

Thursday, May 31, 2007.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mrs. Haddad of Somerset 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 offer this prayer of thanksgiving to You for the great variety of material and spiritual blessings which we receive and enjoy daily. Your generosity and personal concern for us reminds us of Your presence in our lives. As elected leaders in our communities, teach us to be open to and to appreciate the experiences, the insights and the observations of constituents on all legislative and policy issues. In the process of formulating our choices and decisions, inspire us to select the most objective, honorable and reasonable options which are open to us. Grant us the wisdom to comprehend the present and future consequences of our decisions on the common good.

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 (Mrs. Haddad), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Resolutions.

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

Peter
Ballou.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Peter Ballou on earning the Eagle Scout Award;

Michael
Lenzuolo.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Michael Lenzuolo on earning the Eagle Scout Award;

Christopher
Mehrmann.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Christopher Mehrmann on earning the Eagle Scout Award;

William
Edward
Cannon.

Resolutions (filed by Messrs. Kafka of Stoughton and Galvin of Canton) congratulating William Edward Cannon of Stoughton Boy Scout Troop 516 on earning the Eagle Scout Award;

Leonard
O'Leary.

Resolutions (filed by Mr. Keenan of Salem) congratulating Mr. Leonard O'Leary on his retirement; and

Robert
Morrill.

Resolutions (filed by Mr. Ross of Wrentham) on the retirement of Chief Robert Morrill;

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. McMurtry of Dedham, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

A petition (accompanied by bill, House, No. 4002) of Ronald Mariano and Joseph R. Driscoll relative to the boundaries of a certain parcel of land on the Fore River and located in the city of Quincy and in the town of Braintree (having been returned by the State Secretary, under the provisions of Chapter 3 of the General Laws with memoranda relative thereto) was referred, under Rule 24, to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

Fore River,—
land.

The following petitions (having been deposited in the office of the Clerk previously to five o'clock in the afternoon on Wednesday, January 10, 2007) severally were presented and they were referred as follows:

By Ms. Atkins of Concord, petition (subject to Joint Rule 7B) of Cory Atkins that the town of Concord be authorized to establish a post-retirement group health insurance trust fund.

Concord,—
group health
insurance.

By Mr. Atsalis of Barnstable, petition (subject to Joint Rule 7A) of Demetrius J. Atsalis and Robert A. O'Leary relative to the retirement allowance of Louis Cataldo, a retired employee of the Barnstable County Sheriff's Office and retired chief of the police department of the town of Dennis.

Dennis,—
Louis
Cataldo.

By the same member, petition (subject to Joint Rule 7A) of Demetrius J. Atsalis relative to retirement benefits for certain employees of the Barnstable municipal, Nantucket memorial, and Martha's Vineyard Airport.

Barnstable,
Nantucket and
Martha's
Vineyard.

By Mr. Bradley of Hingham, petition (subject to Joint Rule 7B) of Garrett J. Bradley that the retirement board of the town of Hingham be authorized to grant certain creditable service for retirement purposes to Glenn Shaw.

Hingham,—
Glenn
Shaw.

By the same member, joint petition (subject to Joint Rule 7B) of Garrett J. Bradley and Robert L. Hedlund for legislation to regulate certain licenses for the sale of alcoholic beverages to be drunk on the premises in the town of Hingham.

Hingham,—
liquor
licenses.

By the same member, petition (subject to Joint Rule 7B) of Garrett J. Bradley that the retirement board of the town of Hingham be directed to grant certain creditable service to Donald Lincoln.

Hingham,—
Donald
Lincoln.

By Mr. Coughlin of Dedham, petition (filed on January 8, 2007) (subject to Joint Rule 7B) of Robert K. Coughlin relative to exempting the position of deputy police chief of the town of Westwood from the provisions of civil service law.

Westwood,—
deputy police
chief.

By the same member, petition (filed on January 8, 2007) (subject to Joint Rule 7A) of Robert K. Coughlin and James E. Timilty relative to early retirement options for public employees in Norfolk County.

Norfolk
County,—
retirement.

By Mr. Donelan of Orange, petition (subject to Joint Rule 7B) of Christopher J. Donelan for legislation to exempt Sean W. Richards from the maximum age requirements for applying for civil service appointment as a police officer in the city of Methuen.

Methuen,—
Sean W.
Richards.

By Mr. Driscoll of Braintree, petition (subject to Joint Rule 7B) of Joseph R. Driscoll relative to authorizing the town of Braintree to assess a fee on transfer of alcoholic beverage licenses.

Braintree,—
liquor
licenses.

Braintree,—
room
excise.

By the same member, petition (subject to Joint Rule 7B) of Joseph R. Driscoll relative to room occupancy excises in the town of Braintree.

Devens,—
incorporate.

