

Monday, September 24, 2007.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, 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:

Gracious God, the Ultimate Source of Goodness and Truth, we look to You for guidance and direction in addressing and resolving the issues which come before us. At the beginning of this new season of the year, usually a very busy time of year, we try to do our best in serving You and constituents faithfully. As elected leaders, who enjoy the confidence and trust of the people, help us to be good listeners and to make fair and objective decisions. Grant us the power to think though and evaluate our legislative choices and to be aware of the present consequences of our decisions. May the best interests of the people, our communities and the Commonwealth remain our top priorities.

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.

*Message from the Governor.*

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating the action taken at the annual town election held in the town of Lanesborough (House, No. 4250) was filed in the office of the Clerk on Thursday, September 20.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Election Laws. Sent to the Senate for concurrence.

*Resolutions.*

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

Resolutions (filed by Ms. Flanagan of Leominster) honoring Linda Edwards for outstanding leadership service and advocacy on behalf of the Massachusetts Early Intervention Consortium;

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Michael Demoranville on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Daniel Gamache on receiving the Eagle Award of the Boy Scouts of America;

Dorsey  
Yearly.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Dorsey Yearly for her outstanding service and dedication to Wellesley Public Schools;

Greater Framingham  
Community  
Church.

Resolutions (filed by Representatives Sannicandro of Ashland, Linsky of Natick and Richardson of Framingham) congratulating the Greater Framingham Community Church on the occasion of the thirty-fifth anniversary of its founding;

Sharon Pucker  
Rivo.

Resolutions (filed by Representatives Walz of Boston and Smizik of Brookline) congratulating Sharon Pucker Rivo on her selection as recipient of the Zvi R. Cohen Award; and

Old Cambridge  
Baptist  
Church.

Resolutions (filed by Ms. Wolf of Cambridge) celebrating the restoration of the Old Cambridge Baptist Church;

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. Donato of Medford, 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

Northeast  
Solid Waste  
Committee.

Abolishing the North East Solid Waste Committee (Senate, No. 549, amended in line 3 by striking out the following: "August 31, 2006" and inserting in place thereof the following: "December 31, 2007") (on a petition);

Congamond  
Lakes,—  
Southwick.

Allowing for the continued use of state-owned property for fishing, boating and tourism purposes on the Congamond Lakes in Southwick (Senate, No. 2248) (on a petition) [Local Approval Received]; and

Commonwealth  
Corps.

Relative to establishing the Commonwealth Corps (Senate, No. 2301, amended in section 4, in lines 111 to 115, inclusive, by striking out the following two sentences: "The MSA shall require host projects to select Corps members who are at least 18 years of age, residents of the state, legally authorized to work in the United States, and who are not for medical, legal or psychological reasons incapable for service. The MSA shall ensure selection of corps members is made in accordance with the Americans with Disabilities Act and chapter 151B." and inserting in place thereof the following two sentences: "Corps members shall be residents of the commonwealth who are at least 18 years of age and who are legally authorized to work in the United States. MSA and Commonwealth Corps shall select corps members in compliance with any applicable state and federal anti-discrimination laws.") (on Senate, No. 13);

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

Nursing  
home  
residents,—  
discharge.

A Bill requiring adequate discharge planning for nursing home residents (Senate, No. 410) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford being in the Chair,—

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

Petition (accompanied by bill, Senate, No. 2342) of Patricia D. Jehlen, Pamela P. Resor, Cynthia S. Creem and Carl M. Sciortino, Jr. for legislation to order a comprehensive study of Commonwealth charter schools. To the committee on Education. Charter schools.

Petition (accompanied by bill, Senate, No. 2343) of Bruce Tarr, Harriett L. Stanley and Barbara A. L'Italien (by vote of the town) for legislation to provide for the establishment of a strong fire chief in the town of Georgetown. To the committee on Public Service. Georgetown,—  
fire chief.

*Reports of Committees.*

By Mr. Honan of Boston, for the committee on Housing, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 1287) of Thomas M. Stanley and others relative to the consolidation of certain mental health facilities for the purpose of creating surplus land,— and recommending that the same be referred to the committee on Mental Health and Substance Abuse; and Mental health facilities.

Of the petition (accompanied by bill, House, No. 1288) of Louanne Fucci for legislation to permit the discharging or boarding of students at certain intersections,— and recommending that the same be referred to the committee on Transportation. School bus,—  
operations.

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

By Mr. Correia of Fall River, for the committee on Elder Affairs, on a petition, a Bill relative to rates for residential care facilities (House, No. 605). Residential care,—  
rates.

By the same member, for the same committee, on a petition, a Bill to support residential care facilities for frail elders and persons with disabilities (House, No. 606). Frail elders,—  
residential care.

Severally, referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Rodrigues of Westport, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 214, a Bill relative to the resale of tickets (House, No. 4251). Tickets,—  
resale.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill relative to the District Court of Malden (House, No. 1408). Malden,—  
district court.

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

By Mr. Bradley of Hingham, for the committee on Election Laws, on a petition, a Bill relative to multiple office holding in the town of Burlington (House, No. 3946) [Local Approval Received]. Burlington,—  
office holders.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill further protecting children (House, No. 3870). Children.

Marlborough,—  
Community  
Development  
Authority.

By Mr. Pedone of Worcester, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the Community Development Authority in the city of Marlborough (House, No. 4132) [Local Approval Received].

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

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Senate bills

UMass,—  
police officers.

Increasing the minimum age for appointment as a University of Massachusetts police officer (Senate, No. 1639); and

Brian J.  
Donoghue.

Exempting Brian J. Donoghue from the maximum age requirements for appointment as a firefighter in the town of Norwood (Senate, No. 2257) [Local Approval Received]; and

House bills

Malden,—  
fire fighters  
and police.

Relative to the appointment of certain persons to the police and fire department of the city of Malden (House, No. 3974) [Local Approval Received]; and

Dennis,—  
waterway  
improvements.

Establishing a waterways dredge and maintenance program receipts reserved/capital improvements fund in the town of Dennis (House, No. 4108) [Local Approval Received];

Severally placed in the Orders of the Day for the next sitting for a second reading.

Karen  
Rice,—  
sick leave.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Karen Rice an employee of the Massachusetts teachers' retirement system (House, No. 4243). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Subsequently, Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting for a second reading.

#### *Engrossed Bills.*

Bill  
enacted.

The engrossed Bill establishing a sick leave bank for Robert Bozarjian, an employee of the Department of Education (see House, No. 4235) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill  
enacted.

The engrossed Bill placing certain members of the fire department of the town of Wrentham under the civil service law (see House, No. 4078) (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.

*Orders of the Day.*

The House Bill establishing a sick leave bank for Michael Antonucci, an employee of the Department of Correction (House, No. 4224), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Michael Antonucci,—  
sick leave.

Pending the question on passing the bill to be engrossed, Ms. Flanagan of Leominster moved that it 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 establish forthwith a sick leave bank for a certain employee of the department of correction, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 4224, amended) was passed to be engrossed. Sent to the Senate for concurrence.

House bills

Relative to certain members of the Cambridge retirement system (House, No. 4024); and

Third reading bills.

Establishing a sick leave bank for Diane Godin, an employee of the Department of Mental Retardation (House, No. 4223);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

*Order.*

On motion of Mr. DiMasi of Boston,—

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

Next sitting.

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At a quarter after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M.