

UNCORRECTED PROOF

Resolutions.

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

Resolutions (filed by Mr. D'Amico of Seekonk) congratulating Andrew N. Clegg on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. D'Amico of Seekonk) congratulating Samuel R. Holt on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mr. D'Amico of Seekonk) congratulating Philip L. Johnson on receiving the Eagle Award of the Boy Scouts of America;

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. D'Amico, 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.

The House Bill relative to administrative oversight of the hiring process in the town of West Boylston (House, No. 4099) 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 2670.

Under suspension of Rule 35, on motion of Mr. O'Day of West Boylston, 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.

A Bill establishing the Walpole Economic Development and Industrial Corporation (Senate, No. 2786) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Subsequently 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.

Bills

Relative to creditable service for teachers (Senate, No. 1541) (on a petition);

Further regulating notaries public (Senate, No. 2652, amended in section 5 (as printed), in lines 299 to 302 (as changed by the Senate committee on Bills in the Third Reading), inclusive, by striking out the sentence in those lines; in line 308, by inserting the following sentence; "If the attorney general or the state secretary has cause to believe that, as a result of official misconduct, a person holding the office of notary public is unsuitable to hold that office, the attorney general or the state secretary shall provide notice to the governor of such official misconduct."; and in section 6 (as changed by the Senate committee on Bills in the Third Reading), by striking out the figures "2008" and inserting place thereof the figures "2009".) (on Senate, No. 1033);

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 petition of Edward M. Augustus, Jr., George N. Peterson, Jr., and Michael Goodwin for legislation to designate a portion of Route 140 as the Donald R. "Doug" Keniston Roadway, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Transportation.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2861) was referred, in concurrence, to the committee on Transportation.

Reports of Committees.

UNCORRECTED PROOF

UNCORRECTED PROOF

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill further regulating employment contracts for school principals (Senate, No. 273, 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 5023. 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. Haddad of Somerset, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill, as amended, 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, in concurrence. The bill (Senate, No. 273, amended) then was sent to the Senate for concurrence in the amendment.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill prohibiting the confiscation of lawfully owned firearms during a state of emergency (Senate, No. 1401) 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. Peterson of Grafton, 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 was read a third time.

The committee on Bills in the Third Reading reported asking to be discharged from further consideration of the bill; and the report was accepted.

The bill (Senate, No. 1401) then was passed to be engrossed, in concurrence.

Mr. Donato of Medford being in the Chair,-- by Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill to facilitate homeowner heating oil spill remediation (Senate, No. 2404) 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 5040. 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. Bosley of North Adams, 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. 2404, amended) was ordered to a third reading.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, on Senate, No. 2808, reported, in part, a Bill to create a state 911 department, single 911 surcharge and enhanced 911 fund (House, No. 5044). 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. 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. Costello of Newburyport, the bill was read a third time.

The committee on Bills in the Third Reading reported asking to be discharged from further consideration of the bill; and the report was accepted.

Pending the question on passing the bill to be engrossed, Messrs. DiMasi of Boston and Costello moved to amend it by substitution of a bill with the same title (House, No. 5051), which was read.

UNCORRECTED PROOF

UNCORRECTED PROOF

The amendment was adopted; and the substituted bill 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 relative to the purchase of flags (House, No. 4273) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5026). 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. Haddad of Somerset, 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. 5026) was ordered to a third reading.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill establishing a Charles River water quality commission (House, No. 897) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5041).

By the same member, for the same committee, that the Bill relative to rental vehicle and replacement vehicle transactions and services (House, No. 934) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5037).

By the same member, for the same committee, that the Bill relative to reporting on health effects of particulate matter (House, No. 2227) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5042).

By the same member, for the same committee, that the Bill facilitating the formation of statewide mutual aid agreements for public works agencies (House, No. 3180) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5052).

By the same member, for the same committee, that the recommitted Bill relative to pension governance reform (House, No. 4011) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5048) and an amendment previously recommended by the committee on Ways and Means (House, No. 4801) also pending.

By the same member, for the same committee, that the Bill to provide incentives for productive workers compensation audits (House, No. 4573) ought to pass with an amendment by substitution of a bill with the same title (House, No. 5027).

By the same member, for the same committee, that the Bill relative to the licensure of day care centers (House, No. 4604) ought to pass with an amendment by substitution of a bill with the same title (House, No. 5028).

Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendments pending.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the following bills ought to pass:

- Further regulating fees for justices of the peace (Senate, No. 801, amended);
 - Relative to the Barnstable County Probate Court (Senate, No. 989, amended);
 - Relative to food allergy awareness in restaurants (Senate, No. 2701);
 - Establishing a sick leave bank for Alice Eldridge, an employee of the Department of Revenue (Senate, No. 2745, amended);
 - Relative to the regulation of snow and recreation vehicles (Senate, No. 2772);
 - Relative to homeowners insurance (Senate, No. 2778, amended);
 - Further regulating publicly assisted affordable housing for certain low income residents (Senate, No. 2799, amended);
 - Relative to worker's compensation (House, No. 4170); and
 - Relative to the operation of low-speed motor vehicles (House, No. 4377);
- Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

UNCORRECTED PROOF

UNCORRECTED PROOF

Engrossed Bills.

Engrossed bills

Relative to age requirements for certain students (see Senate, No. 286); and

Establishing a special reserve fund in the town of Sunderland (see Senate, No. 2686);

(Which severally originated in the Senate);

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.

Recess.

At twenty-four minutes before twelve o'clock noon (Thursday, July 31), on motion of Mr. Flynn of Bridgewater (Mr. Donato of Medford being in the Chair), the House recessed until a quarter after twelve o'clock; and at half past twelve o'clock the House was called to order with Mr. Donato in the Chair.

Engrossed Bill -- Land Taking.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant a certain easement over lands held for conservation and recreation purposes (see Senate, No. 2511, 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.

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 (Mr. Petrolati of Ludlow being in the Chair) 151 members voted in the affirmative and 0 in the negative. [See Yea and Nay No. 529 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. 4956), 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 2009 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. 4900), 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 7061-0222 (contained in section 2), which had been vetoed by the Governor, then was considered.

After debate the question on passing said item, notwithstanding the objections of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 131 members voted in the affirmative and 18 in the negative.

[See Yea and Nay No. 530 in Supplement.]

UNCORRECTED PROOF

UNCORRECTED PROOF

Therefore item 7061-0222 (contained in section 2) was passed, notwithstanding the objections 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 7061-9610 (contained in section 2), which had been reduced by the Governor, was considered. The Governor had reduced said item from \$550,000 to \$475,000.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 134 members voted in the affirmative and 18 in the negative.

[See Yea and Nay No. 531 in Supplement.]

Therefore item 7061-9610 (contained in section 2) was passed, notwithstanding the reduction 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 0321-2100 (contained in section 2), which had been reduced by the Governor, was considered. The Governor had reduced said item from \$985,824 to \$849,000.

On the question on passing said item, notwithstanding the reduction of the Governor, 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. 532 in Supplement.]

Therefore item 0321-2100 (contained in section 2) was passed, notwithstanding the reduction 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 0321-2205 (contained in section 2), which had been reduced by the Governor, was considered. The Governor had reduced said item from \$2,229,671 to \$2,129,671.

On the question on passing said item, notwithstanding the reduction of the Governor, 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. 533 in Supplement.]

Therefore item 0321-2205 (contained in section 2) was passed, notwithstanding the reduction 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 1599-2009 (contained in section 2), which had been reduced by the Governor, was considered. The Governor had reduced said item from \$2,420,000 to \$1,200,000.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 129 members voted in the affirmative and 24 in the negative.

[See Yea and Nay No. 534 in Supplement.]

Therefore item 1599-2009 (contained in section 2) was passed, notwithstanding the reduction 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 0330-3337 (contained in section 2), which had been reduced by the Governor, was considered. The Governor had reduced said item from \$21,223,059 to \$18,454,205.

On the question on passing said item, notwithstanding the reduction of the Governor, 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. 535 in Supplement.]

Therefore item 0330-3337 (contained in section 2) was passed, notwithstanding the reduction 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 1231-1000 (contained in section 2), which had been reduced by the Governor, was considered. The Governor had reduced said item from \$20,000,000 to \$20,000,000.

UNCORRECTED PROOF

UNCORRECTED PROOF

On the question on passing said item, notwithstanding the reduction of the Governor, 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. 536 in Supplement.]

Therefore item 1231-1000 (contained in section 2) was passed, notwithstanding the reduction 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 2300-0100 (contained in section 2), which had been reduced by the Governor, was considered. The Governor had reduced said item from \$783,897 to \$747,559.

On the question on passing said item, notwithstanding the reduction of the Governor, 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. 537 in Supplement.]

Therefore item 2300-0100 (contained in section 2) was passed, notwithstanding the reduction 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 8000-0000 (contained in section 2), which had been reduced by the Governor, was considered. The Governor had stricken certain wording and reduced said item from \$3,124,281 to \$2,954,281.

On the question on passing said item, notwithstanding the reduction of the Governor, 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. 538 in Supplement.]

Therefore item 8000-0000 (contained in section 2) was passed, notwithstanding the reduction 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 reduced by the Governor, was considered. The Governor had stricken certain wording and reduced said item from \$7,773,765 to \$7,303,765.

