

## JOURNAL OF THE HOUSE.

Tuesday, July 31, 2007.

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

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

Prayer.

Gracious God, we place our trust and hope in You, Our Creator, and in Your ways for successful living. We believe that we can depend upon You and Your guidance as we struggle with the day's legislative issues and proposals. Let the best interests of the people, our communities and the Commonwealth remain our top agenda items. Grant us the courage and the wisdom to remain faithful to our ideals, goals and priorities. As we reason together in resolving issues and public policy matters, inspire us to seek truth, accurate knowledge and factual information. May we respect the rights and values, human and spiritual, of all people in our various communities.

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

Pledge of allegiance.

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

### *Appointments to the Health Disparities Council.*

Health Disparities Council.

The Speaker announced (under Section 16O of Chapter 6A of the General Laws) his appointment to the Health Disparities Council of Representatives Koutoujian of Waltham (co-chair), Fox of Boston and Sánchez of Boston as the three members from the House of Representatives; and

Representative Lantigua of Lawrence, Ms. Sherry Dong, Mr. Gregg Croteau and Ms. April J. Taylor as members from the communities disproportionately affected by health disparities of said Health Disparities Council.

### *Papers from the Senate.*

Employer assisted housing.

A Bill relative to employer assisted housing and responsible lending (Senate, No. 2299, amended in section 10, subsection 3, by striking out clause (b) and inserting in place thereof the following clause:

"(b) An applicant shall: (i) have completed a residential mortgage lending course, as determined by the commissioner, during the 2 year period immediately preceding the date of application; (ii) provide evidence that the applicant has received a passing grade on such residential mortgage lending course examination within such 2 year period; and (iii) if requested by the commissioner, provide all documentation related to any mortgage transaction or mortgage application sought or processed within the 2 years prior to such appli-

cation.") (on Senate, No. 2296), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

A report of the Senate committee on Ways and Means, asking to be discharged from further consideration of the Senate Bill to update the computer crime laws of the Commonwealth (Senate, No. 1849), and recommending that the same be referred to the committee on the Judiciary,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, insomuch as relates to the reference.

Computer crime laws.

A communication from the Hampden County Sheriff's Office relative to corrective measures taken pursuant to a Department of Public Health Inspection of the Hampden County Sheriff's Department and Correctional Center, in the town of Ludlow, on May 23, 2007, was spread upon the records of the House; and returned to the Senate.

Hampden County Sheriff's Office.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2300) of Brian A. Joyce, Linda D. Forry, Walter F. Timilty and Angelo M. Scaccia (by vote of the town) for legislation to authorize the town of Milton to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises of a certain restaurant. To the committee on Consumer Protection and Professional Licensure.

Milton, liquor license.

Petition (accompanied by bill, Senate, No. 2304) of Michael W. Morrissey, Ronald Mariano and Joseph R. Driscoll (by vote of the town) for legislation relative to recall elections in the town of Holbrook. To the committee on Election Laws.

Holbrook, recall elections.

Petition (accompanied by bill, Senate, No. 2305) of Brian A. Joyce, Bruce J. Ayers, Joseph R. Driscoll and Walter F. Timilty (by vote of the town) for legislation to amend the representative town meeting procedures in the town of Randolph. To the committee on Municipalities and Regional Government.

Randolph, town meeting procedures.

### *Recess.*

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

Recess.

### *Reports of Committees.*

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Viriato Manuel deMacedo and Daniel K. Webster for legislation to include certain compounds in the classification of controlled substances. Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Health. Sent to the Senate for concurrence.

Controlled substances.

Hardiman,  
sick leave.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Thomas M. Stanley and Tom Sannicandro for legislation to establish a sick leave bank for Mary Hardiman, an employee of the Department of Public Health. Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, 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.

Freetown,  
Simmons  
Bridge.

By Mr. Wagner of Chicopee, for the committee on Transportation, on a petition, a Bill designating a certain bridge in the town of Freetown as the Joseph F. Simmons, Jr. bridge (House, No. 3643, changed by striking out the sentence contained in lines 1 to 5, inclusive, and inserting in place thereof the following sentence: "The bridge #F-09-010 on North Main Street spanning state highway Route 24 in the town of Freetown shall be designated and known as the Joseph F. Simmons, Jr. Memorial Bridge, in honor of Joseph F. Simmons, Jr. who served many years as the highway supervisor of the town of Freetown."; and in the title by inserting after the word "Jr." the word "Memorial"). 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. Khan of Newton, the bill was read a second time forthwith; and it was ordered to a third reading.

Savina  
Whitney,  
sick leave.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Savina J. Whitney, an employee of the Department of Social Services (House, No. 4192). 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. deMacedo of Plymouth, the bill was read a second time forthwith; and it was ordered to a third reading.

Birth  
certificates,  
access.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill further regulating access to birth certificates (Senate, No. 63, amended) be scheduled for consideration by the House.

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

Placement of  
children.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill further regulating the placement of certain children (Senate, No. 75) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Ms. Khan of Newton, 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 garages in the first fire zone of the city of Boston (House, No. 4167) [Local Approval Received] be scheduled for consideration by the House.

Boston,  
garages.

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

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on the joint petition, a Bill establishing a sick leave bank for Colleen Hannon, an employee of the Middlesex Juvenile Court (House, No. 4183).

Colleen  
Hannon,  
sick leave.

By Mr. Pedone of Worcester, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the use of certain bonds by the Blackstone Millville Regional School District (printed as Senate, No. 2246).

