2) passed, notwithstanding the action 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.

Worcester
State College
item
7116-0100
stands,
yea and nay
No. 774.

Mr. DeLeo of Winthrop, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 5091), 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 Bill making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5056), reported, in part, that item 7116-0102 (contained in section 2E) stand (as passed by the General Court). 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. DeLeo, said item, which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, 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 142 members voted in the affirmative and 15 in the negative.

[See Yea and Nay No. 775 in Supplement.]

Therefore item 7116-0102 (contained in section 2E) passed, notwithstanding the action 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.

Supplemental
Appropriation
Bill.

Rockwood
Field
improvements
item
7116-0102
stands,
yea and nay
No. 775.

Lakeville,
manufactured
housing.

Motions to Discharge Certain Matters in the Orders of the Day.

Mr. Canessa of Lakeville moved that the engrossed Bill providing for the establishment and administration of rent regulations and the control of evictions in manufactured housing communities in the town of Lakeville (see House, No. 5016), which had been returned by His Excellency the Governor with his objections thereto in writing (for message, see House, No. 5213), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The question on passing the bill, notwithstanding the said objections, then was determined by the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution; and on the roll call 136 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 776 in Supplement.]

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

Recess.

At twenty-five minutes before six o'clock P.M. (Wednesday, July 27), on motion of Mr. Donato of Medford (Mr. Petrolati of Ludlow being in the Chair), the House recessed until a quarter before seven o'clock; and at seventeen minutes after seven o'clock the House was called to order with Mr. Donato in the Chair.

Quorum.

Mr. Peterson of Grafton thereupon asked for a count of the House to ascertain if a quorum was present. 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 152 members were recorded as being in attendance.

[See Yea and Nay No. 777 in Supplement.]

Therefore a quorum was present.

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. 5150), 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 2007 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. 5000), 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 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 7117-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$13,584,393 to \$13,418,375.

On the question on passing said item, notwithstanding the action 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 17 in the negative.

[See Yea and Nay No. 778 in Supplement.]

Therefore item 7117-0100 (contained in section 2) passed, notwithstanding the action 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 7118-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$13,186,243 to \$13,025,091.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call (Mr. Petrolati of Ludlow being in the Chair) 148 members voted in the affirmative and 8 in the negative.

[See Yea and Nay No. 779 in Supplement.]

Therefore item 7118-0100 (contained in section 2) passed, notwithstanding the action 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 7502-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$8,644,847 to \$8,548,182.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 140 members voted in the affirmative and 16 in the negative.

[See Yea and Nay No. 780 in Supplement.]

Therefore item 7502-0100 (contained in section 2) passed, notwithstanding the action 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 7503-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$14,816,580 to \$14,650,904.

Bill passed
over veto,
yea and nay
No. 776.

Recess.

Quorum.

Quorum,
yea and nay
No. 777.

General
Appropriation
Bill.

Massachusetts
College of Art
item
7117-0100
stands,
yea and nay
No. 778.

Massachusetts
Maritime
Academy
item
7118-0100
stands,
yea and nay
No. 779.

Berkshire
Community
College
item
7502-0100
stands,
yea and nay
No. 780.

Bristol
Community
College
item
7503-0100
stands,
yea and nay

No. 781.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 146 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 781 in Supplement.]

Therefore item 7503-0100 (contained in section 2) passed, notwithstanding the action 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.

Maynard,
traffic
improvements.

Engrossed Bill — Land Taking.

The engrossed Bill relative to traffic improvements in the town of Maynard (see House, No. 5190) (which originated in the House), 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 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 782 in Supplement.]

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

Bill enacted
(Land taking),
yea and nay
No. 782.

Matter Discharged from the Orders of the Day.

Ms. Balsler of Newton moved that the rules be suspended in order that the House might read a third time forthwith the House Bill relative to equitable coverage for annuity policies (House, No. 2970, amended).

On the question on suspension of the rules, the sense of the House was taken by yeas and nays, at the request of Ms. Rogeness of Longmeadow; and on the roll call 134 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 783 in Supplement.]

Therefore the rules were suspended.

The bill (reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time.

After remarks on the question on passing the bill to be engrossed, the Chair (Mr. Petrolati of Ludlow) interrupted the pending matter and 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 127 members voted in the affirmative and 29 in the negative.

[See Yea and Nay No. 784 in Supplement.]

Therefore Rule 1A was suspended.

After debate on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of

Rules
suspended,
yea and nay
No. 783.

Annuity
policies.

Suspension
of Rule 1A.

Rule 1A
suspended,
yea and nay
No. 784.

Bill passed
to be
engrossed,
yea and nay
No. 785.

Mr. Perry of Sandwich; and on the roll call 116 members voted in the affirmative and 40 in the negative.

[See Yea and Nay No. 785 in Supplement.]

Therefore the bill was passed to be engrossed. Mr. Rushing of Boston moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill (House, No. 2970, amended) then was sent to the Senate for concurrence.

Bill
re-enacted.

Engrossed Bills and Resolve.

The engrossed Bill establishing state trademarks (see House, No. 3500, 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 passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Bills
enacted.

Engrossed bills

Further regulating voting hours in the town of Amherst (see Senate, No. 2154) (which originated in the Senate);

Relative to the interstate insurance compact (see House, No. 1515);

Authorizing the town of Topsfield to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (see House, No. 4810, amended);

Designating a certain bridge in the town of Franklin as the Lance Corporal Shayne Cabino Bridge (see House, No. 4997);

Authorizing the town of Southbridge to grant additional liquor licenses for the sale of alcoholic beverages (see House, No. 5004); and

Relative to state chartered banks (see House, No. 5198);

(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.

Resolve
passed.

The engrossed Resolve providing for an investigation and plan by a special commission relative to ending homelessness in the Commonwealth (see House, No. 5206, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed; and it was signed by the acting Speaker and sent to the Senate.

Crimes
against
children.

Reports of Committees.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill increasing the statute of limitations for sexual crimes against children (House, No. 5131) 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.

Pending the question on ordering the bill to a third reading, the same member moved that it be amended by substitution of a bill with the same title (House, No. 5234), which was read.

The amendment was adopted.

Bill ordered
to a third
reading,
yea and nay
No. 786.

After debate on the question on ordering the substituted bill to a third reading, the sense of the House was taken by yeas and nays, at the request of Mr. O'Flaherty; and on the roll call 149 members voted in the affirmative and 6 in the negative.

[See Yea and Nay No. 786 in Supplement.]

Therefore the bill (House, No. 5234) was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of Mr. O'Flaherty, 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 to be engrossed, Mr. Golden of Lowell moved that it be amended in section 2 by inserting after the second sentence the following sentence: "The bureau shall classify such sex offenders at least 10 days prior to the earliest possible release date."

The amendment was adopted.

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. Jones of North Reading; and on the roll call 153 members voted in the affirmative and 3 in the negative.

[See Yea and Nay No. 791 in Supplement.]

Therefore the bill, as amended, was passed to be engrossed.

Mr. Jones moved that this vote be reconsidered; and the motion to reconsider was negated. The bill (House, No. 5234, printed as amended) then was sent to the Senate for concurrence.

Mr. DeLeo of Winthrop, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 5150), 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 2007 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. 5000), reported, in part, in each instance, that items 7504-0100 and 7505-0100 (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 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 7504-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$10,496,463 to \$10,379,094. On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and

Bill passed to be engrossed, yea and nay No. 791.

General Appropriation Bill.

Cape Cod Community College item 7504-0100 stands, yea and nay No. 787.

nays, as required by the Constitution; and on the roll call 142 members voted in the affirmative and 13 in the negative.

[See Yea and Nay No. 787 in Supplement.]

Therefore item 7504-0100 (contained in section 2) passed, notwithstanding the action 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 7505-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$8,557,238 to \$8,461,553.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call (the Speaker being in the Chair) 139 members voted in the affirmative and 16 in the negative.

[See Yea and Nay No. 788 in Supplement.]

Therefore item 7505-0100 (contained in section 2) passed, notwithstanding the action 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.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the commonwealth to acquire conservation restrictions in and to lands of the city of Leominster (see Senate, No. 31, 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. 789 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the 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. 5150), 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 2007 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. 5000), reported, in part, that item 7506-0100 (contained in section 2) stand (as passed by the General Court). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Greenfield Community College item 7505-0100 stands, yea and nay No. 788.

Leominster, restrictions.

Bill enacted (land taking), yea and nay No. 789.

General Appropriation Bill.

Holyoke
Community
College
item
7506-0100
stands,
yea and nay
No. 790.

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. DeLeo, said item, which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$17,120,203 to \$16,928,769.

On the question on passing said item, notwithstanding the action of the Governor, 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 142 members voted in the affirmative and 14 in the negative.

[See Yea and Nay No. 790 in Supplement.]

Therefore item 7506-0100 (contained in section 2) passed, notwithstanding the action 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.

Recess.

Recess.

At sixteen minutes before twelve o'clock midnight (Wednesday, July 26), on motion of Mr. Donato of Medford (the Speaker being in the Chair), the House recessed until the hour of twelve o'clock noon on Thursday, July 27; and at that time, the House was called to order with Mr. Petrolati of Ludlow in the Chair.

Prayer.

Thursday, July 27, 2006 (at 12:00 o'clock noon).

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

Gracious God, we are grateful for the countless material and spiritual blessings and gifts which You give us daily and we often take for granted. Teach us to use these gifts, blessings and our God-given talents in a mature and wise manner for our own benefits and for the common good. In these stressful days with a full legislative calendar, help us to keep all issues in clear perspective as we select our best legislative options which address the current and future needs of people and our communities. As elected leaders, inspire us to remain faithful to our basic principles and beliefs, our personal goals and our realistic priorities. May we be open to the concerns, insights and suggestions of constituents and colleagues at all times.

Pledge of
allegiance.

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

Bonds,
issuance.

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

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to the terms of certain bonds to be issued by the Commonwealth (House, No. 5237) was filed in the office of the Clerk on Thursday, July 27.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Bonding, Capital Expenditures and State Assets. Sent to the Senate for concurrence.

Statement of

Statement of Representative Atsalis of Barnstable.

Representative
Atsalis of
Barnstable.

A statement of Mr. Atsalis of Barnstable 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 able to be present in the House Chamber for a portion of today's sitting due to personal family matters. Any roll calls that I may have missed today was due entirely to the reason stated.

Statement Concerning Representative Kaufman of Lexington.

Statement
Concerning
Representative
Kaufman of
Lexington.

A statement of Mr. Rogers of Norwood concerning Mr. Kulik of Worthington 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 one of our colleagues, Representative Kaufman of Lexington, will not be present in the House Chamber for today's sitting due to a family emergency. Any roll calls that he may miss today will be due entirely to the reason stated.

Medford
Orioles.

Guests of the House.

During the session, the Chair (Mr. Petrolati of Ludlow) declared a brief recess and introduced the Medford Orioles little league team from Medford. The Orioles, 2006 Wellington-Glenwood Major League Champions, were the guests of Mr. Donato of Medford and Chief Court Officer Gene DiPersio.

Resolutions.

Al Ciardi.

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

Stephen
Rice.

Resolutions (filed by Mrs. Coppola of Foxborough) honoring Al "Red" Ciardi for his work and dedication to the town of Foxborough;

Larry K.
Wolff.

Resolutions (filed by Ms. Polito of Shrewsbury) commending Shrewsbury Police Officer Stephen Rice for his exceptional courage, bravery and service to the Shrewsbury community; and

Resolutions (filed by Mrs. Pope of Wayland) congratulating Pastor Larry K. Wolff on his thirty-sixth anniversary as Pastor of St. John Evangelical Lutheran Church;

Mrs. Harkins of Needham, 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. Mariano of Quincy, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Purple Heart
Highway,
establish.

Papers from the Senate.

The engrossed Bill relative to the Purple Heart Highway in Worcester County (see Senate, No. 1930), which had been returned to the Senate by His Excellency the Governor (under Article LVI of the Amendments to the Constitution) with recommendation of amendment [for message, see Senate, No. 2567], came from said branch with the endorsement that it had adopted said amendment in the following form:

Purple Heart
Highway,
establish.

Striking out all after the enacting clause and inserting in place thereof the following:—

“SECTION 1. chapter 180 of the acts of 1961 is hereby amended by striking out all after the enacting clause and inserting in place thereof the following text:—

State highway route 146 shall be designated and known as the Purple Heart Highway in recognition and honor of the men and women wounded or killed in the line of their military duty. The department of highways shall erect and maintain suitable markers bearing this designation. In addition, that portion of state highway route 146 between interstate highway route 290 at Brosnihan square in the city of Worcester and state highway route 146 intersection with Boston road in the town of Sutton shall be named the Blackstone Valley Parkway. The department of highways shall erect and maintain suitable markers bearing this name.

SECTION 2. Item 6033-9917 of section 2B of chapter 235 of the acts of 2000 is hereby amended by striking out the words:— provided further, that the section of state highway route 146 between interstate highway route 290 at Brosnihan square in Worcester and state highway route 146 intersection with Boston road in sutton shall be designated the Blackstone Valley parkway;”.

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; and it was adopted, in concurrence.

The House Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the town of Sterling (House, No. 4507) 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 2650.

Under suspension of Rule 35, on motion of Mr. Evangelidis of Holden, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

The House Bill authorizing the town of Dedham to grant additional alcoholic beverages licenses (House, No. 5208) came from the Senate passed to be engrossed, in concurrence, with an amendment inserting after section 4 the following section:

“SECTION 4A. Notwithstanding sections 12 and 77 of chapter 138 of the General Laws, the board of selectmen of the town of Dedham may restrict the licenses issued pursuant to this act to holders of common victualler licenses.”.

Under suspension of Rule 35, on motion of Mr. Coughlin of Dedham, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Bills

Establishing additional economic target areas (Senate, No. 2673) (on Senate Nos. 2543 and 2586); and

Providing rock wall climbing safeguards (Senate, No. 2677) (on Senate bill No. 2591);

Severally passed to be engrossed by the Senate, were read, and they were referred, under Rule 33, to the committee on Ways and Means.

A Bill authorizing the town of Lincoln to issue a single license for the sale of wine and malt beverages (Senate, No. 2503) (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.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Revenue, on a petition, a Bill establishing a tourism revenue preservation fund in the town of Yarmouth (House, No. 4945, changed by striking out section 6 and inserting in place thereof the following two sections:

“SECTION 6. Nothing in or resulting from this act shall affect amounts distributed to the town of Yarmouth in any year from the Local Aid Fund under section 18C of chapter 58 of the General Laws.

SECTION 7. This act shall take effect upon passage.”.) [Local Approval Received]. 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. Atsalis of Barnstable, the bill was read a second time forthwith; and it was ordered to a third reading.