On the question on passing said item, notwithstanding the reduction of the Governor, 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. 539 in Supplement.]

Therefore item 2000-0100 (contained in section 2) was passed, notwithstanding the reduction 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 2030-1000 (contained in section 2), which had been reduced by the Governor, was considered. The Governor had reduced said item from \$11,570,989 to \$11,463,655.

On the question on passing said item, notwithstanding the reduction of the Governor, 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. 540 in Supplement.]

Therefore item 2030-1000 (contained in section 2) was passed, notwithstanding the reduction 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 2200-0100 (contained in section 2), which had been reduced by the Governor, was considered. The Governor had reduced said item from \$36,272,524 to \$36,272,524.

On the question on passing said item, notwithstanding the reduction of the Governor, 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. 541 in Supplement.]

UNCORRECTED PROOF

UNCORRECTED PROOF

Therefore item 2200-0100 (contained in section 2) was passed, notwithstanding the reduction 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 2260-8870 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$16,662,923 to \$16,572,923.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 136 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 542 in Supplement.]

Therefore item 2260-8870 (contained in section 2) was passed, notwithstanding the reduction 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 7004-0099 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$12,244,245 to \$10,429,245.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 143 members voted in the affirmative and 13 in the negative.

[See Yea and Nay No. 543 in Supplement.]

Therefore item 7004-0099 (contained in section 2) was passed, notwithstanding the reduction 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 2800-0100 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$7,289,872 to \$6,979,872.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 136 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 544 in Supplement.]

Therefore item 2800-0100 (contained in section 2) was passed, notwithstanding the reduction 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 2800-0101 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$2,060,310 to \$1,580,310.

On the question on passing said item, notwithstanding the reduction of the Governor, 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. 545 in Supplement.]

Therefore item 2800-0101 (contained in section 2) was passed, notwithstanding the reduction 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 2800-0401 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$1,094,643 to \$944,643.

On the question on passing said item, notwithstanding the reduction of the Governor, 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. 546 in Supplement.]

Therefore item 2800-0401 (contained in section 2) was passed, notwithstanding the reduction 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 7007-0500 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$760,000 to \$700,000.

UNCORRECTED PROOF

UNCORRECTED PROOF

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 138 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 547 in Supplement.]

Therefore item 7007-0500 (contained in section 2) was passed, notwithstanding the reduction 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 reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$37,087,309 to \$26,383,309.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 143 members voted in the affirmative and 13 in the negative.

[See Yea and Nay No. 548 in Supplement.]

Therefore item 7007-0900 (contained in section 2) was passed, notwithstanding the reduction 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 0340-0100 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$16,593,097 to \$16,478,097.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 138 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 549 in Supplement.]

Therefore item 0340-0100 (contained in section 2) was passed, notwithstanding the reduction 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 0340-0300 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$8,751,724 to \$8,708,824.

After debate the question on passing said item, notwithstanding the reduction of the Governor, 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. 550 in Supplement.]

Therefore item 0340-0300 (contained in section 2) was passed, notwithstanding the reduction 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.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing the town of Weymouth to transfer certain water supply land (Senate, No. 2734) be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Mariano of Quincy, 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, in concurrence.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to responsibility for damages resulting from the transportation of explosive and inflammable materials (Senate, No. 2837) be scheduled for consideration by the House.

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

Papers from the Senate.

UNCORRECTED PROOF

UNCORRECTED PROOF

The House Bill authorizing and directing the Commissioner of Capital Asset Management and Maintenance to convey certain land in the town of Westport (House, No. 4949) came from the Senate passed to be engrossed, in concurrence, with the following amendments:

In section 1, striking out the following: "located in the town of Westport and shown as Lot B on the town of Westport assessor's 9 map 76A" and inserting in place thereof the following: "located in the town of Westport and shown as Lot B on a survey plan entitled 'plan of land prepared for Edward P. Haley of Westport, MA', which is a portion of lot 121 on Town of Westport Assessor's Map 176A, containing 1174.4 square feet or 0.03 acres", and in said section inserting after the words "asset management and maintenance" the words ", in consultation with the department of conservation and recreation,"; and by adding at the end of section 4 the following two sentences: "Edward Peter Haley shall provide and maintain permanent survey markers that identify the boundary of the conveyance. All costs and expenses relating to said survey markers shall be the sole responsibility of Edward Peter Haley."

Under suspension of Rule 35, on motion of Mr. Rodrigues of Westport, 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.

The House Bill relative to Charlestown's designated port area (House, No. 4992) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place the following:

"Notwithstanding any general or special law, rule or regulation to the contrary, a certain parcel of land, located on the northerly side of Medford street in the Charlestown section of the city of Boston shall not be included within the boundaries of any designated port area. This parcel, located on 465 Medford street in the Charlestown section of the city of Boston, is registered under certificate of title number 111502 in the suffolk county registry of deeds, and is comprised of 3 parcels described in the certificate and shown on plans 3503-A, and 9147-A, filed with the Suffolk registry district of the land court."