Blackstone  
Millville  
School  
District.

By Mr. Costello of Newburyport, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to child passenger safety (House, No. 2361, changed in section 2, in line 4, by striking out the words "No child who is fifty-seven inches in height or less" and inserting in place thereof the words "No child who is less than 9 years of age and less than fifty-seven inches in height").

Child  
passenger  
safety.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a petition, a Bill relative to certain disability retirement for Thomas Kamataris (House, No. 4077) [Local Approval Received].

Leominster,  
Thomas  
Kamataris.

By the same member, for the same committee, on a petition, a Bill to enable the city of Cambridge to pay full salary and benefit to city employees who are assigned and present in a theater of combat operations such as Iraq or Afghanistan (House, No. 4079) [Local Approval Received].

Cambridge,  
military  
benefits.

By the same member, for the same committee, on a petition, a Bill authorizing the appointment of certain persons as firefighters in the city of Fall River (House, No. 4089) [Local Approval Received].

Fall River,  
fire fighters.

By Mr. Dempsey of Haverhill, for the committee on Telecommunications, Utilities and Energy, on a petition, a Bill authorizing the town of Falmouth to install, finance and operate wind energy facilities (House, No. 3769) [Local Approval Received].

Falmouth,  
wind energy.

By Mr. Wagner of Chicopee, for the committee on Transportation, on a petition, a Bill naming a certain bridge in the town of Dalton (House, No. 3503, changed by striking out section 1 and inserting in place thereof the following section:

Dalton,  
bridge.

"SECTION 1. The bridge #D-01-005 on Route 8 spanning the Housatonic river in the town of Dalton shall be designated and known as the Benjamin-Muraca Memorial Bridge, in the memory of Gary Thomas Benjamin and Patrick-John Muraca who were Vietnam veterans killed while protecting the United States of America in Vietnam.")

By the same member, for the same committee, on a petition, a Bill naming a certain bridge in the town of Hinsdale (House, No. 3504,

Hinsdale,  
bridge.

changed by striking out section 1 and inserting in place thereof the following section:

"SECTION 1. The bridge #H-16-002 on Main Street spanning the Housatonic river in the town of Hinsdale shall be designated and known as the Hinsdale Veterans Memorial Bridge, in memory of the residents of Hinsdale who died while protecting the United States of America.").

Wellesley,  
Senator  
Locke Bridge.

By the same member, for the same committee, on a petition, a Bill designating a certain bridge in the town of Wellesley as State Senator David H. Locke Bridge (House, No. 3593, changed by striking out the sentence contained in lines 1 to 3, inclusive, and inserting in place thereof the following sentence: "The bridge #W-13-014 on Route 16, Washington Street, spanning Route 9 in the town of Wellesley shall be designated and known as the State Senator David H. Locke Bridge.").

Lenox,  
W.F. Coakley  
Highway.

By the same member, for the same committee, on a petition, a Bill designating the Lieutenant Commander William F. Coakley Highway (House, No. 3599).

Hyde Park,  
Kearney  
Bridge.

By the same member, for the same committee, on a petition, a Bill designating a certain bridge in Hyde Park as the Joseph M. Kearney Bridge (House, No. 3627, changed by striking out the sentence contained in lines 1 to 4, inclusive, and inserting in place thereof the following sentence: "The bridge #B-16-108 on West Street spanning the AMTRAK/MBTA tracks in the Hyde Park section of the city of Boston shall be designated and known as the Joseph M. Kearney Bridge.", and in line 4, by striking out the words "public works" and inserting in place thereof the word "highways").

Hyde Park,  
Geraghty  
Bridge.

By the same member, for the same committee, on a petition, a Bill designating a certain bridge in Hyde Park as the Thomas J. Geraghty Bridge (House, No. 3628, changed by striking out the sentence contained in lines 1 to 3, inclusive, and inserting in place thereof the following sentence: "The bridge #B-16-035 on Hyde Park Avenue spanning Mother Brook in the Hyde Park section of the city of Boston shall be designated and known as the Thomas J. Geraghty Bridge.", and in line 4, by striking out the words "public works" and inserting in place thereof the word "highways").

Copley  
Station.

By the same member, for the same committee, on a petition, a Bill relative to the MBTA's Copley Station (House, No. 3692).

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

#### Engrossed Bills.

##### Engrossed bills

Bills  
enacted.

Relative to the safe placement of newborn infants (see Senate, No. 2177, amended) (which originated in the Senate);

Authorizing the town of Belmont to establish another postemployment benefits trust fund (see House, No. 1441, 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 enacted; and they were signed by the acting Speaker and sent to the Senate.

At fourteen minutes after one o'clock P.M., on motion of Mr. Hynes of Marshfield (Mr. Donato of Medford being in the Chair), the House recessed until half past two o'clock; and at twenty minutes before three o'clock P.M. the House was called to order with Mr. Donato in the Chair. Recesses.

The House thereupon took a further recess, on motion of Mr. deMacedo of Plymouth, subject to the call of the Chair; and at twenty-two minutes after four o'clock the House was called to order with Mr. Donato in the Chair.

The engrossed Bill relative to the use of certain school building assistance program reimbursements to the city of Medford (see House, No. 4096, changed and 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. Bill re-enacted.

The engrossed Bill providing for a certain exemption from the sales tax (see House, No. 2876) (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.

#### 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.

At twenty-eight minutes before five o'clock P.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., in an Informal Session.