Bills

Releasing certain land in Dudley from the operation of an agricultural preservation restriction (Senate, No. 55) (on a petition);

Further regulating home improvement contracts (Senate, No. 248, amended by striking out section 5) (on a petition);

Authorizing the Division of Capital Asset Management and Maintenance to convey certain permanent easements to Brockton Hospital (Senate, No. 2537, changed in section 4, in line 10, by striking out the words “joint committee on state administration” and inserting in place thereof the words “joint committee on bonding, capital expenditures and state assets.”) (on a petition);

Protecting consumers from unsolicited loans (Senate, No. 2682) (on Senate bill No. 559);

Relative to the taxation of forest, farm, and recreation land (Senate, No. 2683) (on Senate bill No. 1703);

Establishing employment leave and safety remedies for victims of domestic violence, stalking and sexual assault (Senate, No. 2684) (on Senate bill No. 2338);

Establishing the public libraries trust fund (Senate, No. 2685) (on Senate bill No. 2357); and

Prohibiting the fraudulent use of certain telephone technology (Senate, No. 2686) (on Senate No. 2644);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Lincoln,
liquor
license.

Yarmouth,
tourism
fund.

Dudley, land
restriction.

Home
improvement
contractors.
Brockton
Hospital,
easements.

Unsolicited
loans.

Land,
taxation.

Victims,
safety.

Libraries,
fund.

Telephone
technology.

Nurse
practitioners.

Drug therapy
management.

Sterling
Greenery,
land.

Dedham,
liquor
licenses.

Economic
target areas.
Rock wall
climbing.

Bills

To ensure consumer choice of nurse practitioner services (Senate, No. 1248) (on a petition); and

Authorizing collaborative drug therapy management (Senate, No. 2691) (on Senate bill No. 408);

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.

Hanover,
park land.

Reports of Committees.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the town of Hanover to convey certain park land (House, No. 4877). 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 Rule 7A, on motion of Mr. Nyman of Hanover, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on motion of 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. Sent to the Senate for concurrence.

Provincetown,
playground
land.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to certain playground land in the town of Provincetown (House, No. 4879) [Local Approval Received]. 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 Rule 7A, on motion of Mrs. Gomes of Harwich, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on motion of 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. Sent to the Senate for concurrence.

Westford,
Cameron
Senior Center.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the town of Westford to grant a restrictive covenant through town owned land for the new Cameron Senior Center septic system (House, No. 5135) [Local Approval Received]. 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. Hall of Westford, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on further 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. Sent to the Senate for concurrence.

Dennis Water
District,
land.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the Dennis Water District to convey certain land (House, No. 5229). 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. Turner of Dennis, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on motion of 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. Sent to the Senate for concurrence.

Paul F.
Taylor,
sick leave.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Paul F. Taylor, an employee of the Division of Professional Licensure (House, No. 5230). 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.

Mr. Donato being in the Chair,—

Under suspension of the rules, on motion of Mr. Petrolati of Ludlow, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on further motion of Mr. Petrolati, 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. Sent to the Senate for concurrence.

Walpole,
bridge.

By Mr. Wagner of Chicopee, for the committee on Transportation, on a petition, a Bill authorizing the Department of Highways to acquire a certain bridge in the town of Walpole (House, No. 5236). 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. Rogers of Norwood (Mr. Petrolati of Ludlow being in the Chair), the bill was read a second time forthwith; and it was ordered to a third reading.

Under further suspension of the rules, on motion of the same member, the bill was read a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

Public works,
dispute
resolution.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill promoting alternative resolution of certain public work disputes (Senate, No. 2655) 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. Cabral of New Bedford, the bill was read a second time forthwith; and it was ordered to a third reading.

Under further suspension of the rules, on motion of the same member, the bill was read a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill to convey certain Commonwealth property consisting of the waters of Farm Pond, its tributaries, and water distribution system to the town of Sherborn (House, No. 3426) 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; and it was ordered to a third reading.

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 authorizing the Division of Capital Asset Management and Maintenance to convey certain property to the town of Sherborn.". Sent to the Senate for concurrence.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the Department of Conservation and Recreation and the Department of Fish and Game to acquire conservation restrictions in and to the lands of the town of Egremont (printed in House, No. 4345) be scheduled for consideration by the House.

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

Subsequently under suspension of rules, on further 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. Sent to the Senate for concurrence.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing the disposition of easements or other interests in land in the town of Uxbridge under the care and control of the Department of Conservation and Recreation (Senate, No. 53, amended) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kujawski of Webster, 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 Senate Bill authorizing an easement or lease of land by the conservation commission of the town of Falmouth (Senate, No. 2319, amended) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Patrick of Falmouth, 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 Senate Bill relative to medical peer review committees (Senate, No. 2418, amended) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Scaccia of Boston, 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 attorney's lien for fees (House, No. 4323) 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 Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the geriatric authority of the city of Holyoke (House, No. 4866) [Local Approval Received]. 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. Kane of Holyoke, the bill was read a second time forthwith; and it was ordered to a third reading.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the town of Wellesley to convey a certain parcel of land (House, No. 4870) [Local Approval Received]. 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 Ms. Peisch of Wellesley, the bill was read a second time forthwith; and it was ordered to a third reading.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing

Sherborn,
Farm Pond.

Egremont,
conservation
restrictions.

Uxbridge,
Stanley Woolen
Mills.

Falmouth,

land.

Medical peer
review
committees.

Attorney
fees,
liens.

Holyoke,
geriatric
authority.

Wellesley,
E. Garpestad and
K. Walsh.

Wellesley,
land
conveyance.

the town of Wellesley to convey a certain parcel of land (House, No. 4871) [Local Approval Received]. 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 Ms. Peisch of Wellesley, the bill was read a second time forthwith; and it was ordered to a third reading.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a message from His Excellency the Governor, a Bill validating the actions taken by the town of Norton (printed in House, No. 5120). 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 Mrs. Poirier of North Attleborough, the bill was read a second time forthwith; and it was ordered to a third reading.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the Secretary of the Commonwealth to place an election in the city known as the town of Watertown on the state election ballot (House, No. 5184) [Local Approval Received]. 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. Koutoujian of Waltham, 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 relating to human services—authorizing providers to negotiate jointly with the Department of Early Education and Care and the Executive Office of Health and Human Services (House, No. 4266) ought to pass with an amendment substituting therefor a Bill authorizing child care providers to negotiate jointly with the Department of Early Education and Care and the Executive Office of Health Human Services (House, No. 5239). 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. Costello of Newburyport, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means was adopted; and the substituted bill was ordered to a third reading.

Norton,
validate
acts.

Watertown,
school
committee.

Human
service
providers.

DCR
roadways.

Previously Postponed Matter.

The House Bill relative to certain roadways of the Department of Conservation and Recreation formerly known as the Metropolitan District Commission (House, No. 3146), having been postponed from the session of Tuesday, July 25, was considered.

Pending the recurring question being on passing the bill to be engrossed, Mr. Donato of Medford moved that it be amended by striking out all after the enacting clause and inserting in place thereof the following:

“Section 35 of chapter 92 of the General Laws as appearing in the 2004 Official Edition, is hereby amended by adding the following paragraph:—

All persons seeking a permit for excavation or a driveway opening shall submit a request to the department. The department may refuse to issue an excavation permit or driveway opening permit if after review, the department determines the outcome of the construction shall result in an increase in traffic that has an adverse impact on parks, parkways, park roads, roadways, boulevards or bridges under the care and custody of the department.”.

The amendment was adopted; and the bill (House, No. 3146, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Mansfield,
housing
corporation.

Motions to Discharge a Certain Matter in the Orders of the Day.

Mrs. Poirier of North Attleborough moved that the engrossed Bill establishing a housing corporation in the town of Mansfield (see House, No. 4334), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (which had been returned by His Excellency the Governor with recommendation of amendment) (for message, see House, No. 4612) then was considered.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form contained in said message (as perfected by said committee); and the report was accepted.

The amendment recommended by the Governor then was adopted.

Sent to the Senate for its action.

Handicapped
parking
restrictions.

Ms. Grant of Beverly moved that the House Bill relative to handicap parking restrictions (House, No. 2142), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill, reported by the committee on Bills in the Third Reading to be correctly drawn, then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Health care
access.

Mrs. Walrath of Stow moved that the House Bill requiring hospitals to offer care to self payers (House, No. 2752), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill, reported by the committee on Bills in the Third Reading to be correctly drawn, then was read a third time.

Pending the question on passing the bill to be engrossed, the same member moved that it be amended by substitution of a Bill relative to health care access (House, No. 5240), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Cabral of New Bedford moved that the House Bill authorizing the city of New Bedford to regulate motorized bicycles and motorized scooters (House, No. 4354), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill, reported by the committee on Bills in the Third Reading to be correctly drawn, then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Wallace of Boston moved that the House Bill relative to the retirement of Dennis Mullen (House, No. 4419), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Ms. Story of Amherst moved that the Senate Bill releasing certain land in the town of Amherst from the operation of an agricultural preservation restriction (Senate, No. 2359), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, then was read a third time; and it was passed to be engrossed, in concurrence.

Ms. Khan of Newton moved that the House Bill relative to hearings of the Division of Medical Assistance (House, No. 2681, changed), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill, reported by the committee on Bills in the Third Reading to be correctly drawn, then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Verga of Gloucester moved that the Senate Bill further regulating the Essex Regional Retirement System (Senate, No. 2263, amended), be discharged from its position in the Orders of the Day

and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill, reported by the committee on Bills in the Third Reading to be correctly drawn, then was read a third time; and it was passed to be engrossed, in concurrence.

Mr. Kujawski of Webster moved that the Senate Bill authorizing the town of Oxford to provide certain water supply improvements (Senate, No. 2548, amended), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill, reported by the committee on Bills in the Third Reading to be correctly drawn, then was read a third time; and it was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment previously adopted by the House.

Mr. O'Flaherty of Chelsea moved that the House Bill relative to social workers (House, No. 730), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

The Senate Bill authorizing the Massachusetts Water Resources Authority to enter into an agreement with the town of Walpole to use certain land for recreational purposes (Senate, No. 2588) (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 the rules, on motion of Mr. Ross of Wrentham; and it was passed to be engrossed, in concurrence.

The Senate Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property in the town of Weymouth to the South Shore Association of Retarded Citizens (Senate, No. 2649) (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 the rules, on motion of Mr. Mariano of Quincy; and it was passed to be engrossed, in concurrence.

The Senate Bill authorizing the town of Ipswich to change the use, the care, (Senate, No. 2678), 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. Hill of Ipswich; and it was passed to be engrossed, in concurrence.

The House Bill relative to insurance and lawful travel by applicants for life and disability insurance and insured individuals (House, No. 4962), 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.

Oxford
water
supply.

Social
workers,
malpractice.

Walpole,
MWRA.

Weymouth,
land lease.

Ipswich,
land use
change.

Insured,
lawful
travel.

New Bedford,
motorized
bicycles.

Boston,
Dennis
Mullen.

Amherst,
land.

Nursing
facilities.

Essex regional
retirement.

Fitchburg,
tax
abatements.

Pending the question on passing the bill to be engrossed, the same member moved that it be amended by substitution of a bill with the same title (House, No. 5238), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Boston,
MWRRA
land.

The House Bill authorizing the city of Fitchburg to abate certain taxes (House, No. 5177), 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. Goguen of Fitchburg; and it was passed to be engrossed. Sent to the Senate for concurrence.

Chelsea,
DCR
land.

The House Bill authorizing the Division of Capital Asset Management and Maintenance to transfer easements in certain land in the city of Boston (House, No. 5223), 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. Petrucelli of Boston; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the Division of Capital Asset Management and Maintenance to transfer easements in certain land in the city of Chelsea (House, No. 5224), 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. O'Flaherty of Chelsea; and it was passed to be engrossed. Sent to the Senate for concurrence.

Somerset,
easements.

Engrossed Bill — Land Taking.

Bill enacted
(land taking),
yea and nay
No. 792.

The engrossed Bill authorizing the town of Somerset to lease land and grant easements in certain land (see House, No. 4842, changed) (which originated in the House), 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. 792 in Supplement.]

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

General
Appropriation
Bill.

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. 5150), 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 2007 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. 5000), reported, in part, in each instance, that certain items (contained in section 2) (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 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 7507-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$13,345,432 to \$13,196,206.

On the question on passing said item, notwithstanding the action 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 15 in the negative.

[See Yea and Nay No. 793 in Supplement.]

Therefore item 7507-0100 (contained in section 2) passed, notwithstanding the action 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 7508-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$18,763,263 to \$18,553,457.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 143 members voted in the affirmative and 11 in the negative.

[See Yea and Nay No. 794 in Supplement.]

Therefore item 7508-0100 (contained in section 2) passed, notwithstanding the action 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 7509-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$11,436,390 to \$11,308,511.

On the question on passing said item, notwithstanding the action 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 13 in the negative.

[See Yea and Nay No. 795 in Supplement.]

Therefore item 7509-0100 (contained in section 2) passed, notwithstanding the action of the Governor (more than two-thirds of the

Massachusetts
Bay Community
College
item
7507-0100
stands,
yea and nay
No. 793.

Massasoit
Community
College
item
7508-0100
stands,
yea and nay
No. 794.

Mount
Wachusett
Community
College
item
7509-0100
stands,
yea and nay
No. 795.

Northern Essex
Community
College
item
7510-0100
stands,
yea and nay
No. 796.

members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7510-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$17,666,031 to \$17,468,494.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 140 members voted in the affirmative and 15 in the negative.

[See Yea and Nay No. 796 in Supplement.]

Therefore item 7510-0100 (contained in section 2) passed, notwithstanding the action 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.

North Shore
Community
College
item
7511-0100
stands,
yea and nay
No. 797.

Item 7511-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$18,882,617 to \$18,671,476.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 140 members voted in the affirmative and 15 in the negative.

[See Yea and Nay No. 797 in Supplement.]

Therefore item 7511-0100 (contained in section 2) passed, notwithstanding the action 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.

Quinsigamond
Community
College
item
7512-0100
stands,
yea and nay
No. 798.

Item 7512-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$14,161,475 to \$14,003,125.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 144 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 798 in Supplement.]

Therefore item 7512-0100 (contained in section 2) passed, notwithstanding the action 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.

Springfield
Community
College
item
7514-0100
stands,
yea and nay
No. 799.

Item 7514-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$22,305,101 to \$22,055,691.

On the question on passing said item, notwithstanding the action 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 14 in the negative.

[See Yea and Nay No. 799 in Supplement.]

Therefore item 7514-0100 (contained in section 2) passed, notwithstanding the action 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 7515-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$9,749,829 to \$9,640,809.

On the question on passing said item, notwithstanding the action 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 16 in the negative.

[See Yea and Nay No. 800 in Supplement.]

Therefore item 7515-0100 (contained in section 2) passed, notwithstanding the action 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.