Under suspension of Rule 35, on motion of Mr. O'Flaherty of Chelsea, 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 Commissioner of Capital Asset Management and Maintenance to lease certain property in the town of Great Barrington (House, No. 5010) came from the Senate passed to be engrossed, in concurrence, with the following amendments:

In section 1, in line 17, inserting after the word "management" the words ", in consultation with the commissioner of conservation and recreation"; in section 4, in line 7, inserting after the word "maintenance" the words "; in consultation with the commissioner of conservation and recreation"; and adding at the end thereof the following section:

"SECTION 5. The lessee shall pay the commonwealth the full and fair market value of the property as described in section 1, or its value in use as proposed, whichever is greater, as determined by an independent appraisal."

Under suspension of Rule 35, on motion of Mr. Pignatelli of Lenox, 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.

Reconsideration.

Mr. DeLeo of Winthrop moved that the vote be reconsidered by which the House, at the previous session, concurred with the Senate in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2857) with a further amendment (inserting sections 21A to 21D, inclusive) to the House Bill making appropriations for the fiscal year 2008 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5022); and the motion to reconsider prevailed.

UNCORRECTED PROOF

UNCORRECTED PROOF

Pending the recurring question on concurring with the Senate in its amendment, as amended, the same member moved to further amend the Senate amendment by striking out sections 61A and 65B (as printed).

The further amendments were adopted.

The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendments.

Emergency Measure.

The engrossed Bill relative to group marketing plans (see House, No. 4948), 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 30 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.

The engrossed Bill relative to the articles and by-laws of cooperative housing corporations (see House, No. 1224, 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.

The engrossed Bill authorizing the State Secretary to place the office of selectman on the state election ballot in the town of Topsfield (see House bill printed in House, No. 4884) (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 (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill relative to administrative oversight of the hiring process in the town of West Boylston (see House, No. 4099, 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.

Engrossed Bill -- State Loan.

The engrossed Bill financing an accelerated structurally-deficient bridge improvement program (see House, No. 4972, 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 "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 157 members voted in the affirmative and 0 in the negative. [See Yea and Nay No. 551 in Supplement.]

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

Matters Discharged from the Orders of the Day.

UNCORRECTED PROOF

UNCORRECTED PROOF

The Senate Bill relative to Rutland Heights State Hospital (Senate, No. 2353, 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. Evangelidis of Holden; and it was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment previously adopted by the House.

The Senate Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement in certain land in the town of Holden (Senate, No. 2794, 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. Evangelidis of Holden; and it was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment previously adopted by the House.

The Senate Bill relative to safety at the John Adams Courthouse (Senate, No. 2777), 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, in concurrence.

The House Bill authorizing the town of Tewksbury to enter into a lease with the Division of Capital Asset Management (House, No. 4943), 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. Miceli of Wilmington; and it was passed to be engrossed. Sent to the Senate for concurrence.

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. 4956), returning with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2009 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. 4900), 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 0340-0400 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$9,250,428 to \$9,205,303.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 138 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 552 in Supplement.]

Therefore item 0340-0400 (contained in section 2) was passed, notwithstanding the reduction 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 0340-0500 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$8,328,979 to \$8,288,151.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 138 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 553 in Supplement.]

Therefore item 0340-0500 (contained in section 2) was passed, notwithstanding the reduction 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 0340-0600 (contained in section 2), which had been reduced by the Governor, was considered.

UNCORRECTED PROOF

UNCORRECTED PROOF

The Governor had reduced said item from \$5,185,922 to \$5,160,501.

On the question on passing said item, notwithstanding the reduction of the Governor, 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. 554 in Supplement.]

Therefore item 0340-0600 (contained in section 2) was passed, notwithstanding the reduction 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 0340-0700 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$8,529,225 to \$8,487,415

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 141 members voted in the affirmative and 17 in the negative.

[See Yea and Nay No. 555 in Supplement.]

Therefore item 0340-0700 (contained in section 2) was passed, notwithstanding the reduction 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 0340-0800 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$7,399,913 to \$7,299,913.

On the question on passing said item, notwithstanding the reduction of the Governor, 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. 556 in Supplement.]

Therefore item 0340-0800 (contained in section 2) was passed, notwithstanding the reduction 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 0340-0900 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor reduced said item from \$7,701,237 to \$7,536,237.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 140 members voted in the affirmative and 17 in the negative.

[See Yea and Nay No. 557 in Supplement.]