By Mr. Eldridge of Acton (by request), petition (subject to Joint Rules 9 and 7B) of Robert Eisengrein for legislation to incorporate the town of Devens.

Bridgewater,—
library
trustees.

By Mr. Flynn of Bridgewater, petition (subject to Joint Rule 7B) of David L. Flynn and Marc R. Pacheco that the board of library trustees of the town of Bridgewater be authorized to establish a revolving fund for the purchase of books and other materials for the library of said town.

Bridgewater,—
capital
projects.

By the same member, petition (subject to Joint Rule 7B) of David L. Flynn and Marc R. Pacheco that the town of Bridgewater be authorized to appropriate a certain sum of money to pay for the rental of modular classrooms.

Raynham,—
development
fund.

By the same member, petition (subject to Joint Rule 7B) of David L. Flynn and Marc R. Pacheco for legislation to establish a development revolving fund in the town of Raynham.

Boston,—
housing
authority.

By Mr. Fresolo of Worcester, petition (subject to Joint Rule 7B) of John P. Fresolo and David Holway relative to employees of the housing authority of the city of Boston injured in the line of duty.

Plainfield,—
land.

By Mr. Guyer of Dalton, petition (subject to Joint Rule 7B) of Denis E. Guyer and Stephen Stat Smith relative to conveying land from the town of Plainfield to the Plainfield Congregational Church.

Doris M.
Hanigan,—
retirement.

By Mr. Hall of Westford, joint petition (subject to Joint Rule 7B) of Geoffrey D. Hall, James E. Timilty and another relative to the retirement allowance of Doris M. Hanigan.

Chelmsford,—
schools.

By the same member, joint petition (subject to Joint Rule 7B) of Geoffrey D. Hall and others relative to certain school construction projects in the town of Chelmsford.

Westford,—
property
tax.

By the same member, joint petition (subject to Joint Rule 7B) of Geoffrey D. Hall and Steven C. Panagiotakos that the town of Westford be authorized to regulate certain property tax exemption eligibility requirements for elderly persons.

Needham,—
sewer
construction.

By Mrs. Harkins of Needham, petition (subject to Joint Rule 7B) of Lida E. Harkins and Scott P. Brown that the town of Needham be authorized to construct and maintain a common sewer through certain land acquired for conservation purposes.

Plymouth
County,—
criminal
bureau.

By Mr. Hynes of Marshfield, petition (subject to Joint Rule 7A) of Frank M. Hynes that officers in the criminal bureau in the sheriff's department of Plymouth County be classified in Group 4 under the public employee retirement law.

Brockton,—
school
police.

By Mr. Kennedy of Brockton, petition (subject to Joint Rule 7B) of Thomas P. Kennedy relative to school police in the city of Brockton.

Northampton,—
tourism.

By Mr. Kocot of Northampton, petition (subject to Joint Rule 7B) of Peter V. Kocot and Christine E. Canavan relative to cultural tourism in the city of Northampton.

Northampton,—
meals taxes.

By the same member, petition (subject to Joint Rule 7B) of Peter V. Kocot relative to meals taxes in the city of Northampton.