Roxbury
Community
College
item
7515-0100
stands,
yea and nay
No. 800.

Item 7516-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$18,511,485 to \$18,304,494.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 140 members voted in the affirmative and 15 in the negative.

[See Yea and Nay No. 801 in Supplement.]

Therefore item 7516-0100 (contained in section 2) passed, notwithstanding the action 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.

Middlesex
Community
College
item
7516-0100
stands,
yea and nay
No. 801.

Item 7518-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording from said item and reduced said item from \$19,121,261 to \$18,799,451.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 140 members voted in the affirmative and 15 in the negative.

[See Yea and Nay No. 802 in Supplement.]

Therefore item 7518-0100 (contained in section 2) passed, notwithstanding the action 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.

Burke Hill
Community
College
item
7518-0100
stands,
yea and nay
No. 802.

Motion to Reconsider.

Mr. Scaccia of Boston moved that the vote be reconsidered by which the House, at the previous session, passed to be enacted the engrossed [land taking] Bill authorizing the city of Boston and the Commonwealth to grant sewer and drainage easements over certain parcels of land in the city of Boston (see Senate, No. 2627, amended); and the motion to reconsider prevailed.

Boston,
sewer and
drainage
easements.

Bill enacted
(land taking),
yea and nay

No. 803.

The bill (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, then was put upon its final passage.

On the recurring 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 1 in the negative.

[See Yea and Nay No. 803 in Supplement.]

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

Subsequently a statement of Mr. Hynes of Marshfield 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 on the previous roll call I voted in the affirmative. However, now I find that, for some inexplicable reason, I was recorded as having voted in the negative.

Recess.

At seventeen minutes after two o'clock P.M. (Thursday, July 27), on motion of Mr. Rodrigues of Westport (Mr. Petrolati of Ludlow being in the Chair), the House recessed until a quarter before three o'clock; and at four minutes after three o'clock the House was called to order with Mr. Donato of Medford in the Chair.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property in Weymouth to the South Shore Association of Retarded Citizens (see Senate, No. 2649) (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 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 804 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 streamlining and expediting the permitting process in the Commonwealth (see House, No. 4968, amended) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted.

Subsequently Mr. Hynes of Marshfield moved that this vote be reconsidered; and the motion to reconsider prevailed.

Statement of Representative Hynes of Marshfield.

Recess.

Weymouth, land lease.

Bill enacted (land taking), yea and nay No. 804.

Permitting process, streamline.

Bill passed to be enacted, yea and nay No. 805.

On the recurring question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 125 members voted in the affirmative and 30 in the negative.

[See Yea and Nay No. 805 in Supplement.]

Therefore the bill (House, No. 4968, amended) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

The engrossed Bill authorizing the town of Dedham to grant additional alcoholic beverages licenses (see House, No. 5208, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Islands, housing banks.

Reports of Committees.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill establishing the Martha's Vineyard and Nantucket housing banks (Senate, No. 2555) ought to pass with amendments by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5228; and by striking out the title and inserting in place thereof the following title: "An Act establishing the Martha's Vineyard housing bank." 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. Turkington of Falmouth, the bill was read a second time forthwith.

The amendments recommended by the committee on Ways and Means then were adopted.

After debate 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. Binienda of Worcester; and on the roll call 64 members voted in the affirmative and 91 in the negative.

[See Yea and Nay No. 806 in Supplement.]

Therefore the House refused to order the bill to a third reading. Mr. Travis of Rehoboth then moved that this vote be reconsidered; and the motion to reconsider was negated.

Bill rejected, yea and nay No. 806.

Supplemental Appropriation Bill, reductions and disapprovals.

Mr. DeLeo of Winthrop, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 5091), returning with his disapproval of certain items and sections and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5056), reported, in part, in each instance, that certain items (contained in sections 2 and 2A) and sections stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Department of Housing and Community Development Section 106 stands, yea and nay

No. 807.

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. Jones of North Reading, the following items and sections 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:

Section 106, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 135 members voted in the affirmative and 21 in the negative.

[See Yeas and Nays No. 807 in Supplement.]

Therefore section 106 passed, notwithstanding the action 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.

Office of
Travel and
Tourism
Section 110
stands,
yea and nay
No. 808.

Section 110, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 146 members voted in the affirmative and 10 in the negative.

[See Yeas and Nays No. 808 in Supplement.]

Therefore section 110 passed, notwithstanding the action 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.

Office of
Travel and
Tourism
Section 111
stands,
yea and nay
No. 809.

Section 111, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 145 members voted in the affirmative and 11 in the negative.

[See Yeas and Nays No. 809 in Supplement.]

Therefore section 111 passed, notwithstanding the action 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.

Department of
Education
Section 113
stands,
yea and nay
No. 810.

Section 113, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 135 members voted in the affirmative and 21 in the negative.

[See Yeas and Nays No. 810 in Supplement.]

Therefore section 113 passed, notwithstanding the action 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.

Trial Court
Section 141
stands,
yea and nay

Section 141, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House 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 Yeas and Nays No. 811 in Supplement.]

Therefore section 141 passed, notwithstanding the action 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.

No. 811.

Department of
Conservation
and Recreation
Section 88
stands,
yea and nay
No. 812.

Section 88, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House 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 Yeas and Nays No. 812 in Supplement.]

Therefore section 88 passed, notwithstanding the action 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.

Boston
Municipal
Court Item
0330-0318
stands,
yea and nay
No. 813.

Item 0330-0318 (contained in section 2A), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 134 members voted in the affirmative and 21 in the negative.

[See Yeas and Nays No. 813 in Supplement.]

Therefore item 0330-0318 (contained in section 2A) passed, notwithstanding the action 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.

Alternative
dispute
resolution
item
0330-0410
stands,
yea and nay
No. 814.

Item 0330-0410 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 134 members voted in the affirmative and 21 in the negative.

[See Yeas and Nays No. 814 in Supplement.]

Therefore item 0330-0410 (contained in section 2) passed, notwithstanding the action 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.

Massachusetts
Development
Finance Agency
item
1100-1560
stands,
yea and nay
No. 815.

Item 1100-1560 (contained in section 2A), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and

nays, as required by the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 815 in Supplement.]

Therefore item 1100-1560 (contained in section 2A) passed, notwithstanding the action 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.

Community health center item 4000-0265 stands, yea and nay No. 816.

Item 4000-0265 (contained in section 2A), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 135 members voted in the affirmative and 21 in the negative.

[See Ye and Nay No. 816 in Supplement.]

Therefore item 4000-0265 (contained in section 2A) passed, notwithstanding the action 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.

Workforce development grants item 7003-0702 stands, yea and nay No. 817.

Mr. Petrolati of Ludlow being in the Chair,—

Item 7003-0702 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 145 members voted in the affirmative and 9 in the negative.

[See Ye and Nay No. 817 in Supplement.]

Therefore item 7003-0702 (contained in section 2) passed, notwithstanding the action 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.

Recess.

Recess.

At three minutes before six o'clock P.M. (Thursday, July 27), on motion of Mr. Jones of North Reading (Mr. Petrolati of Ludlow being in the Chair), the House recessed until half past six o'clock; and at twenty-two minutes before seven o'clock the House was called to order with Mr. Donato of Medford in the Chair.

Wayland, park land.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the town of Wayland to transfer care and control of certain park land (see House, No. 5079, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted (land taking), yea and nay No. 818.

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 155 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 818 in Supplement.]

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

Sales tax.

Emergency Measures.

The engrossed Bill providing for a certain exemption from the sales tax (see House, No. 5200, 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.

Bill enacted.

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 6 to 1. 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.

Paul F. Taylor, sick leave.

The engrossed Bill establishing a sick leave bank for Paul F. Taylor, an employee of the Division of Professional Licensure (see House, No. 5230), 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 42 to 0. Sent to the Senate for concurrence.

Permitting process.

Paper from the Senate.

The engrossed Bill relative to streamlining and expediting the permitting process in the Commonwealth (see House, No. 4968, amended) came from the Senate with amendments inserting after section 3 the following 2 sections:

“SECTION 3A. Section 2 of chapter 21A of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by inserting after clause (7) the following clause:—

(7A) develop state-wide policies to promote environmental justice in the commonwealth and protect and regulate the use of areas of critical environmental justice concern in the commonwealth.

SECTION 3B. Said chapter 21A, as so appearing, is hereby further amended by adding the following 2 sections:—

Section 21. As used in this section and in section 22, the following words shall have the following meanings unless the context clearly requires otherwise:—

‘Cleaner production’, a manufacturing process or approach to manufacturing production that is based on toxics use reduction and pollution prevention and that strives to incorporate the following components: waste reduction, non-polluting production, energy effi-

Permitting process.

ciency, safe and healthy work environments and environmentally sound products and packaging.

'Disproportionate burden', an unfair share of environmental pollution from industrial, commercial, state or municipal operations or limited access to natural resources, including open space and water resources borne by a group of people.

'Equal protection', protection for a group of people, based on race, ethnicity, class, gender or handicap from bearing a disproportionate burden.

'Environmental benefits', access to funding, open space, enforcement, technical assistance, training or other beneficial resources disbursed by the secretary of environmental affairs, its agencies and its offices.

'Environmental justice', equal protection and meaningful involvement of all people with respect to the development, implementation and enforcement of environmental laws, regulations and policies and the equitable distribution of environmental benefits.

'Environmental justice population', a neighborhood in which the annual median household income is equal to or less than 65 per cent of the state-wide median or whose population is made up 25 per cent minority, foreign born or lacking English language proficiency or a community that the secretary has determined has borne a disproportionate burden or otherwise not received equal protection.

'Foreign born', individuals who identify themselves on federal census forms as not United States citizens at birth.

'Lacking English language proficiency', households that, according to federal census forms, do not have an adult proficient in English residing therein.

'Low income', median annual household income at or below 65 per cent of the state-wide median income for Massachusetts, according to federal census data.

'Meaningful involvement', that all neighborhoods have the right to participate in partnership with government in environmental decision-making, including needs assessment, planning, implementation, enforcement and evaluation, and that all neighborhoods are enabled and administratively assisted to participate fully through education and training means and encouraged to develop environmental stewardship.

'Minority', individuals who identify themselves on federal census forms as non-white or Hispanic.

'Neighborhood', a census block group as defined by the United States Census Bureau, but not including people who live in college dormitories or people under formally authorized, supervised care or custody.

'Supplemental environmental project', the performance of environmentally beneficial projects in the settlement of environmental enforcement cases.

Section 22. The secretary of environmental affairs shall establish an environmental justice program consisting of, but not limited to, the following components: (a) a policy position entitled the director of environmental justice and brownfields redevelopment within the office of the secretary. The director shall act as the initial point of

contact on all environmental justice matters and shall coordinate the implementation of this policy, track progress and prepare annual reports for public distribution. The director shall develop a work plan for the implementation of the environmental justice program within the office of the secretary; (b) identification of environmental justice populations to be serviced by this section via geographic information systems mapping or other suitable tools, and updating of the map as new United States census data becomes available; (c) establishment of a procedure under which additional communities that does not fall under the strict demographic definition of an environmental justice population may petition for such status. The secretary shall make a finding whether the petitioner has borne a disproportionate burden or otherwise has not received equal protection; (d) establishment of regional agency outreach teams of liaisons from each agency and region. The team shall consist of a coordinator and existing agency staff. The teams shall, without limitation: (1) open lines of communication with local neighborhood groups through routine meetings; (2) establish specific task forces; (3) further identify language issues; (4) identify enforcement priorities on a local basis; (5) identify a list of community improvement projects; (6) allow issues with existing facilities to be raised and addressed; (7) assist the department of environmental protection and other agencies with targeting enforcement; (8) assist the office of technical assistance and other agencies with targeting assistance; and (9) identify potential economic development opportunities that promote cleaner production and sustainable business practices; (e) establishment and coordination of the efforts of a working group made up of senior-level managers from each agency within the executive office of environmental affairs, the department of economic development, the department of housing and community development and the department of public health, as well as representatives from at least 2 environmental justice populations. The working group shall maximize state resources, research and technical assistance to further the goals of this section to ensure environmental justice concerns are evaluated and addressed in each of the agencies' jurisdiction and programs; (f) direction of agencies under the secretary to designate senior-level managers to participate in and actively support the working group and the regional agency environmental justice outreach teams; (g) direction of agencies under the secretary to identify and promote agency-sponsored projects, funding decisions, rulemakings or other actions intended to further environmental justice in the commonwealth; (h) identification of resources to create, restore and maintain open spaces located in neighborhoods where environmental justice populations reside. At a minimum, the agencies charged with acquiring and maintaining state lands shall make the promotion of preserving and restoring open spaces in neighborhoods in which environmental justice populations reside a priority; (i) providing an introductory environmental justice training program for employees in the executive office of environmental affairs, watershed teams and municipalities applying for grant programs or for any other resources prioritized or focused on neighborhoods in which environmental justice populations reside. Staff serving on regional agency

environmental justice outreach teams, employees or organizations disbursing state funds to municipalities, individuals and organizations for the provision of open space, river maintenance or restoration, education and technical assistance, environmental policy staff and the environmental justice working group shall receive such training; (j) development of fact sheets describing programs directly relevant to obtaining funding or additional resources for environmental justice populations including, but not limited to, the urban self help program, Massachusetts Environmental Trust and the Massachusetts environmental policy act. The fact sheets shall be made available in languages other than English; (k) development of a distribution list of interested members of environmental justice populations, non-profit organizations, and others to be incorporated into mailing lists for newsletters and other general outreach information; (l) development and maintenance of a list of alternative information outlets that service environmental justice populations including, but not limited to, media in languages other than English, for the purpose of seeking public comments or publishing public notices; (m) establishment of multiple information repositories in neighborhoods in which environmental justice populations reside; (n) direction of agencies to develop and implement a public participation strategy that focuses agency resources on outreach activities to enhance public participation and input to agency decision making that potentially affect environmental justice populations including, but not limited to: (1) scheduling public meetings or hearings at locations and times convenient for neighborhood stakeholders; (2) translating public notices into other languages; (3) offering interpreters and translated documents at public meetings; (4) providing notices as early as possible to all neighborhoods potentially impacted by a decision; and (5) assisting environmental justice populations with grant applications and questions about environmental regulations to assist them with compliance and sustainability; (o) cooperation with other agencies as necessary to maximize site remediation and redevelopment programs under chapter 206 of the acts of 1998 and the promotion of nonpolluting development in neighborhoods where environmental justice populations reside; (p) direction of the environmental justice regional agency outreach teams to identify and address environmental justice issues and to identify and reclaim brownfields sites identified under chapter 206 of the acts of 1998 within each region; (q) direction of the Massachusetts environmental policy act office to: (1) develop enhanced public participation for any project that exceeds an Environmental Notification Form threshold for air, solid and hazardous waste, other than remediation projects, or wastewater and sewage sludge treatment and disposal, if the project site is located within 1 mile of an environmental justice population, or in the case of projects exceeding the threshold for air, within 5 miles of an environmental justice population; and require enhanced analysis of impacts and mitigation for an Environmental Impact Report scope if the project exceeds a mandatory Environmental Impact Report threshold for air, solid and hazardous waste, other than remediation projects, or wastewater and sewage sludge treatment and disposal, and the pro-