Therefore item 0340-0900 (contained in section 2) was passed, notwithstanding the reduction 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 0340-1000 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor reduced said item from \$3,763,148 to \$3,744,701.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 140 members voted in the affirmative and 18 in the negative.

[See Yea and Nay No. 558 in Supplement.]

Therefore item 0340-1000 (contained in section 2) was passed, notwithstanding the reduction 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 0340-1100 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$3,665,579 to \$3,647,611.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 135 members voted in the affirmative and 22 in the negative.

[See Yea and Nay No. 559 in Supplement.]

UNCORRECTED PROOF

UNCORRECTED PROOF

Therefore item 0340-1100 (contained in section 2) was passed, notwithstanding the reduction 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.

Paper from the Senate.

A Bill extending simulcasting of Horse and greyhound racing (Senate, No. 2721) (on Senate, No. 217) [Senator Pacheco of the Senate committee on Ways and Means dissenting], passed to be engrossed by the Senate, was read.

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 an Order filed by Mr. Scaccia of Boston, for the committee on Rules, under the provisions of House Rules 7B and 7C, relative to special procedures for consideration of this bill (House, No. 5046) was adopted.

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.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Flynn of Bridgewater moved to amend it by striking out section 1 and inserting in place thereof the following section:

"SECTION 1. The first paragraph of subsection 2(b) of section 2 of chapter 128C of the General Laws, as appearing in the 2006 official edition, is hereby amended by striking out, in lines 45 through 46, inclusive, the words, '4 interstate running horse simulcasts prior to 4:00 p.m.', and inserting in place thereof the words:- unlimited interstate running horse simulcasts."

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Fagan of Taunton; and on the roll call 46 members voted in the affirmative and 111 in the negative.

[See Yea and Nay No. 560 in Supplement.]

Therefore the amendment was rejected.

The bill (Senate, No. 2721) then was passed to be engrossed, in concurrence.

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. 4956), returning with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2009 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. 4900), 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 8910-0102 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$73,973,122 to \$73,700,252.

On the question on passing said item, notwithstanding the reduction of the Governor, 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 Yea and Nay No. 561 in Supplement.]

UNCORRECTED PROOF

UNCORRECTED PROOF

Therefore item 8910-0102 (contained in section 2) was passed, notwithstanding the reduction 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, was considered. The Governor had reduced said item from \$45,738,415 to \$45,514,240.

On the question on passing said item, notwithstanding the reduction of the Governor, 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. 562 in Supplement.]

Therefore item 8910-0105 (contained in section 2) was passed, notwithstanding the reduction 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 7003-0702 (contained in section 2), which had been reduced by the Governor, was considered. The Governor had stricken certain wording and reduced said item from \$11,038,500 to \$7,982,000.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 142 members voted in the affirmative and 14 in the negative.

[See Yea and Nay No. 563 in Supplement.]

Therefore item 7003-0702 (contained in section 2) was passed, notwithstanding the reduction 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 8910-0107 (contained in section 2), which had been reduced by the Governor, was considered. The Governor had reduced said item from \$67,816,384 to \$66,990,636.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 140 members voted in the affirmative and 17 in the negative.

[See Yea and Nay No. 564 in Supplement.]

Therefore item 8910-0107 (contained in section 2) was passed, notwithstanding the reduction 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 8910-0108 (contained in section 2), which had been reduced by the Governor, was considered. The Governor had stricken certain wording and reduced said item from \$9,898,238 to \$9,262,717.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 138 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 565 in Supplement.]

Therefore item 8910-0108 (contained in section 2) was passed, notwithstanding the reduction 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, was considered. The Governor had reduced said item from \$13,240,012 to \$13,080,577.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 138 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 566 in Supplement.]

Therefore item 8910-0110 (contained in section 2) was passed, notwithstanding the reduction 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, was considered. The Governor had reduced said item from \$16,259,327 to \$16,179,625.

UNCORRECTED PROOF

UNCORRECTED PROOF

On the question on passing said item, notwithstanding the reduction of the Governor, 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 Yea and Nay No. 567 in Supplement.]

Therefore item 8910-0145 (contained in section 2) was passed, notwithstanding the reduction 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 8910-0619 (contained in section 2), which had been reduced by the Governor, was considered. The Governor had reduced said item from \$50,324,103 to \$50,259,970.

On the question on passing said item, notwithstanding the reduction of the Governor, 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. 568 in Supplement.]

Therefore item 8910-0619 (contained in section 2) was passed, notwithstanding the reduction 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 reduced by the Governor, was considered. The Governor had stricken certain wording and reduced said item from \$5,845,000 to \$3,625,000.

On the question on passing said item, notwithstanding the reduction of the Governor, 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. 569 in Supplement.]

