

## JOURNAL OF THE HOUSE.

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Tuesday, February 19, 2008.

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

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

Eternal God, we look to You for guidance as we take-up today's legislative and administrative items. We pray for the wisdom to understand clearly the content and consequences of the often complex issues which come before us. Help us to explain to our constituencies the rationale for our decisions so that we, together, can dialogue on the issues and plan for the future of our communities, our commonwealth and our people. Let working together for the benefit of the common good and improving the quality of life for all remain a priority on our agenda as we define and pursue our common goals.

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

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

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

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to unemployment insurance rates [see House, No. 4528] (for message, see House, No. 4540) was filed in the office of the Clerk on Friday, February 15.

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 said committee reported recommending that the amendment recommended by the Governor be considered in the following form:

By striking out section 1 and inserting in place thereof the following:  
 "SECTION 1. Notwithstanding section 14 of chapter 151A of the General Laws, the experience rate of an employer qualifying therefor under subsection (b) of said section 14 shall be the rate which appears in the column designated 'D' in paragraph (1) of subsection (i) of said section 14 for calendar year 2008."

The report was accepted.

The amendment recommended by the Governor then was adopted. Sent to the Senate for concurrence.

*Appointments to a Special Commission.*

February 15, 2008.

Abraham  
Lincoln,  
anniversary.

The Speaker announced the appointment of Representatives Rushing of Boston and Jones of North Reading to the special commission established (pursuant to Executive Order No. 497) for the purpose of developing a program of activities to honor the two hundredth anniversary of Abraham Lincoln.

*Resolutions.*

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

Christopher K.  
Gallagher.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Christopher K. Gallagher on receiving the Eagle Award of the Boy Scouts of America; and

Elizabeth  
Carey.

Resolutions (filed by Mr. Miceli of Wilmington) honoring Elizabeth Carey on her retirement from the town of Tewksbury as Town Clerk;

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. Rushing of Boston, 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.*Ipswich,  
indebtedness.

A Bill relative to incurring indebtedness in the town of Ipswich (Senate, No. 2445, changed in line 3 by striking the figures "11" and inserting in place thereof the letters "11") (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.

MCI  
Framingham,  
inspection.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to an inspection of MCI Framingham, in the town of Framingham, was spread upon the records of the House; and returned to the Senate.

State  
lottery,  
revenues.

A petition of Richard R. Tisei, Bruce E. Tarr, Michael R. Knapik, Robert L. Hedlund and other members of the General Court for legislation to stabilize state lottery revenues to provide predictable aid to cities and towns, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Consumer Protection and Professional Licensure.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2506) was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

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

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 Therese Murray, President of the Senate, has announced her appointment of Senator Susan C. Fargo to the Special Commission established (pursuant to Chapter 2 of the Resolves of 2007) to make an investigation and study of the hygienic procedures pertaining to band instruments in schools and to minimize the risks of cross-contamination when instruments are transferred from one musician to another.

Band  
instruments,  
Senate  
appointment.

Respectfully submitted,

WILLIAM F. WELCH,  
*Clerk of the Senate.*

*Reports of a Committee.*

By Mr. Bosley of North Adams, for the committee on Economic Development and Emerging Technologies, on the residue of House, No. 4234 (as relates to sections 1, 5, 6 and 8 to 13, inclusive), a Bill providing for the investment in and expansion of the life sciences industry in the Commonwealth (House, No. 4539), which was read.

Life  
sciences.

Under suspension of the rules, on motion of Mr. Sánchez of Boston, 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 the same member, to the committee on Ways and Means.

*Emergency Measure.*

The engrossed Bill relative to unemployment insurance rates (see House, No. 4528), 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.

Unemployment  
insurance  
rates.

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 5 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 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.

*Engrossed Bill.*

Bill  
enacted.

The engrossed Bill authorizing the Middlesex Retirement Board to grant a certain pension to James Charles Mickel (see Senate, No. 2208) (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 Speaker and sent to the Senate.

*Order.*

Next  
sitting.

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.

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At two minutes before twelve o'clock noon, on motion of Mr. Peterson of Grafton (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.