ject site is located within 1 mile of an environmental justice population or, in the case of projects exceeding a mandatory threshold for air, within 5 miles of an environmental justice population. Thresholds for the forms and reports identified in this subsection are codified at 310 CMR 11.00 et seq; and (2) exempt site assessment grants and loans granted under the Brownfields Redevelopment Fund, as well as investment tax credits for equipment, tenant fit-ups, and other post-development activities administered under chapter 206 of the acts of 1998 from the category of state financial assistance for the purposes of triggering Massachusetts environmental policy act review. Projects undertaken under chapter 206 of the acts of 1998 that otherwise trigger Massachusetts environmental policy act review may be considered environmental restoration projects and subject to expedited review. In making a decision, the secretary shall consider the extent to which the new proposal would prevent pollution and eliminate or minimize risks to public health and the environment; (r) direction of the department of environmental protection to: (1) prioritize neighborhoods in which environmental justice populations reside when selecting sectors and facilities for inspection and monitoring, prosecuting non-compliance, providing compliance assistance and allocating resources; (2) prioritize municipal outreach for sites identified under chapter 21E to neighborhoods with environmental justice populations; (3) incorporate environmental justice as a criterion for awarding technical assistance grants to non-profit organizations; (4) prioritize technical assistance to environmental justice populations in neighborhoods with hazardous waste sites identified under chapter 21E; (5) communicate with the list of community-based organizations in neighborhoods in which environmental justice populations reside in addressing compliance matters; (6) consider environmental justice as a factor in establishing priorities for activity use limitation audits under chapter 21E; (7) incorporate environmental justice as a criterion in prioritizing the investigation of sites, negotiating cost recovery under chapter 21E; (8) provide for commensurate cost recovery to municipalities for taxes owed, exclusive of interest and penalties, on sites identified under said chapter 21E and located in neighborhoods in which environmental justice populations reside; and (9) meet regularly with the executive office of environmental affairs and the department of public health to coordinate on environmental issues potentially affecting public health, including matters related to exposures from multiple sources of pollution.”; and by adding the following section:

“SECTION 25. The executive office of environmental affairs shall adopt the initial regulations required by clause (7A) of section 2 of chapter 21A of the General Laws within 90 days after the effective date of this act.”.

Under suspension of Rule 35, on motion of Mr. Dempsey of Haverhill, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith.

The House non-concurred with the Senate in its amendments. Mr. Peterson of Grafton moved that this vote be reconsidered; and the motion to reconsider was negative. The bill House, No. 4968, amended) then was returned to the Senate endorsed accordingly.

and
disapprovals.

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. 5091), returning with his disapproval of certain items and sections and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5056), reported, in part, in each instance, that certain items (contained in sections 2, 2A and 2E) 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. Jones of North Reading, the following items 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 7004-0099 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 133 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 819 in Supplement.]

Therefore item 7004-0099 (contained in section 2) passed, notwithstanding the action 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 7007-0900 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 145 members voted in the affirmative and 8 in the negative.

[See Yea and Nay No. 820 in Supplement.]

Therefore item 7007-0900 (contained in section 2) passed, notwithstanding the action 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 7007-1000 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 147 members voted in the affirmative and 7 in the negative.

[See Yea and Nay No. 821 in Supplement.]

Therefore item 7007-1000 (contained in section 2) passed, notwithstanding the action of the Governor (more than two-thirds of the

Housing
administration
item
7004-0099
stands,
yea and nay
No. 819.

Office of
Travel and
Tourism
item
7007-0900
stands,
yea and nay
No. 820.

Local tourist
councils
item
7007-1000
stands,
yea and nay
No. 821.

members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7100-0400 (contained in section 2A), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 147 members voted in the affirmative and 7 in the negative.

[See Yea and Nay No. 822 in Supplement.]

Therefore item 7100-0400 (contained in section 2A) passed, notwithstanding the action 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 7509-0102 (contained in section 2E), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 136 members voted in the affirmative and 18 in the negative.

[See Yea and Nay No. 823 in Supplement.]

Therefore item 7509-0102 (contained in section 2E) passed, notwithstanding the action 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 7509-1000 (contained in section 2A), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call (Mr. Petrolati of Ludlow being in the Chair) 139 members voted in the affirmative and 15 in the negative.

[See Yea and Nay No. 824 in Supplement.]

Therefore item 7509-1000 (contained in section 2A) passed, notwithstanding the action 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 7515-0122 (contained in section 2A), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 134 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 825 in Supplement.]

Therefore item 7515-0122 (contained in section 2A) passed, notwithstanding the action 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.

UMass
moth study
item
7100-0400
stands,
yea and nay
No. 822.

Mt. Wachusett
Field
item
7509-0102
stands,
yea and nay
No. 823.

Mr. Wachusett
energy program
item
7509-1000
stands,
yea and nay
No. 824.

Roxbury
Community
College
item
7515-0122
stands,
yea and nay
No. 825.

Executive

Office of
Public Safety
item
8000-0000
stands,
yea and nay
No. 826.

Item 8000-0000 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$869,000 to \$589,000.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 140 members voted in the affirmative and 14 in the negative.

[See Yea and Nay No. 826 in Supplement.]

Therefore item 8000-0000 (contained in section 2) passed, notwithstanding the action 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.

Department of
Corrections
facilities
item
8900-0001
stands,
yea and nay
No. 827.

Item 8900-0001 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action 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 16 in the negative.

[See Yea and Nay No. 827 in Supplement.]

Therefore item 8900-0001 (contained in section 2) passed, notwithstanding the action 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.

Substance
abuse
treatment
item
4512-0200
stands,
yea and nay
No. 828.

Item 4512-0200 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 153 members voted in the affirmative and 2 in the negative.

[See Yea and Nay No. 828 in Supplement.]

Therefore item 4512-0200 (contained in section 2) passed, notwithstanding the action 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.

General
Appropriation
Bill.

Mr. DeLeo of Winthrop, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 5150), 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 2007 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. 5000), reported, in part, in each instance, that certain items (contained in sections 2 and 2B) 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 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 8000-0125 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 829 in Supplement.]

Therefore item 8000-0125 (contained in section 2) passed, notwithstanding the action 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.

Sex Offender
Registry Board
item
8000-0125
stands,
yea and nay
No. 829.

Item 7003-0604 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 830 in Supplement.]

Therefore item 7003-0604 (contained in section 2) passed, notwithstanding the action 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.

Long-Term Care
Career Ladder
Program
item
7003-0604
stands,
yea and nay
No. 830.

Item 1102-3224 (contained in section 2B), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 134 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 831 in Supplement.]

Therefore item 1102-3224 (contained in section 2B) passed, notwithstanding the action 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.

Saltcrustall
lease payments
item
1102-3224
stands,
yea and nay
No. 831.

Emergency Measure.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the town of Sterling (see House, No. 4507, 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.

Sterling
Greenery,
land
conveyance.

Sterling
Greenery,
land
conveyance.

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 37 to 0. Sent to the Senate for concurrence.

Bill enacted
(land taking),
yea and nay
No. 832.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House), 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 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 832 in Supplement.]

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

Bills
enacted.

Engrossed Bills.

Engrossed bills

Relative to the payment of referral fees to unlicensed employees of insurance producers (see Senate, No. 2060);

Further regulating the Essex Regional Retirement System (see Senate, No. 2263, amended);

(Which severally originated in the Senate);

Regulating the grant of sewer system connections by the sewer commission of the town of Kingston (see House, No. 4528) (which originated in the House); and

Relative to the retirement allowance payable to Robert W. Noseworthy (see House, No. 4841);

(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.

Walpole,
MWRA.

Engrossed Bills — Land Takings.

The engrossed Bill authorizing the Massachusetts Water Resources Authority to enter into an agreement with the town of Walpole to use certain land for recreational purposes (see Senate, No. 2588) (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.

Bill enacted
(land taking),
yea and nay
No. 833.

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. 833 in Supplement.]

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

Ipswich,
land use
change.

Bill enacted

The engrossed Bill authorizing the town of Ipswich to change the use, the care, (see Senate, No. 2678) (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.

(land taking),
yea and nay
No. 834.

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. 834 in Supplement.]

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

Suspension of
Rule 1A.

Suspension of Rule 1A.

The Chair (Mr. Petrolati of Ludlow) 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.

Rule 1A
suspended,
yea and nay
No. 835.

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 128 members voted in the affirmative and 28 in the negative.

[See Yea and Nay No. 835 in Supplement.]

Therefore Rule 1A was suspended.

Economic
Stimulus Bill.

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. 5101), returning with his disapproval of certain items and sections and reductions in certain items contained in the engrossed Bill relative to economic investments in the Commonwealth to promote job creation, economic stability, and competitiveness in the Massachusetts economy (see House, No. 5057), reported, in part, that section 41 stand (as passed by the General Court). 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. DeLeo, said section, which had been vetoed by the Governor, then was considered.

Pending the question on passing said section, notwithstanding said objections, Mrs. Harkins of Needham asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Petrolati of Ludlow), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Quorum,
yea and nay
No. 836.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 156 members were recorded as being in attendance.

[See Yea and Nay No. 836 in Supplement.]

Therefore a quorum was present.

Special
development
districts
section 41
stands,
yea and nay
No. 837.

After debate on the question on passing said section, notwithstanding the action of the Governor, 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 109 members voted in the affirmative and 46 in the negative.

[See Yea and Nay No. 837 in Supplement.]

Therefore section 41 passed, notwithstanding the action 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.

*Motions to Discharge Certain Matters
in the Orders of the Day.*

Mr. Leary of Worcester moved that the House Bill to protect children from persons who offer to pay for sexual contact (House, No. 59), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time, its title having been changed by said committee to read: "An Act protecting children from persons who offer to pay for sexual contact."

Pending the question on passing the bill to be engrossed, the same member moved that it be amended in line 9 by inserting after the word "jail" the words "or house of correction"; and in lines 12 to 19, inclusive, by striking out the paragraph contained therein and inserting in place thereof the following paragraph:

"(b) Whoever pays, agrees to pay, or offers to pay any person with the intent to engage in sexual conduct with a child under the age of 14, or whoever is paid, agrees to pay, or agrees that a third person be paid in return for aiding a person who intends to engage in sexual conduct with a child under the age of 14, shall be punished by imprisonment in the state prison for not more than 10 years or in jail or house of correction for not more than 2½ years, whether such sexual conduct occurs or not."

After remarks the amendments were adopted.

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. Leary; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 838 in Supplement.]

Therefore the bill (House, No. 859, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Reports of Committees.

The Speaker being in the Chair,—

Mr. DeLeo of Winthrop, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 5091), 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 Bill making appropriations for the fiscal year 2006 to provide for supplementing certain

existing appropriations and for certain other activities and projects (see House, No. 5056), reported, in part, that item 7004-0097 (contained in section 2E) stand (as passed by the General Court). 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. DeLeo, said matter, which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$30,361,447 to \$16,333,447.

On the question on passing said item, notwithstanding the action of the Governor, 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 138 members voted in the affirmative and 16 in the negative.

[See Yea and Nay No. 839 in Supplement.]

Therefore item 7004-0097 (contained in section 2E) passed, notwithstanding the action 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.

Recess.

At eighteen minutes before twelve o'clock midnight (Thursday, July 27), on motion of Mr. Donato of Medford (the Speaker being in the Chair), the House recess until Monday next (July 31) at the hour of eleven o'clock A.M.; and at that time, the House was called to order with Mr. Petrolati of Ludlow in the Chair.

Monday, July 31, 2006 (at 11:00 o'clock A.M.).

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

Eternal God, we place our trust in You, Our Creator. We look to You, Your ways and precepts and direction as we take up, analyze and address the items of today's legislative calendar. As we begin this final formal legislative session of the House of Representatives of the 184th General Court, we are grateful for Your guidance and blessings. We are also thankful for the dedication of the members of this body in trying to meet the current and future needs of the people and our communities. We and members of our society differ on goals, both legislative and public policy, but we do recognize and respect the Constitutional rights of all to articulate their views, opinions and values, both human and spiritual. As responsible leaders, grant us the foresight to comprehend the benefits and consequences of our decisions and choices in this changing world.

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

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

Children,
protect.

Bill passed
to be
engrossed,
yea and nay
No. 838.

Supplemental
Appropriation
Bill.

Economic
grants to
municipalities
item
7004-0097
stands,
yea and nay
No. 839.

Recess.

Prayer.

Pledge of
allegiance.

Supplemental
appropriations.

*Message from the Governor — Supplemental Appropriation Bill
Returned with Recommendations of Amendments.*

A message from His Excellency the Governor returning with recommendations of amendments the engrossed Bill making appropriations for fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 5210, amended] (for message, see House, No. 5242 — Attachments B to E, inclusive) was filed in the office of the Clerk on Friday, July 28.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the amendments severally were thereupon “before the General Court and subject to amendment and re-enactment”.

Pending the question on adoption of the amendments recommended by the Governor, the subject-matters (printed as House, Nos. 5243 to 5246, inclusive) were referred, in each instance, on motion of Mr. Golden of Lowell, to the committee on Bills in the Third Reading.

Subsequently, under suspension of Rule 47, on motion of Mr. Golden, the engrossed Bill relative to aiding public housing authorities (see House, No. 5243), being a printed copy of section 6 contained in said supplemental appropriation bill, was considered.

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 at the end thereof the following: “; provided further that the department of housing and community development shall not expend less than \$3,000,000 of the funds appropriated herein to increase by 6 per cent the department’s allowable non-utility expense levels on all housing authority budgets for elderly and family public housing effective July 1, 2005”.

The report was accepted.

The amendment recommended by the Governor then was rejected. Sent to the Senate for its action.

Subsequently, under suspension of Rule 47, on motion of Mr. Golden, the engrossed Bill relative to funding community health centers (see House, No. 5244), being a printed copy of section 14 contained in said supplemental appropriation bill, was considered.

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 following:

“All expenditures made under section 8 of chapter 58 of the acts of 2006 are contingent on federal approval and the availability of federal financial participation, and are subject to appropriation unless otherwise specified. All federal reimbursement from said section shall be deposited into the General Fund.”.

The report was accepted.

The amendment recommended by the Governor then was rejected. Sent to the Senate for its action.

Public housing
authorities.

Community
health
centers.

Employee
retirement
benefits.