Therefore item 4000-0112 (contained in section 2) was passed, notwithstanding the reduction 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 2810-0100 (contained in section 2), which had been reduced by the Governor, was considered. The Governor had stricken certain wording and reduced said item from \$26,091,714 to \$24,896,714.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 141 members voted in the affirmative and 17 in the negative.

[See Yea and Nay No. 570 in Supplement.]

Therefore item 2810-0100 (contained in section 2) was passed, notwithstanding the reduction 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 2820-0100 (contained in section 2), which had been reduced by the Governor, was considered. The Governor had stricken certain wording and reduced said item from \$29,701,754 to \$29,401,754.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 139 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 571 in Supplement.]

Therefore item 2820-0100 (contained in section 2) was passed, notwithstanding the reduction 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 7007-0951 (contained in section 2), which had been reduced by the Governor, was considered. The Governor had stricken certain wording and reduced said item from \$7,150,000 to \$6,850,000.

On the question on passing said item, notwithstanding the reduction of the Governor, 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 Yea and Nay No. 572 in Supplement.]

UNCORRECTED PROOF

UNCORRECTED PROOF

Therefore item 7007-0951 (contained in section 2) was passed, notwithstanding the reduction 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.

Papers from the Senate.

A report of the committee of conference of the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4974) of the Senate Bill to promote cost containment, transparency and efficiency in the delivery of quality health care (Senate, No. 2660),-- recommending a bill with the same title (Senate, No. 2863),-- came from the Senate with the endorsement that it had been accepted by said branch.

Under suspension of Rule 42, on motion of Mr. Flynn of Bridgewater, the report was considered forthwith.

After debate the report was accepted, in concurrence.

The House Bill providing for capital facility repairs and improvements for the Commonwealth (House, No. 5016) 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 2859.

Under suspension of the rules, on motion of Mr. Wagner of Chicopee, the amendment was considered forthwith.

The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Wagner, Flynn of Bridgewater and Poirier of North Attleborough were appointed as the committee on the part of the House. Sent to the Senate to be joined.

Subsequently the bill came from the Senate with the endorsement that said branch had insisted on its amendment, concurred in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Panagiotakos, Chandler and Tisei had been joined as the committee on the part of the Senate.

Subsequently Mr. Wagner of Chicopee, for the committee on conference, reported a Bill providing for capital facility repairs and improvements for the Commonwealth (House, No. 5055).

Under suspension of the rules, on further motion of the same member, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

The engrossed Bill authorizing the town of Middleborough to convey town-owned conservation land in exchange for other land to be used as conservation and recreation land (see Senate, No. 1188) came from the Senate with an amendment striking out section 4 and inserting in place thereof the following section:

"SECTION 4. If the land conveyed by the town of Middleborough to Carl Tucci ceases to be used for the purposes described in section 1, the land shall revert back to the town of Middleborough for conservation purposes."

Under suspension of Rule 35, on motion of Mr. Canessa of New Bedford, 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 Senate Bill relative to the preservation of dairy farms (Senate, No. 2743, amended) came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5030) with a further amendment striking out section 13 and inserting in place thereof the following section:

"SECTION 13. Chapter 182 of the acts of 2008 is hereby amended by striking out section 89 and inserting in thereof the following section:-

UNCORRECTED PROOF

UNCORRECTED PROOF

Section 89. (a) Notwithstanding any general or special law to the contrary, after complying with clause (a) of section 5C of chapter 29 of the General Laws the comptroller shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2008 as follows: (1) if the consolidated net surplus is \$25,000,000 or less, the comptroller shall transfer said amount to Massachusetts Life Sciences Investment Fund established by section 6 of chapter 23I of the General Laws; or (2) if the consolidated net surplus is \$39,000,000 or greater, the comptroller shall transfer said amount as follows: (a) \$25,000,000 shall be transferred to said Massachusetts Life Sciences Investment Fund; (b) \$3,000,000 shall be transferred to the Workforce Competitiveness Trust Fund, established in section 2WWW of chapter 29; (c) \$2,000,000 shall be transferred to the Massachusetts Science, Technology, Engineering, and Mathematics Grant Fund established in section 2MMM of chapter 29; (d) \$4,000,000 shall be transferred to the Endowment Incentive Holding Fund established in section 7; provided, however, that \$2,000,000 from said Endowment Incentive Holding Fund shall be allocated to University of Massachusetts campuses; provided further, that \$1,000,000 from said Endowment Incentive Holding Fund shall be allocated to state college campuses; and provided further, that \$1,000,000 from said Endowment Incentive Holding Fund shall be allocated to community college campuses; (e) \$5,000,000 shall be transferred to the Farm Capital Linked Fund established pursuant to section 29 of chapter 20 of the General Laws; and (f) any amount remaining after the transfers pursuant to clause (a) to (e), inclusive, shall be transferred to the Commonwealth Stabilization Fund established pursuant to section 2H of chapter 29 of the General Laws. If the amount remaining after the designations in said clause (a) of said section 5C of said chapter 29 of the General Laws is greater than \$25,000,000 but less than \$39,000,000, then after making the transfer required in clause (a), the comptroller shall proportionately reduce the transfers required in clauses (b), (c), (d) and (e); and provided further, that allocations from the Endowment Incentive Holding Fund pursuant to clause (d) shall also be proportionately reduced.