- By Mr. Kujawski of Webster, petition (subject to Joint Rule 7B) of Paul Kujawski that the deputy chief of police in the town of Webster be exempt from the civil service laws of the Commonwealth. Webster,—
deputy police
chief.
- By Mr. Leary of Worcester, petition (filed on January 2, 2007) (subject to Joint Rule 7B) of James B. Leary and others for legislation to convey certain open space land in the town of West Boylston. West Boylston,—
open space
land.
- By Mr. Linsky of Natick, petition (filed on January 2, 2007) (subject to Joint Rule 7B) of David Paul Linsky and Scott P. Brown relative to certain conservation land in the town of Sherborn. Sherborn,—
land.
- By Mr. Murphy of Burlington, petition (subject to Joint Rule 7B) of Charles A. Murphy and Susan C. Fargo relative to the release of conservation restriction in the town of Bedford. Bedford,—
land.
- By the same member, petition (subject to Joint Rule 7B) of Charles A. Murphy and Robert A. Havern relative to the election of town meeting members in the town of Burlington. Burlington,—
town
meeting.
- By Mr. O'Flaherty of Chelsea and Senator Barrios, joint petition (subject to Joint Rule 7B) of Eugene L. O'Flaherty and others relative to the appointment of Edward M. Grace to the position of fire fighter in the city of Boston, notwithstanding the maximum age requirements. Boston,—
Edward M.
Grace.
- By Mr. Patrick of Falmouth, petition (subject to Joint Rule 7B) of Matthew C. Patrick relative to the use of Lowell Park in the town of Barnstable. Barnstable,—
Lowell Park.
- By Ms. Peisch of Wellesley, petition (subject to Joint Rule 7B) of Alice Hanlon Peisch for legislation to authorize the town of Wellesley to convey a certain parcel of land to Eric Garpestad and Kathleen E. Walsh in exchange for other property to be used for park purposes. Wellesley,—
E. Garpestad
and
K. Walsh.
- By Mr. Peterson of Grafton, petition (subject to Joint Rule 7B) of George N. Peterson, Jr., for legislation to restrict certain employees of the town of Upton from serving as a member of the board of selectmen of said town. Upton,—
selectmen.
- By Mr. Pignatelli of Lenox, petition (subject to Joint Rule 7B) of William Smitty Pignatelli and Stephen Stat Smith that the board of selectmen of the town of Sheffield be authorized to appoint associate members to the conservation commission of said town. Sheffield,—
conservation
commission.
- By the same member, petition (subject to Joint Rule 7B) of William Smitty Pignatelli relative to retirement and health benefits for certain elected officials in the town of Tyngham. Tyngham,—
elected
officials.
- By the same member, petition (subject to Joint Rule 7B) of William Smitty Pignatelli authorizing Benjamin Towne of the town of Lee to take a civil service examination for any position within said town, notwithstanding the minimum age requirements. Lee,—
Benjamin
Towne.
- By Mr. Scibak of South Hadley, petition (subject to Joint Rule 7B) of John W. Scibak relative to exempting the position of school custodian in the town of South Hadley from the provisions of civil service law. South Hadley,—
school
custodians.
- By Mr. Timilty of Milton, petition (subject to Joint Rule 7B) of Walter F. Timilty and others that the town of Randolph be authorized to establish a three-year moratorium on the construction of affordable housing. Randolph,—
housing
projects.

Falmouth,—
fund
creation.

By Mr. Turkington of Falmouth, petition (subject to Joint Rule 7B) of Eric Turkington and others relative to the establishment of certain funds in the town of Falmouth.

Edgartown,—
Pennywise
Preserve.

By the same member, joint petition (subject to Joint Rule 7B) of Eric Turkington and Robert A. O'Leary relative to conservation restrictions on certain parcels of land under the control of the town of Edgartown.

Franklin,—
Gary
McGarrahar.

By Mr. Vallee of Franklin, petition (subject to Joint Rule 7B) of James E. Vallee and another that the town of Franklin be authorized to grant certain retirement credit to Gary McGarrahar.

Gloucester,—
William
Dugan.

By Mr. Verga of Gloucester, petition (subject to Joint Rule 7B) of Anthony J. Verga and others that the retirement board of the city of Gloucester be directed to grant certain creditable service for retirement purposes to William Dugan.

Boston,—
William
Hayhurst.

By Mr. Wallace of Boston, petition (subject to Joint Rule 7B) of Brian P. Wallace and Stephen Stat Smith relative to the eligibility of the sons of William Hayhurst, a deceased fire fighter of the city of Boston, for appointment to the fire department of said city.

Severally, under Rule 24, to the committee on Rules.

Reports of Committees.

Woburn,—
elections.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill regulating preliminary elections in the city of Woburn (House, No. 3973) be scheduled for consideration by the House.

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

Natick,—
lease
agreement.

By Mr. Pedone of Worcester, for the committee on Municipalities and Regional Government, on a petition, a Bill to authorize the town of Natick to enter into a certain lease agreement (House, No. 3968) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Worcester,—
land.

By Mr. Flynn of Bridgewater, for the committee on Bonding, Capital Expenditures and State Assets, on House, No. 40, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Worcester (House, No. 4063).

Marlborough,—
easement.

By the same member, for the same committee, on House, No. 41, a Bill relative to the easement on land owned by the Department of Conservation and Recreation in the town of Marlborough (House, No. 4064).

Topsfield,—
county
highway.

By the same member, for the same committee, on House, No. 57, a Bill discontinuing that portion of Gravelly Brook Road lying in the town of Topsfield as a county highway (House, No. 4065).

Boston,—
Morrissey
Boulevard
land.

By the same member, for the same committee, on House, No. 64, a Bill authorizing the conveyance of a certain parcel of land in the city of Boston (House, No. 4066).

By the same member, for the same committee, on House, No. 65, a Bill authorizing the Commissioner of the Division of Capital Asset Management and Maintenance to convey certain land to Sullivan and McLaughlin Companies, Inc. (House, No. 4067). Boston,—
Tenean
Street
land.

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

Engrossed Bill.

The engrossed Bill establishing a sick leave bank for Jacqueline C. Russo, an employee of the Department of Housing and Community Development (see Senate, No. 1614) (which originated in the Senate), 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.

Order.

On motion of Mr. DiMasi of Boston,—

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

At eight minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.