Subsequently, under suspension of Rule 47, on motion of Mr. Golden, the engrossed Bill relative to calculating employee retirement benefits (see House, No. 5245), being a printed copy of section 15 contained in said supplemental appropriation bill, was considered.

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 following:

“Sections 28, 29, 30, 31, 32, and 33 of chapter 118G are hereby repealed.”.

The report was accepted.

The amendment recommended by the Governor then was rejected. Sent to the Senate for its action.

Winchester,
Spot Pond.

Subsequently, under suspension of Rule 47, on motion of Mr. Golden, the engrossed Bill relative to allowing the town of Winchester to draw water from Spot Pond (see House, No. 5246), being a printed copy of section 17 contained in said supplemental appropriation bill, was considered.

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 following:

“Notwithstanding any general or special law to the contrary, the withdrawal of water from Spot Pond reservoir by the town of Winchester under the Spot Pond Elevation Management Agreement between the town of Winchester and the Massachusetts Water Resources Authority dated October 27, 2002 shall be considered a water sharing agreement for the purpose of chapter 21G of the General Laws and as defined in 310 CMR 36.00. The town of Winchester may withdraw water from Spot Pond so long as it is in compliance with this agreement and said chapter 21G.”.

The report was accepted.

The amendment recommended by the Governor then was adopted. Sent to the Senate for its action.

Collective
bargaining.

*Message from the Governor — Bill Returned with
Recommendation of Amendments.*

A message from His Excellency the Governor returning with recommendation of amendments the engrossed Bill authorizing written majority authorization as evidence of collective bargaining results [see House, No. 429] (for message, see House, No. 5247) was filed in the office of the Clerk on Friday, July 28.

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

Pending the question on adoption of the amendments recommended by His Excellency, the bill was referred, on motion of Mr. Golden of Lowell, to the committee on Bills in the Third Reading.

Collective
bargaining.

Subsequently, under suspension of Rule 47, on motion of Mr. Golden, the amendments recommended by the Governor were considered in the following form (as approved by said committee):

By striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Section 1 of Chapter 150E of the General Laws, as appearing in the 2000 Official Edition, is hereby amended by striking the fifth paragraph and inserting in place thereof the following paragraph:—

‘Employee’ or public employee’, any person in the executive or judicial branch of a government unit employed by a public employer except elected officials, appointed officials, members of any board or commission, representatives of any public employer, including the heads, directors and executive and administrative officers of departments and agencies of any public employer, and other managerial employees or confidential employees, and members of the militia or national guard and employees of the commission, and officers and employees within the departments of the state secretary, state treasurer, state auditor and attorney general.

SECTION 2. Section 1 of Chapter 150E of the General Laws, as so appearing, is hereby amended by inserting after the third paragraph the following paragraph:—

‘Confidential Employee’, any person that directly assists and acts in a confidential capacity to, or provides counsel to, a person or persons otherwise excluded from coverage under this chapter.

SECTION 3. Section 1 of chapter 150E of the General Laws, as so appearing, is hereby amended by inserting after the ninth paragraph the following paragraph:—

‘Managerial Employees’, any individual in a position in which the principal functions are characterized by one of the following: (1) Responsibility for direction of a subunit or facility of a major division of an agency or assignment to an agency head’s staff; (2) development, implementation and evaluation of goals and objectives consistent with agency mission and policy; (3) participation in the formulation of agency policy; (4) a role in the preparation or administration of collective bargaining agreements or personnel decisions, or both, including staffing, hiring, firing, evaluation, promotion and training of employees; and (5) responsibility involving the exercise of independent judgement of an appellate responsibility.

SECTION 4. This act shall take effect upon its passage.”; and by striking out the title and inserting in place thereof the following title: “An Act amending the public employees collective bargaining law.”.

The report was accepted.

The House then refused to amend the bill. The bill then was sent to the Senate for its action.

Statement Concerning Representative Kaufman of Lexington.

A statement of Mr. Rogers of Norwood concerning Mr. Kaufman of Lexington 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 one of our colleagues, Representative Kaufman of

Statement
concerning
Representative
Kaufman of
Lexington.

Lexington, will not be present in the House Chamber for today’s sitting due to a death in his family. Any roll calls that he may miss today will be due entirely to the reason stated.

Statement Concerning Representative Scibak of South Hadley.

A statement of Mr. Rogers of Norwood concerning Mr. Scibak of South Hadley 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 one of our colleagues, Representative Scibak of South Hadley, will not be present in the House Chamber for today’s sitting due to a long-standing commitment outside of the Commonwealth. Any roll calls that he may miss today will be due entirely to the reason stated.

Statement
concerning
Representative
Scibak of
South Hadley.

Resolutions.

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

Resolutions (filed by Mr. Petrucci of Boston) congratulating Rose A. Aloisi and James A. Aloisi on the occasion of their eightieth birthdays; and

Resolutions (filed by Mr. Turkington of Falmouth and other members of the House) memorializing the United States Coast Guard to implement the regulations, safeguards and procedures established in the Massachusetts Oil Spill Prevention Act of 2004;

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

Rose and
James
Aloisi.

Oil Spill
Prevention
Act.

Richard
Rogers.

Guests of the House.

During the Session, the Chair (Mr. Petrolati of Ludlow) declared a brief recess and introduced Mr. Richard Rogers, a long-time valued employee of the House committee on Rules. The beloved Mr. Rogers was celebrating his last formal session day, before experiencing a long-held dream of establishing residence on the Baja of the Republic of Mexico. Rich was the guest of the Chairman of the Rules committee, Mr. Scaccia of Boston, the Speaker and all other members of the House.

Dr. Kriengsak
Chareon-
wongsak.

During the Session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced Dr. Kriengsak Chareonwongsak, Member of Parliament, Executive Board, Democrat Party of the Parliament of the Kingdom of Thailand. He was the guest of Representative Falzone of Saugus and Straus of Mattapoisett.

Reproductive
health care
centers,
safety.
Reproductive
health care
centers,
safety.

Order.

An Order (filed this day by Representatives Sciortino of Medford and Walz of Boston) relative to the establishment of a special com-

mittee of the House to make an investigation and study of the matters concerning public safety at reproductive health care centers (House, No. 5258), was referred, under Rule 24, to the committee on Rules.

Mr. Scaccia of Boston, for the committee on Rules, then reported that the order ought to be adopted.

Under suspension of the rules, on motion of Ms. Walz, the order was considered forthwith.

Pending the question on adoption of the order, Mr. Jones of North Reading and other members of the House moved that it be amended in the first paragraph by striking out “7 members appointed by the Speaker” and inserting in place thereof the following: “5 members appointed by the Speaker and 2 members appointed by the Minority Leader”; and the amendment was adopted.

The order (House, No. 5258, printed as amended) then was adopted. Mr. Sciortino moved that this vote be reconsidered; and the motion to reconsider was negatived.

Papers from the Senate.

The House Bill authorizing the Division of Capital Asset Management and Maintenance to transfer certain land in the city of Marlborough to James Farina (House, No. 4656) came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in lines 2 and 3, striking out the following: “notwithstanding the provisions of sections 40E through section 40H” and inserting in place thereof the following: “notwithstanding section 40H to section 40I” and in lines 4 and 5, striking out the words “approved as to form by the attorney general, to James Farina”; and in section 4, in lines 1 and 2, striking out the words “James Farina and his agents, tenants or contractors agree” and inserting in place thereof the words “Grantee agrees”.

Under suspension of Rule 35, on motion of Mr. LeDuc of Marlborough, the amendments were considered forthwith.

The committee on Bills in the Third Reading reported recommending that the House non-concur with the Senate in its amendments; and the report was accepted.

The House then non-concurred with the Senate in its amendments; and the bill was returned to said branch endorsed accordingly.

The House Bill authorizing the conveyance of a certain parcel of land in the town of Winthrop (House, No. 4905, amended) 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 of Senate document numbered 2672.

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.

The same member then moved that the House concur with the Senate in its amendment with a further amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5255.

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.

The House Bill relative to gate shows (House, No. 4493, amended) came from the Senate passed to be engrossed, in concurrence, with the following amendment:

Striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. The last paragraph of subparagraph (i) of paragraph (g) of section 4 of chapter 152 of the Acts of 1997 is hereby amended by inserting after the word ‘The’, in line 1, the following words:— South Boston.

SECTION 2. Said paragraph (g) of said section 4 of said chapter 152 is hereby amended by striking out subparagraph (ii) and inserting in place thereof the following subparagraph:—

(ii) The authority shall allow the South Boston Community Development Foundation to sponsor no less than 3 events annually at the Boston Convention and Exhibition Center to raise funds for the South Boston Community Development Foundation as provided for herein and shall include access to on site parking facilities. The events shall not include gate shows. The events shall be scheduled mutually by the authority and the foundation so as not to conflict or interfere with the regular operation of the Boston Convention and Exhibition Center. The foundation’s use of the center may not be reserved more than 1 year in advance of an event and shall be limited to that portion of the facility used by the foundation’s event if the event does not utilize the entire facility. The foundation shall not be charged for use of the center for the event provided that the foundation shall receive the net proceeds from the event after all current operating expenses attributable to the event, including operations, wages, contracts for services by others, maintenance, security and utilities, as usually charged and calculated by the authority as its costs for similar events, are deducted from all income received by the authority attributed to the event, including but not limited to, income from operating revenues and receipts, admissions, parking, food and beverages and all other revenue sources, if any. The events shall be sponsored by the foundation for the purposes set forth in this subparagraph; but, the net proceeds of the events shall not be used for any purposes other than those described in this subparagraph except for reasonable expenses of the foundation. The foundation shall deposit all proceeds in the South Boston Community Development Fund.

SECTION 3. Said paragraph (g) of said section 4 of said chapter 152 is hereby further amended by striking out subparagraph (iii) and inserting in place thereof the following subparagraph:—

(iii) The South Boston Community Development Fund shall consist of: (1) the net proceeds from events sponsored by the South Boston Community Development Foundation as provided for in subparagraph (ii); (2) a community benefit assessment paid by the gate show sponsor or promoter to the authority and thereafter by the authority to the foundation for each gate show held at the center

Marlborough,
land.

Winthrop,
land
conveyance.

Gate
shows.

Gate
shows.

pursuant to paragraph (d) of section 15 consisting of: (1) payment of 10 cents per square foot for each gross square foot of the center's exhibition space occupied for the gate show; (2) payment of \$1 for each paid admission to the gate show; and (3) any other contributions, revenues or monies attributed to the foundation or to the fund as may be deposited from time to time. The authority shall make the payment pursuant to this subparagraph within 14 days after each gate show held at the center.

SECTION 4. Subparagraph (iv) of said paragraph (g) of said section 4 of said chapter 152 is hereby amended, in line 4, by inserting after the word "project", the following words:— subject to an application process and the establishment of criteria consistent with the purposes of this subsection.

SECTION 5. Section 15 of said chapter 152 is hereby amended by striking out paragraph (d) and inserting in place thereof the following paragraph:—

(d) The authority may be marketed and used for so-called gate shows or other similar consumer shows pursuant to subparagraph (iii) of subsection (g) of section 4; if each gate show or other similar consumer show uses 250,000 gross square feet or more of the center's exhibition space. For each gate show or similar consumer show held at the center pursuant to this section, the authority in consultation with the Boston police, state police and other public safety agencies shall prepare a traffic and parking control and management plan, subject to the approval of the city of Boston traffic and parking department. The authority shall prepare an annual evaluation of parking control and management for the gate shows and hold a public meeting annually to present and discuss the evaluation."

Under suspension of Rule 35, on motion of Mr. Kujawski of Webster, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

The House Bill establishing the Massachusetts military enhanced relief individual tax (MERIT) plan (House, No. 4660) came from the Senate passed to be engrossed, in concurrence, with amendments striking out section 4 (as printed) and inserting in place thereof the following section:

"SECTION 3. Said section 5 of said chapter 59, as so appearing, is hereby further amended by striking out, in line 640 and in line 645, the figure '\$425' and inserting in place thereof, in each instance, the following figure:— '\$750.'; by inserting after section 12 (as printed) the following section:

"SECTION 9A. Said section 5 of said chapter 59, as so appearing, is hereby amended by inserting after the word 'sailors', in line 759, the following words:— and their spouses.'; and by adding at the end thereof the following section:

"SECTION 17. Section 9 shall take effect as of September 11, 2001, for those soldiers, sailors and members of the National Guard who died or who became missing in action with a presumptive finding of death on or after September 11, 2001."

Military
relief tax.

Under suspension of Rule 35, on motion of Mr. Verga of Gloucester, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

Hanover,
park land.

The House Bill authorizing the town of Hanover to convey certain park land (House, No. 4877) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 2 and inserting in place thereof the following 2 sections:

"SECTION 2. If the parcel authorized for transfer in section 1 ceases to be used for the purposes stated in section 1, the care, the custody and control of the parcel shall revert to the park and recreation committee of the town of Hanover.

SECTION 3. This act shall take effect upon its passage."

Under suspension of Rule 35, on motion of Mr. Nyman of Hanover, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Somerville,
easement.

The House Bill authorizing the Division of Capital Asset Management and Maintenance to release a portion of an easement in the city of Somerville (House, No. 4902, amended) came from the Senate passed to be engrossed, in concurrence, with an amendment inserting after section 2 the following section:

"SECTION 2A. The exact boundaries shall be determined by the commissioner of capital asset management and maintenance, in consultation with the Massachusetts Water Resources Authority, after completion of a survey."

Under suspension of Rule 35, on motion of Mr. Sciortino of Medford, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Ayer,
Nashua
River Rail
Trail.

A Bill authorizing transfer of land to the town of Ayer to enhance public access to the Nashua River Rail Trail (Senate, No. 2694) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Mr. DeLeo of Winthrop, for said committee, reported that the bill 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 the rules, on motion of Mr. Jones of North Reading, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Hargraves of Groton, 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. Sent to the Senate for concurrence.

Yacht clubs,
leases.

A Bill authorizing the Department of Conservation and Recreation to provide leases to yacht clubs on its property (Senate, No. 2695) (on Senate Nos. 523, 2225 and 2411), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Mr. DeLeo of Winthrop, for said committee, then reported that the bill ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

A Bill establishing a sick leave bank for Jan O. Modzeleski, Sr., an employee of the Massachusetts Correctional Institute in Concord (Senate, No. 2640) (on a petition); and

A Resolve providing for a special commission on police training (Senate, No. 2698) (on Senate Nos. 2600 and 2661);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Bills

Making technical corrections to Chapter 232 of the Acts of 1998 (Senate, No. 1150) (on a petition);

Relative to the recall by law for the town of Upton (Senate, No. 2613) (on a petition) [Local Approval Received];

Requiring automatic external defibrillator devices in health clubs (Senate, No. 2681) (on Senate, No. 2622);

Exempting from inspection certain electrical substation air tanks (Senate, No. 2696) (on Senate bill No. 2079);

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.