(b) All transfers specified in this section shall be made from the undesignated fund balances in the budgetary funds proportionally from the undesignated fund balances, but no such transfer shall cause a deficit in any of the funds."

Under suspension of Rule 35, on motion of Mr. Bosley of North Adams, the further 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 Senate Bill providing for the public higher education capital improvement needs of the Commonwealth (Senate, No. 2785) came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5024) with a further amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2860.

Under suspension of Rule 35, on motion of Mr. Murphy of Lowell, 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 relative to school district accountability (House, No. 4967) 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 2851, amended in section 3, in line 54, striking out the words "develop policies to".

Under suspension of Rule 35, on motion of Mr. Golden of Lowell, 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 Rose Fitzgerald Kennedy Greenway Conservancy, Inc. to operate, manage and maintain the Rose Kennedy Greenway (House, No. 5013) came from the Senate passed to be engrossed, in concurrence, with the following amendments:

In section 8, in line 17, striking out the word "solely";

UNCORRECTED PROOF

UNCORRECTED PROOF

In section 10, in line 3, striking out the figures "50" and inserting in place thereof the figures "25", and by inserting after the first sentence the following sentence: "The lease may provide for up to 3 separate 10-year extensions."; and

Striking out sections 11 and 12 and inserting in place thereof the following five sections:

"SECTION 11. Chapter 182 of the acts of 2008 is hereby amended by striking out section 89 and inserting in place thereof the following section:-

Section 89. (a) Notwithstanding any general or special law to the contrary, after complying with clause (a) of section 5C of chapter 29 of the General Laws the comptroller shall dispose of the consolidate net surplus in the budgetary funds for fiscal year 2008 as follows: (1) if the consolidated net surplus is \$25,000,00 or less, the comptroller shall transfer said amount the the Massachusetts Life Sciences Investment Fund established by section 6 of chapter 23I of the General Laws; or (2) if the consolidate net surplus is \$41,000,000 or greater, the comptroller shall transfer said amount as follows: (a) \$25,000,000 shall be transferred to said Massachusetts Life Sciences Investment Fund; (b) \$3,000,000 shall be transferred to the Workforce Competitiveness Trust Fund, established in section 2WWW of chapter 29 of the General Laws; (c) \$2,000,000 shall be transferred to the Massachusetts Science, Technology, Engineering, and Mathematics Grant established in section 2MMM of said chapter 29, as so appearing; (d) \$4,000,000 shall be transferred to the Endowment Incentive Holding Fund established in section 7; provided, however, that \$2,000,000 from the Endowment Incentive Holding Fund shall be allocated to University of Massachusetts campuses; provided further, that \$1,000,000 from the Endowment Incentive Holding Fund shall be allocated to state college campuses; and provided further, that \$1,000,000 from said Endowment Incentive Holding Fund shall be allocated to community college campuses; (e) \$5,000,000 shall be transferred to the Farm Capital Linked Loan Fund established pursuant so section 29 of chapter 20 of the General Laws; (f) \$2,000,000 shall be transferred to the Rose Fitzgerald Kennedy Greenway Conservancy, Inc. for the purpose of operating, managing, improving and maintaining the Rose Fitzgerald Kennedy Greenway in the city of Boston; provided that upon any transfer made pursuant to the clause, the Massachusetts Turnpike Authority shall have no further obligation to pay any costs related to the operation, management, improvement or maintenance of the greenway and the other open space parcels; and (g) any amount remaining after the transfers pursuant to clause (a) to (f), inclusive, shall be transferred to the Commonwealth Stabilization Fund established pursuant to section 2H of chapter 29 of the General Laws. If the amount remaining after the designations in said clause (a) of said section 5C of said chapter 29 of the General Laws is greater than \$25,000,000 but less than \$41,000,000, then after making the transfer required in clause (a) of this section, the comptroller shall proportionately reduce the transfers required in clauses (b) to (f), inclusive; and provided further, that allocations from the Endowment Incentive Holding Fund pursuant to clause (d) shall also be proportionately reduced.

(b) All transfers specified in this section shall be made from the undesignated fund balances in the budgetary funds proportionally from the undesignated fund balances, but no such transfer shall cause a deficit in any of the funds.