A petition of Thomas M. McGee, Scott P. Brown, Robert F. Fennell, Steven M. Walsh and other members of the General Court for legislation to establish a sick leave bank for George Mazareas, an employee of the Department of Economic Development, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2700) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

By Mr. Flynn of Bridgewater, for the committee on Bonding, Capital Expenditures and State Assets, on a petition, a Bill authorizing the town of Natick to lease certain property in Natick owned by the Commonwealth of Massachusetts (House, No. 4873) [Local Approval Received]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Mr. DeLeo of Winthrop, for said committee, reported recommending that the bill 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 the rules, on motion of Mr. Linsky of Natick, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Golden 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. Sent to the Senate for concurrence.

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 lease certain property in the town of Tewksbury (Senate, No. 2609) 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 the 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.

Subsequently, under suspension of the rules, on further 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, in concurrence.

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 convey certain land in the town of Saugus (House, No. 5204) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5254). 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. Flynn of Bridgewater, 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 was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Falzone of Saugus, 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 to be engrossed, Representatives Falzone and Reinstein of Revere moved that it be amended in section 1 by adding at the end thereof the following paragraph:

“Notwithstanding any other general or special law to the contrary, said commissioner of capital asset and management shall convey to the town of Saugus all of the remaining land currently under the care, custody and control of the department of conservation and recreation located east of route 1 as part of the 1932 layout of the Lynn Fells parkway not otherwise in this section conveyed to

Jan O.
Modzeleski,
Sr.,
sick leave.
Police
training,
study.

Drug rape
law.

Upton,
recall.

Health clubs,
defibrillators.

Air tank
inspections.

George
Mazareas,
sick leave
bank.

Natick,
property
lease.

Tewksbury,
property
lease.

Saugus,
land.

Saugus,
land.

Caruso Music Company. The parcel shall be under the care, custody and control of the conservation commission of the town for open space purposes, provided that said commissioner shall retain on behalf of the commonwealth, through its department of conservation and recreation, a perpetual conservation restriction subject to the benefits of section 32 of chapter 184 of the General Laws as acceptable to the commissioner of said department.”; and by adding at the end thereof the following section:

“SECTION 9. In no instance shall the parcel described in section 1 be developed or built upon within 200 feet of the Saugus River.”.

Pending the question on adoption of the amendment, Mr. Donato of Medford moved that it be amended in proposed section 9 by striking out the figures “200” and inserting in place thereof the figures “100”.

The further amendment was adopted.

The amendment offered by Representatives Falzone and Reinstein, as amended, then also was adopted; and the bill (House, No. 5254, printed as amended) was passed to be engrossed. Sent to the Senate for concurrence.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the town of Norwood to convey certain park land (House, No. 5215) [Local Approval Received]. 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. DeLeo of Winthrop, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Rogers of Norwood, 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. Sent to the Senate for concurrence.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill further regulating horse and greyhound racing (Senate, No. 2626) ought to pass with an amendment substituting therefore a bill with the same title (House, No. 5221). 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.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 5221) was ordered to a third reading.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill to protect employees from unscrupulous employers (House, No. 4343) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with an amendment

previously recommended by the committee on Labor and Workforce Development, 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. Rodrigues of Westport, the bill was read a second time forthwith.

The amendment recommended by the committee on Labor and Workforce Development,— that the bill be amended by substitution of a bill with the same title (House, No. 4663),— was adopted.

The substituted bill then was ordered to a third reading.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill establishing additional economic target areas in the Commonwealth (Senate, No. 2673) 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 the Rule 7A, on motion of Mr. Bosley of North Adams, the bill was read a second time forthwith; and it was ordered to a third reading.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to certain real property in the city of Northampton (House, No. 5127) [Local Approval Received]. 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. Kocot of Northampton, 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 Senate Bill exempting Craig Blake of Norton from the maximum requirements for appointment as a firefighter in the town of Norton (Senate, No. 2568) [Local Approval Received] be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mrs. Poirier of North Attleborough, 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 establishing the bicyclist’s bill of rights and responsibilities (House, No. 1411) be scheduled for consideration by the House, with an amendment previously recommended by the committee on Ways and Means, pending.

Under suspension of Rule 7A, on motion of Mrs. Paulsen of Belmont, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 5194),— was adopted.

The substituted bill then was ordered to a third reading.

Economic target areas, establish.

Northampton, Ryan Road.

Craig Blake, age requirement.

Bicyclist’s bill of rights, establish.

Prosthetic devices.

Norwood, land.

Horse and greyhound racing, regulate

Employees, protections.

Mr. Scaccia of Boston, for the committee on Rules, on House No. 4972, reported, in part, a Bill providing for health care coverage for certain prosthetic devices (House, No. 5256), which was read.

Under suspension of the rules, on motion of Mr. Donato of Medford, the bill was read a second time forthwith.

Pending the question on ordering the bill to a third reading, it was referred, on further motion of Mr. Donato, to the committee on Ways and Means.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, that the Bill relative to pregnant and postpartum inmates in state prisons, county houses of correction and jails (House, No. 1797) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the following bills and resolve ought to pass:

Bills

Releasing certain land in Dudley from the operation of an agricultural preservation restriction (Senate, No. 55); and

Requiring a disabled commuter representative on regional transit authority advisory boards (Senate, No. 2509); and

Resolve to study long term care options for adult onset chronically ill, physically or neurologically disabled young and middle aged adults between ages 19 and 59 (Senate, No. 2582);

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

By Mr. Flynn of Bridgewater, for the committee on Bonding, Capital Expenditures and State Assets, on a petition, a Bill relative to concurrent jurisdiction of certain properties located at the former Devens Army Base (House, No. 5209). Read; and referred, under Rule 33, to the committee on Ways and Means.

Emergency Measures.

The engrossed Bill authorizing reimbursement to the town of Eason for veterans' benefits (see House, No. 4917), 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 19 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 establishing a sick leave bank for Karen Kilroy, an employee of the Massachusetts Department of Correction (see House, No. 5039), 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 46 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.

Engrossed Bills.

Engrossed bills

Establishing a sick leave bank for Cheryl Ferrara, an employee of the Department of Mental Retardation (see Senate, No. 2550, amended) (which originated in the Senate);

Establishing a sick leave bank for Paul F. Taylor, an employee of the Division of Professional Licensure (see House, No. 5230); and

Regulating the redetermination of municipal sewer assessments (see House, No. 4435);

(Which severally 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.

Engrossed bills

Relative to the Purple Heart highway in Worcester County (see Senate, No. 1930, amended) (which originated in the Senate);

Establishing a housing corporation in the town of Mansfield (see House, No. 4334, amended) (which originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be re-enacted, in their amended form; and they were signed by the acting Speaker and sent to the Senate.

Engrossed bills

Promoting alternative resolution of certain public work disputes (see Senate, No. 2655) (which originated in the Senate);

Designating basketball as the state sport (see House bill printed as Senate, No. 1851);

Relative to social workers (see House, No. 730);

Relative to the historic district commission of the town of Provincetown (see House, No. 4501);

Exempting Sean W. Richards from the maximum age requirement for appointment as police officer in the city of Methuen (see House, No. 4768);

Expanding the Sherwood Greens Road Improvement and Maintenance District in the town of Becket (see House, No. 4811);

Authorizing the town of Westwood to grant alcoholic beverages licenses to innholders (see House, No. 5232); and

Authorizing the Department of Highways to acquire a certain bridge in the town of Walpole (see House, No. 5236);

(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.

Pregnant inmates.

Dudley, land.

Transit boards.

Long term custodial care, study.

Devens Army Base.

Easton, veterans benefits.

Bill enacted.

Karen Kilroy, sick leave.

Bill enacted.

Bills enacted.

Bills re-enacted.

Bills enacted.

Amherst, land.

Reconsideration.

Ms. Story of Amherst moved that the vote be reconsidered by which the House, at the preceding session, passed to be engrossed the Senate Bill releasing certain land in the town of Amherst from the operation of an agricultural preservation restriction (Senate, No. 2359), and the motion to reconsider prevailed.

Pending the recurring question on passing the bill to be engrossed, in concurrence, the same member moved that it be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5235.

The amendment was adopted; and the bill, as amended, was passed to be engrossed, in concurrence. The bill (Senate, No. 2359, amended) then was sent to the Senate for concurrence in the amendment.

Prescription
Advantage
Program.

*Motions to Discharge Certain Matters
in the Orders of the Day.*

Mr. DeLeo of Winthrop moved that the engrossed Bill allowing adjustments to the Prescription Advantage Program (see House, No. 5154), being a printed copy of Section 106 contained in the engrossed Bill making appropriations for the fiscal year 2007 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. 5000), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see attachment E of House, No. 5151), 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 the second sentence, as follows: "The secretary shall not implement such cost sharing increases required of enrollees in the form of co-payments, premiums, and deductibles or any combination thereof, unless the executive office has given 90 days notice to the general court and has received approval of the proposed plan from a majority of the general court."

The report was accepted.

The amendment recommended by the Governor was rejected. Sent to the Senate for its action.

Capital
facility
repairs.

Mr. Flynn of Bridgewater moved that the Senate Bill providing capital facility repairs, grants and improvements (Senate, No. 2385, amended), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

Washington,
land.

The bill, having been reported by the committee on Bills in the Third Reading to be correctly drawn, then was read a third time; and it was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment previously adopted by the House.

Mr. Speranzo of Pittsfield moved that the Senate Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Washington (Senate, No. 58, amended), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill, having been reported by the committee on Bills in the Third Reading to be correctly drawn, then was read a third time; and it was passed to be engrossed, in concurrence.

Parole
Board.

Ms. Balsler of Newton moved that the House Bill providing for behavioral science representation on the Parole Board (House, No. 1753), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill, having been reported by the committee on Bills in the Third Reading to be correctly drawn, then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Water
Resources
Authority.

Mr. DeLeo of Winthrop then moved that the House Bill relative to the composition of the Massachusetts Water Resources Authority Board of Directors (House, No. 3889), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Assisted
living.

Mrs. Harkins of Needham moved that the House Bill relative to assisted living (House, No. 4494), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill, having been reported by the committee on Bills in the Third Reading to be correctly drawn, then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Norwood,
sewer
system.

Mr. Rogers of Norwood moved that the House Bill authorizing the town of Norwood to grant access to its sewer system and to assess changes therefor (House, No. 5058), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill, having been reported by the committee on Bills in the Third Reading to be correctly drawn, then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Uxbridge,
land.

Ms. Callahan of Sutton moved that the Senate Bill authorizing the disposition of easements or other interests in land in the town of Uxbridge (Senate, No. 53, amended), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

Uxbridge,
land.

Falmouth,
land.

The bill, having been reported by the committee on Bills in the Third Reading to be correctly drawn (its title having been changed by said committee), then was read a third time; and it was passed to be engrossed, in concurrence.

Mr. Patrick of Falmouth moved that the Senate Bill authorizing an easement or lease of land by the conservation commission of the town of Falmouth (Senate, No. 2319, amended), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

Barnstable,
land.

The bill, having been reported by the committee on Bills in the Third Reading to be correctly drawn, then was read a third time; and it was passed to be engrossed, in concurrence.

Mr. Atsalis of Barnstable moved that the Senate Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Barnstable (Senate, No. 2420), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

Wellesley,
E. Garpestad
and
K. Walsh.

The bill, having been reported by the committee on Bills in the Third Reading to be correctly drawn, then was read a third time; and it was passed to be engrossed, in concurrence.

Ms. Peisch of Wellesley moved that the House Bill authorizing the town of Wellesley to convey a certain parcel of land (House, No. 4870), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

Wellesley,
land
conveyance.

The bill, reported by the committee on Bills in the Third Reading to be correctly drawn, then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Ms. Peisch of Wellesley moved that the House Bill authorizing the town of Wellesley to convey a certain parcel of land (House, No. 4871), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

Watertown,
school
committee.

The bill, reported by the committee on Bills in the Third Reading to be correctly drawn, then was read a third time; and it was passed to be engrossed, sent to the Senate for concurrence.

Ms. Kaprielian of Watertown moved that the House Bill authorizing the Secretary of the Commonwealth to place an election in the city known as the town of Watertown on the state election ballot (House, No. 5184), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

Child care
providers.

The bill, having been reported by the committee on Bills in the Third Reading to be correctly drawn, then was read a third time; and it was passed to be engrossed, in concurrence.

Mr. Golden of Lowell moved that the House Bill authorizing child care providers to negotiate jointly with the Department of Early Education and Care and the Executive Office of Health and Human Services (House, No. 5239), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

The bill then was read a third time.

The committee on Bills in the Third Reading reported recommending that the bill be amended by substitution of a bill with the same title (House, No. 5257), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

Recess.

At twenty-two minutes before twelve o'clock noon (Monday, July 31), on motion of Mr. Flynn of Bridgewater (Mr. Petrolati of Ludlow being in the Chair), the House recessed until half past twelve o'clock P.M.; and at twenty minutes before one o'clock the House was called to order with Mr. Petrolati of Ludlow in the Chair.

Westford,
Cameron
Senior
Center.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the town of Westford to grant a restrictive covenant through town owned land for the new Cameron Senior Center septic system (see House, No. 5135) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),
yea and nay
No. 840.

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 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 840 in Supplement.]

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

Supplemental
Appropriation
Bill,
vetoes and
reductions.

Message from the Governor — Disapprovals and Reductions in Supplemental Appropriation Bill.

A message from His Excellency the Governor returning with his disapproval of certain items and sections and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 5210] (for message, see House, No. 5241) was filed in the office of the Clerk on Friday, July 28.

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

Subsequently Mr. DeLeo of Winthrop, for said committee, on said message, reported, in part, in each instance, that certain items

Supplemental
Appropriation
Bill,
vetoes and
reductions.

(contained in sections 2 and 2C.I) and sections 2¾ and 3 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 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 1599-1975 (contained in section 2A), which had been vetoed by the Governor, then was considered.

After debate on the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 132 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 841 in Supplement.]

Therefore item 1599-1975 (contained in section 2A) passed, notwithstanding the action 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 1599-4131 (contained in section 2A), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 842 in Supplement.]

Therefore item 1599-4131 (contained in section 2A) passed, notwithstanding the action 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 1599-4133 (contained in section 2A), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 843 in Supplement.]

Therefore item 1599-4133 (contained in section 2A) passed, notwithstanding the action 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 7003-0605 (contained in section 2C.I), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 143 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 844 in Supplement.]

Therefore item 7003-0605 (contained in section 2C.I) passed, notwithstanding the action 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 7027-0016 (contained in section 2C.I), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$2,600,000 to \$1,500,000.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 144 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 845 in Supplement.]

Therefore item 7027-0016 (contained in section 2C.I) passed, notwithstanding the action 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 7027-0019 (contained in section 2C.I), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action 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 15 in the negative.

[See Yea and Nay No. 846 in Supplement.]

Therefore item 7027-0019 (contained in section 2C.I) passed, notwithstanding the action 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 7035-0004 (contained in section 2C.I), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 133 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 847 in Supplement.]

Therefore item 7035-0004 (contained in section 2C.I) passed, notwithstanding the action 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.

Section 2¾, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 143 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 848 in Supplement.]

Therefore section 2¾ passed, notwithstanding the action 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.

School-to-Work
connecting grants
item
7027-0016
stands,
yea and nay
No. 845.

School-to-Career
connecting
activities
item
7027-0019
stands,
yea and nay
No. 846.

Department of
WorkForce
Development
item
7035-0004
stands,
yea and nay
No. 847.

Municipal
police
terminal
audits
section 2
stands,
yea and nay
No. 848.

Retroactive pay
increases
section 3

Tumpike
Authority
reserve
item
1599-1975
stands,
yea and nay
No. 841.

UMass
collective
bargaining
costs
item
1599-4131
stands,
yea and nay
No. 842.

Higher
Education
collective
bargaining
costs
item
1599-4133
stands,
yea and nay
No. 843.

Manufacturing
Extension
Partnership
item
7003-0605
stands,
yea and nay
No. 844.

stands,
yea and nay
No. 849.

Section 3, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 143 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 849 in Supplement.]

Therefore section 3 passed, notwithstanding the action 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.

Rowley,
land
disposition.

Engrossed Bill — Land Taking.

The engrossed Bill relative to the disposition of land owned by the Department of Conservation and Recreation in the town of Rowley in exchange for certain other land located in the town of Rowley (see House, No. 4661) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),
yea and nay
No. 850.

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 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 850 in Supplement.]

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

Mashpee,
land.

The engrossed Bill authorizing disposition of certain conservation and recreation lands under the care, custody and control of the Department of Conservation and Recreation within the town of Mashpee (see House, No. 3416) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),
yea and nay
No. 851.

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. 851 in Supplement.]

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

Asian American
Commission.

The engrossed Bill establishing the Asian American Commission (see Senate, No. 2201, amended), which had been returned to the Senate by His Excellency the Governor with his objections thereto in writing (for message, see Senate, No. 2692), which had been passed by said branch, notwithstanding the said objections, was considered.

Bill passed
over veto,
yea and nay
No. 852.

On the question on passing the bill, in concurrence, 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 152 members voted in the affirmative and 2 in the negative.

[See Yea and Nay No. 852 in Supplement.]

Therefore the bill was passed, in concurrence, notwithstanding the objections of His Excellency the Governor (more than two thirds of the members having agreed to pass the same).

Egremont,
conservation
restrictions.

Emergency Measures.

The engrossed Bill authorizing the Department of Conservation and Recreation and the Department of Fish and Game to acquire conservation restrictions in and to the lands of the town of Egremont (see House bill printed in House, No. 4345), 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 54 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), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),
yea and nay
No. 853.

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 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 853 in Supplement.]

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

Algonquin Gas
Transmission,
LLC.

The engrossed Bill authorizing the Commissioner of the Division of Capital Asset Management and Maintenance to grant easements to Algonquin Gas Transmission, LLC and Colonial Gas Company d/b/a Keyspan Energy Delivery New England (see House, No. 5173), 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 51 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), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),
yea and nay
No. 854.

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. 854 in Supplement.]

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

Recess.

Economic
development.

Recess.

At sixteen minutes after three o'clock P.M. (Monday, July 31), on motion of Mr. Jones of North Reading (Mr. Petrolati of Ludlow being in the Chair), the House recessed until a quarter before four o'clock; and at seven minutes after four o'clock the House was called to order with Mr. Donato of Medford in the Chair.

Quorum.

Report of a Committee.

A report of the committee on Economic Development and Emerging Technologies, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 5111) of Jeffrey Sánchez relative to economic development in the Commonwealth, was considered forthwith, under suspension of the rules, on motion of Mr. Sánchez of Boston.

Pending the question on acceptance of the report, Mr. Peterson of Grafton asked for a count of the House to ascertain if a quorum was present. 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.

Quorum,
yea and nay
No. 855.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 152 members were recorded as being in attendance.

[See Yea and Nay No. 855 in Supplement.]

Therefore a quorum was present.

Messrs. Sánchez of Boston and Bosley of North Adams then moved that the report be amended by substitution of a Bill relative to the economic development of the Commonwealth (House, No. 5253), which was read.

Bill ordered
to a third
reading,
yea and nay
No. 856.

The amendment was adopted; and, under suspension of the rules, on motion of Mr. Bosley, the bill was read a second time forthwith.

After debate on the question on ordering the bill to a third reading, the sense of the House was taken by yeas and nays, at the request of Mr. Sánchez of Boston; and on the roll call 144 members voted in the affirmative and 9 in the negative.

[See Yea and Nay No. 856 in Supplement.]

Therefore the bill was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of Mr. Bosley of North Adams, 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 to be engrossed, Mr. Bosley and other members of the House moved that it be amended in section 1, in the definition of "Public infrastructure improvements", by striking out the words " , parking facilities, including garages".

The amendment was adopted.

The same member and other members of the House then moved that the bill be amended in section 3, in paragraph (b), by inserting after the word "municipality" (the second time it appears) the words "and provide notice to those residents who have previously requested to receive notice of said public hearing"; and the amendment was adopted.

Mr. Travis of Rehoboth and other members of the House then moved that the bill be amended in section 1, at the end of the definition of "Governing body", by inserting before the words "board of selectmen" the words "town meeting and"; and the amendment was adopted.

Mr. Bosley and other members of the House then moved that the bill be amended in section 6, in paragraph (a), by striking out the second sentence contained therein, as follows: "Upon completion and occupancy of the first commercial component within the certified economic development project, and annually thereafter, the commissioner shall determine and certify to the secretary and treasurer of the municipality the amount of new state tax revenues generated with respect to each commercial component of the certified economic development project which is completed and occupied." and inserting in place thereof the following sentence: "After completion and occupancy of the first commercial component within the certified economic development project, the commissioner shall determine and certify to the secretary and treasurer of the municipality the amount of new state tax revenues generated with respect to each commercial component of the certified economic development project which is completed and occupied, such determination and certification to be made after the commissioner has received the relevant data necessary for such determination and annually thereafter."; and the amendment was adopted.

Mr. Bosley of North Adams and other members of the House then moved that the bill be amended in section 1, in the definition of "Developer", by inserting after the words "or any successor thereto" the words " , excluding institutions of higher education".

The amendment was adopted; and the bill, as amended, was passed to be engrossed.

The bill (House, No. 5253, printed as amended) then was sent to the Senate for concurrence.

Recess.

Recess.

At twenty-four before six o'clock P.M. (Monday, July 31), on motion of Mr. Kane of Holyoke (Mr. Petrolati of Ludlow being in the Chair), the House recessed until a quarter before seven o'clock; and at nineteen minutes after seven o'clock the House was called to order with Mr. Petrolati of Ludlow in the Chair.

Judges and
registers of
probate.

Message from the Governor — Veto.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to judges and registers of probate [see House, No. 4251, amended] (for message, see House, No. 5250) was filed in the Office of the Clerk on Friday, July 28.

The message was read; and, under the provisions of Article II of Section I of Chapter I of the Constitution, the House proceeded to “reconsider” the said bill.

The question on passing the bill, notwithstanding the said objections, was determined by the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution; and on the roll call 135 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 857 in Supplement.]

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

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to the minimum wage [see House, No. 4781, amended] (for message, see House, No. 5251) was filed in the Office of the Clerk on Friday, July 28.

The message was read; and, under the provisions of Article II of Section I of Chapter I of the Constitution, the House proceeded to “reconsider” the said bill.

After remarks the question on passing the bill, notwithstanding the said objections, was determined by the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution; and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 858 in Supplement.]

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

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to transfer certain land in the city of Marlborough to James Farina (see House, No. 4656, amended) (which originated in the House), 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. 859 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. 5091), returning with his disapproval of certain items and sections and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5056), reported, in part, in each instance, that item 2000-0100 (contained in section 2) and sections 74 and 79 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. Jones of North Reading, said item and sections 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:

Section 74, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 132 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 860 in Supplement.]

Therefore section 74 passed, notwithstanding the action 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.

Section 79, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action 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 15 in the negative.

[See Yea and Nay No. 861 in Supplement.]

Therefore section 79 passed, notwithstanding the action 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 2000-0100 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action 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 16 in the negative.

[See Yea and Nay No. 862 in Supplement.]

Therefore item 2000-0100 (contained in section 2) passed, notwithstanding the action 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.

and
disapprovals.

Alternative
dispute
resolution
section 74
stands,
yea and nay
No. 860.

Executive
Office of
Environmental
Affairs
section 79
stands,
yea and nay
No. 861.

Executive
Office of
Environmental
Affairs
item
2000-0100
stands,
yea and nay
No. 862.

Suspension
of Rule 1A.

Bill passed
over veto,
yea and nay
No. 857.

Minimum
wage.

Bill passed
over veto,
yea and nay
No. 858.

Marlborough,
land.

Bill enacted
(Land taking),
yea and nay
No. 859.

Supplemental
Appropriation
Bill,
reductions

Rule 1A
suspended,
yea and nay
No. 863.

Suspension of Rule 1A.

The Chair (Mr. Petrolati of Ludlow) 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 128 members voted in the affirmative and 26 in the negative.

[See Yea and Nay No. 863 in Supplement.]

Therefore Rule 1A was suspended.

Supplemental
Appropriation
Bill,
reductions
and
disapprovals.

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. 5091), returning with his disapproval of certain items and sections and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5056), reported, in part, in each instance, that certain items (contained in section 2) and sections 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. Jones of North Reading, the following items 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:

Section 82, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 137 members voted in the affirmative and 17 in the negative.

[See Yea and Nay No. 864 in Supplement.]

Therefore section 82 passed, notwithstanding the action 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.

Executive
Office of
Environmental
Affairs
section 82
stands,
yea and nay
No. 864.

Item 2030-1000 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$397,000 to \$50,000.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 140 members voted in the affirmative and 14 in the negative.

[See Yea and Nay No. 865 in Supplement.]

Therefore item 2030-1000 (contained in section 2) passed, notwithstanding the action 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.

Department of
Environmental
Protection

Section 83, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 133 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 866 in Supplement.]

Therefore section 83 passed, notwithstanding the action 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.

earmark
section 83
stands,
yea and nay
No. 866.

Item 2200-0100 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 134 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 867 in Supplement.]

Therefore item 2200-0100 (contained in section 2) passed, notwithstanding the action 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.

Department of
Environmental
Protection
item
2200-0100
stands,
yea and nay
No. 867.

Section 86, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 135 members voted in the affirmative and 18 in the negative.

[See Yea and Nay No. 868 in Supplement.]

Therefore section 86 passed, notwithstanding the action 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.

Department of
Fish and Game
earmark
section 86
stands,
yea and nay
No. 868.

Item 2310-0200 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 136 members voted in the affirmative and 17 in the negative.

[See Yea and Nay No. 869 in Supplement.]

Therefore item 2310-0200 (contained in section 2) passed, notwithstanding the action 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.

Division of
Fisheries and
Wildlife
earmark
item
2310-0200
stands,
yea and nay
No. 869.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the town of Hanover to convey certain park land (see House, No. 4877, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),
yea and nay
No. 870.

Hanover,
park land.

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 152 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 870 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. 5091), returning with his disapproval of certain items and sections and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5056), reported, in part, in each instance, that certain items (contained in sections 2 and 2E) and sections 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. Jones of North Reading, the following items 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:

Section 90, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action 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 15 in the negative.

[See Yeas and Nays No. 871 in Supplement.]

Therefore section 90 passed, notwithstanding the action 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 4000-0112 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action 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 16 in the negative.

[See Yeas and Nays No. 872 in Supplement.]

Therefore item 4000-0112 (contained in section 2) passed, notwithstanding the action 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.

Section 114, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 133 members voted in the affirmative and 21 in the negative.

[See Yeas and Nays No. 873 in Supplement.]

Therefore section 114 passed, notwithstanding the action 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 7061-9404 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 133 members voted in the affirmative and 21 in the negative.

[See Yeas and Nays No. 874 in Supplement.]

Therefore item 7061-9404 (contained in section 2) passed, notwithstanding the action 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.

Section 120, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call (Mrs. Harkins of Needham being in the Chair) 133 members voted in the affirmative and 21 in the negative.

[See Yeas and Nays No. 875 in Supplement.]

Therefore section 120 passed, notwithstanding the action 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 8000-0051 (contained in section 2E), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 137 members voted in the affirmative and 16 in the negative.

[See Yeas and Nays No. 876 in Supplement.]

Therefore item 8000-0051 (contained in section 2E) passed, notwithstanding the action 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.

Engrossed Bills — Land Takings.

The engrossed Bill authorizing transfer of land to the town of Ayer to enhance public access to the Nashua River Rail Trail (see Senate, No. 2694) (which originated in the Senate), having been cer-

section 114
stands,
yea and nay
No. 873.

Department of
Education
Dennison
Memorial
Community
Center
item
7061-9404
stands,
yea and nay
No. 874.

Military
Division
earmark
section 120
stands,
yea and nay
No. 875.

Worcester
Public Safety
Complex
item
8000-0051
stands,
yea and nay
No. 876.

Ayer,
land
transfer.

Bill enacted
(land taking),
yea and nay

Supplemental
Appropriation
Bill,
reductions
and
disapprovals.

Executive
Office of Health
and Human
Services
earmark
section 90
stands,
yea and nay
No. 871.

Levi Standish
House and
Facilities
Unlimited
Kamp for Kids
item
4000-0112
stands,
yea and nay
No. 872.

Department of
Education
earmark

No. 877.

tified 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 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 877 in Supplement.]

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

Somerville,
land
conveyance.

Emergency Measures.

The engrossed Bill authorizing the Division of Capital Asset Management to release a portion of an easement in the city of Somerville (see House, No. 4902), 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 52 to 0. Sent to the Senate for concurrence.

Bill enacted
(land taking),
yea and nay
No. 878.

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 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 878 in Supplement.]

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

Barnstable,
land.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Barnstable (see Senate, No. 2420), 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 48 to 0. Sent to the Senate for concurrence.

Gate
shows.

The engrossed Bill relative to gate shows (see House, No. 4493, 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

Bill
enacted.

to the Constitution; and the preamble was adopted, by a vote of 41 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 Speaker and sent to the Senate.

Public
housing
authorities.

The engrossed Bill relative to aiding public housing authorities (see House, No. 5243, 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 57 to 0. Sent to the Senate for concurrence.

Community
health
centers.

The engrossed Bill relative to funding community health centers (see House, No. 5244, 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 59 to 0. Sent to the Senate for concurrence.

Employee
retirement
benefits.

The engrossed Bill relative to calculating employee retirement benefits (see House, No. 5245, 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 64 to 0. Sent to the Senate for concurrence.

Winchester,
Spot Pond.

The engrossed Bill relative to allowing the town of Winchester to draw water from Spot Pond (see House, No. 5246, 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 60 to 0. Sent to the Senate for concurrence.

Bill
enacted.

Engrossed Bill.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Washington (see Senate, No. 58, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Supplemental
Appropriation
Bill,

reductions
and
disapprovals.

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. 5091), returning with his disapproval of certain items and sections and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5056), reported, in part, in each instance, that certain items (contained in sections 2 and 2A) 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. Jones of North Reading, the following items 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 8700-0001 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 127 members voted in the affirmative and 21 in the negative.

[See Yeas and Nays No. 879 in Supplement.]

Therefore item 8700-0001 (contained in section 2) passed, notwithstanding the action 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 2330-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$340,000 to \$280,000.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 132 members voted in the affirmative and 21 in the negative.

[See Yeas and Nays No. 880 in Supplement.]

Therefore item 2330-0100 (contained in section 2) passed, notwithstanding the action 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 2800-0200 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor reduced said item from \$2,750,000 to \$250,000.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 134 members voted in the affirmative and 19 in the negative.

[See Yeas and Nays No. 881 in Supplement.]

Military
Division
item
8700-0001
stands,
yea and nay
No. 879.

Division of
Marine
Fisheries
item
2330-0100
stands,
yea and nay
No. 880.

Department of
Conservation
and Recreation
Commonwealth
Zoological
Society on
Buttonwood Zoo
item
2800-0200
stands,
yea and nay
No. 881.

Therefore item 2800-0200 (contained in section 2) passed, notwithstanding the action 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 7035-0123 (contained in section 2A), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 144 members voted in the affirmative and 9 in the negative.

[See Yeas and Nays No. 882 in Supplement.]

Therefore item 7035-0123 (contained in section 2A) passed, notwithstanding the action 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 7100-0550 (contained in section 2A), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 148 members voted in the affirmative and 5 in the negative.

[See Yeas and Nays No. 883 in Supplement.]

Therefore item 7100-0550 (contained in section 2A) passed, notwithstanding the action 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 2511-2000 (contained in section 2A), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 884 in Supplement.]

Therefore item 2511-2000 (contained in section 2A) passed, notwithstanding the action 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.

Emergency Measure.

The engrossed Bill authorizing the disposition of easements or other interests in land in the town of Uxbridge (see Senate, No. 53, 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 55 to 0. Sent to the Senate for concurrence.

Department of
Education
Junior
Achievement
Organizations
item
7035-0123
stands,
yea and nay
No. 882.

UMass
Biomedical
Institute for
Discovery
item
7100-0550
stands,
yea and nay
No. 883.

Department of
Agriculture
resources
Agriculture
Innovation
Center
item
2511-2000
stands,
yea and nay
No. 884.

Uxbridge,
Stanley
Woolen
Mills.

Bill enacted
(land taking),
yea and nay
No. 885.

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 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 885 in Supplement.]

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

Billerica
EMS.

The engrossed Bill relative to the retirement classification of emergency medical services employees in the town of Billerica (see Senate, No. 2093, amended), which had been returned to the Senate by His Excellency the Governor with his objections thereto in writing (for message, see Senate, No. 2693), which had been passed by said branch, notwithstanding the said objections, was considered.

Bill passed
over veto,
yea and nay
No. 886.

On the question on passing the bill, in concurrence, 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 133 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 886 in Supplement.]

Therefore the bill was passed, in concurrence, notwithstanding the objections of His Excellency the Governor (more than two thirds of the members having agreed to pass the same).

Supplemental
Appropriation
Bill,
reductions
and
disapprovals.

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. 5091), returning with his disapproval of certain items and sections and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5056), reported, in part, in each instance, that certain items (contained in section 2E) 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. Jones of North Reading, the following items 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 2800-0108 (contained in section 2E), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced same item from \$10,950,000 to \$7,530,000.

Department of
Conservation
and Recreation
Park and Beach
System

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 133 members voted in the affirmative and 17 in the negative.

[See Yea and Nay No. 887 in Supplement.]

Therefore item 2800-0108 (contained in section 2E) passed, notwithstanding the action 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
2800-0108
stands,
yea and nay
No. 887.

The Speaker being in the Chair,—

Item 6005-0030 (contained in section 2E), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced same item from \$13,473,334 to \$13,223,334.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 135 members voted in the affirmative and 18 in the negative.

[See Yea and Nay No. 888 in Supplement.]

Therefore item 6005-0030 (contained in section 2E) passed, notwithstanding the action 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.

Transportation
improvement
projects
item
6005-0030
stands,
yea and nay
No. 888.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing an easement or lease of land by the conservation commission of the town of Falmouth (see Senate, No. 2319, 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 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 889 in Supplement.]

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

Message from the Governor — Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to welfare reform [see House, No. 5212] (for message, see House, No. 5249) was filed in the office of the Clerk on Friday, July 28.

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

Falmouth,
land.

Bill enacted
(land taking),
yea and nay
No. 889.

Welfare
reform.

Welfare
reform.

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Golden of Lowell, to the committee on Bills in the Third Reading.

Subsequently the amendment recommended by the Governor was considered in the following form (as approved by said committee):

In section 7, by striking out the first sentence in subsection (c) and inserting in place thereof the following sentence: "A recipient or an applicant who has received transitional aid to families with dependent children within the last 4 calendar months shall be eligible to have \$30 and one-half of the remaining gross earned income, after work-related expense but before dependent care deductions, disregarded, subject to the provisions of 106 CMR 204.285, for the entire period that the recipient is eligible for assistance";

In section 8, by striking out section 2F and inserting in place thereof the following section:

"Section 2F. Recipients meeting the following eligibility criteria shall be exempt from the provisions of sections 2G, 2H and subsections (c) and (d) of section 3 until such time as their eligibility status has been determined by the department to have changed and they no longer conform to the criteria that define the following exempt categories of assistance:—

(a) recipients with a child of record under the age of 1 year or any child other than the child of record who is under the age of 3 months, except that section 7(f) shall apply;

(b) caretakers of children in their care; provided, however, that the department shall provide assistance for only the children; or

(c) parents who receive supplemental security income and have children in their care; provided, however, that the department shall provide assistance for only the children.";

In section 8, by adding to section 2G the following subsection:—

"(f) The department shall promulgate regulations to implement a life-time limit on the receipt of benefits for all recipients that is comparable to that of federal law. A recipient who has received state or federal benefits prior to the effective date of this chapter shall have the receipt of such benefits counted against the life-time limit; provided that no more than 24 months of benefits shall be counted.";

In section 8, by striking out section 2H and inserting in place thereof the following section:

"Section 2H. the department shall administer a program, to be known as the full engagement program, for families who are not exempt under section 2F. The full engagement program shall require that the head of household in each such family or both parents in a two-parent family meet the terms of their employment development plan developed by the department as described in section 3 within 60 days of the receipt of assistance by the family. The department shall promulgate regulations establishing exceptions for good cause for not meeting the employment development plan. The exceptions shall include, but need not be limited to, domestic violence, medical reasons, and emergency circumstances. At the discretion of the commissioner, recipients subject to the full engagement requirement who fail to meet the requirements shall be subject to sanction up to and including the termination of all assistance for their family.";

By striking out section 11 and inserting in place thereof the following section:

"SECTION 11. Section 3 of chapter 118 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by striking out the third, fourth and fifth paragraphs and inserting in place thereof the following 2 subsections:—

(c) Subject to appropriation, the department shall develop for each recipient an employment development plan designed to enable the recipient to attain economic self-sufficiency. The plan shall be prepared by the case manager with the involvement of the recipient. The plan shall include an assessment of the current employability of the recipient and development of a strategy for the recipient to attain economic self-sufficiency. Hourly requirements for the plan of each recipient may differ based on standards, established by the department through regulation, designed to achieve the required federal work participation rate for the commonwealth. Each employment development plan can be made up of one or more components, subject to availability and program slots, including work, the full employment program, job search, specified education and training, community service and barrier removal as defined by the department. Component choices will also be designed to achieve the required federal work participation rate of the commonwealth, provided that department-approved vocational education and training programs may count for the participation requirement for up to 12 months. A teen parent shall be required to meet the standards for teen parents set forth in federal law. A parent providing care for a disabled family member living in the home shall be subject to the provisions of this chapter in accordance with the provisions of federal law. The department shall determine program availability levels for each of the program components after considering the appropriations for said components, for assistance, and for day care services related to the program. Volunteers shall be given first priority for participation in all such program availability level for the program component. The department shall consider the availability of transportation in developing said employment development plans.

(d) It shall be the responsibility of the recipient to fulfill the obligations of the employment development plan, contingent upon the provision of needed services or supports as indicated in the plan. Recipients who fail to adhere to the obligations set forth in their employment development plan and experience a reduction of family income due to a reduction or termination of benefits which, in turn, places their children at risk, shall be required to meet with their caseworker for reassessment. Recipients not qualifying as exempt under the provision of section 2F and whose child of record is under the age at which full-time school attendance is mandatory may, without penalty, choose not to participate in the full engagement program established by section 3 if they need child care services and the office of child care services or its successor agency determines that there will not be sufficient funding or space to provide child care services to the recipient's child while the recipient is participating in said full engagement program.";

In section 12, by striking out sections 3F and 3I.;

By striking out section 19;
By striking out section 20; and
By striking out section 21.

Amendment
adopted,
yea and nay
No. 890.

The report was accepted.
At the request of Mr. Jones of North Reading, the amendments then were divided.

On the question on adoption of the first pending amendment recommended by the Governor (in section 7), the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 153 members voted in the affirmative and 0 in the negative.

Amendment
rejected,
yea and nay
No. 891.

[See Yea and Nay No. 890 in Supplement.]

Therefore the first pending amendment (in section 7) was adopted.

On the question on adoption of the second pending amendment recommended by the Governor (in section 8, in subsection 2F), the sense of the House was taken by yeas and nays, at the request of Mr. Jones; and on the roll call 21 members voted in the affirmative and 132 in the negative.

Amendment
rejected,
yea and nay
No. 892.

[See Yea and Nay No. 891 in Supplement.]

Therefore the second pending amendment (in section 8, in subsection 2F) was rejected.

On the question on adoption of the third pending amendment recommended by the Governor (in section 8, in subsection 2G), the sense of the House was taken by yeas and nays, at the request of Mr. Jones; and on the roll call 23 members voted in the affirmative and 130 in the negative.

Amendment
rejected,
yea and nay
No. 893.

[See Yea and Nay No. 892 in Supplement.]

Therefore the third pending amendment (in section 8, in subsection 2G) was rejected.

The fourth pending amendment (in section 8, in subsection 2H) then was adopted.

On the question on adoption of the fifth pending amendment recommended by the Governor (in section 11), the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 20 members voted in the affirmative and 132 in the negative.

Amendment
rejected,
yea and nay
No. 894.

[See Yea and Nay No. 893 in Supplement.]

Therefore the fifth pending amendment (in section 11) was rejected.

On the question on adoption of the sixth pending amendment recommended by the Governor (in section 12), the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 20 members voted in the affirmative and 132 in the negative.

Amendment
rejected,
yea and nay
No. 895.

[See Yea and Nay No. 894 in Supplement.]

Therefore the sixth pending amendment (in section 12) was rejected.

On the question on adoption of the seventh pending amendment recommended by the Governor (striking out section 19), the sense of the House was taken by yeas and nays, at the request of the same

member; and on the roll call 20 members voted in the affirmative and 132 in the negative.

[See Yea and Nay No. 895 in Supplement.]

Therefore the seventh pending amendment (striking out section 19) was rejected.

Amendment
rejected,
yea and nay
No. 896.

On the question on adoption of the eighth pending amendment recommended by the Governor (striking out section 20), the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 20 members voted in the affirmative and 132 in the negative.

[See Yea and Nay No. 896 in Supplement.]

Therefore the eighth pending amendment (striking out section 20) was rejected.

The ninth pending amendment (striking out section 21) then was adopted.

The bill (see House, No. 5212) then was sent to the Senate for its action.

Saugus,
land.

Emergency Measures.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the town of Saugus (see House, No. 5254), 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 73 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.

Bill enacted
(land taking),
yea and nay
No. 897.

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 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 897 in Supplement.]

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

Winthrop,
land
conveyance.

The engrossed Bill authorizing the conveyance of certain parcels of land in the Commonwealth (see House, No. 4905, 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 66 to 0. Sent to the Senate for concurrence.

Bill enacted
(land taking),
yea and nay
No. 898.

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 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 898 in Supplement.]

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

Tewksbury,
property
lease

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property in the town of Tewksbury (see Senate, No. 2609) (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.

Bill enacted
(land taking),
yea and nay
No. 899.

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 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 899 in Supplement.]

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

Economic
development.

Paper from the Senate.

The House Bill relative to the economic development of the Commonwealth (House, No. 5253) came from the Senate passed to be engrossed, in concurrence, with amendments inserting after section 10 (as printed) the following section:

“SECTION 1A. Section 9 of Chapter 28A of the General Laws is hereby amended by striking out the definition of ‘Placement Agency’ and inserting in place thereof the following definition:—

‘Placement agency’, a department, agency or institution of the commonwealth, or any political subdivision thereof, that provides custodial care and social services to children and that receives, by agreement with a parent or guardian, by contract with a state agency or as a result of referral by a court of competent jurisdiction, any child under 18 years of age, for placement in family foster care or a group care facility, or for adoption.”; and inserting after section 9 (as printed) the following section:

“SECTION 2A. The third sentence of subsection (a) of section 95 of chapter 139 of the acts of 2006 is hereby amended by inserting, after the words ‘in awarding the grants’ the following words:— ; provided, however, that \$3,500,000 shall be allocated to a community health center which provides 24-hour emergency services, a Program of All-Inclusive Care for the Elderly, known as the PACE

program, and a 340B pharmacy program to support essential community services and underserved communities.”.

Under suspension of Rule 35, on motion of Mr. Bosley of North Adams, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

Order.

On motion of Mr. Petrolati of Ludlow,—

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

Next
sitting.

Suspension of Rule 1A.

At the hour of twelve o’clock midnight, the Speaker placed before the House the question on suspension of Rule 1A in order that the House might continue to meet beyond said hour; and objection was made thereto.

Rule 1A not
suspended.

Mr. Petrolati then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twelve minutes after twelve o’clock midnight (Tuesday, August 1) (the Speaker being in the Chair), the House adjourned, to meet on Monday next at eleven o’clock A.M., in an Informal Session.