SECTION 12. To provide for the operation, management, improvement and maintenance of the greenway and the other open space parcels, the commonwealth shall provide financial assistance to the conservancy no later than 30 days prior to the beginning of each fiscal year in an amount equal to 50 per cent of the annual budgeted costs of operating, maintaining, improving and managing the greenway and the other open space parcels, as agreed between the conservancy, the secretary of energy and environmental affairs and the secretary of transportation and public works, for the next succeeding fiscal year, provided that the total annual amount of such financial assistance shall not exceed \$5,500,000, and shall be paid annually from interest earnings on the Central Artery and Statewide Road and Bridge Infrastructure Fund, established in section 63 of chapter 10 of the General Laws. Upon dissolution of the conservancy or termination of the lease, any funds then held by the conservancy shall be paid to the commonwealth.

SECTION 13. Section 63 of chapter 10 of the General Laws is hereby amended by striking out the seventh paragraph, as appearing in the 2006 Official Edition.

SECTION 14. Section 12 shall take effect as of July 1, 2009, and shall expire on June 30, 2012.

UNCORRECTED PROOF

UNCORRECTED PROOF

SECTION 15. Section 8 shall take effect on December 1, 2008."

Under suspension of Rule 35, on motion of Mr. Donato of Medford, 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.

A Bill to modify a conservation restriction in the town of North Andover (Senate, No. 2762, amended in section 1 by striking out the first paragraph and inserting in place thereof the following paragraph:

"Notwithstanding Article 42 of the North Andover Town Meeting Vote taken on May 13, 1997 for the dedication of the property known as the North Andover Town Farm to conversation and open space preservation purposes to be used for passive recreation under the management of the Conservation Commission, the town of North Andover shall be allowed to modify said designation. The Town shall modify said designation only in the areas of the property described as 'Area 1' and 'Area 2' identified in the following paragraph. The designation of 'Area 1' and 'Area 2' shall be for active recreation purposes protected by Article 97 of the Amendments to the Constitution of the Commonwealth and shall be under the management of the Conservation Commission. All areas of Town Farm outside the metes and bounds of 'Area 1' and 'Area 2' shall remain dedicated to conservation and open space purposes to be used for passive recreation under the management of the Conservation Commission and shall remain protected under Article 97 of the Amendments to the Constitution of the Commonwealth. 'Area 1' and 'Area 2' are defined as follows:") (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read.

Under suspension of the rules, on motion of Mr. Torrissi of North Andover, 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.

A Bill to authorize the transfer of land in Hamilton and Manchester-by-the-Sea (Senate, No. 2862) (on Senate bill No. 2811), passed to be engrossed by the Senate, was read.

Under suspension of Rule 33, on motion of Mr. Hill of Ipswich, 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 Mr. Hill, 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.

Engrossed Bills.

Engrossed bills

Relative to safety at the John Adams Courthouse (see Senate, No. 2777) (which originated in the Senate); and

To limit use of eminent domain in the city of Amesbury (see House, No. 4583) (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.

The engrossed Bill financing improvements to the Commonwealth's transportation system (see House, No. 5039) (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.

Pending the question on passing the bill to be enacted, Mr. Wagner of Chicopee moved that Rule 40 be suspended; and the motion prevailed.

UNCORRECTED PROOF

UNCORRECTED PROOF

The same member then moved to amend the bill 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 immediately provide for an accelerated transportation development and improvement program for the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendment was adopted. The bill then was sent to the Senate for concurrence in the amendment.

Subsequently the Senate having concurred in the House amendment, the bill (see House, No. 5039, 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 48 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) 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 "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call (the Speaker having been in the Chair) 158 members voted in the affirmative and 0 in the negative. [See Yea and Nay No. 573 in Supplement.]

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

Matters Discharged from the Orders of the Day.

The House Bill to protect the Massachusetts pension fund from the risks of investment in Iran (House, No. 4270) was read a second time, under suspension of Rule 47, on motion of Mr. Cabral of New Bedford.

The amendment previously recommended by the committee on Ways and Means,- -that the bill be amended by substitution of a Bill to protect the Massachusetts pension fund from the risk of investment in Iran (House, No. 4970),- -was adopted; and the substituted bill was ordered to a third reading.

Subsequently an Order filed by Mr. Scaccia of Boston, for the committee on Rules, under the provisions of House Rules 7B and 7C, relative to special procedures for consideration of this bill (House, No. 5050) was adopted.

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.

After remarks on the question on passing the bill to be engrossed, Mr. Murphy of Lowell moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

"SECTION 1. Definitions

As used in this act, the following terms apply:

(a) 'Business Ties' are defined as owning or controlling property or assets located in, having employees or facilities located in, providing goods or services to, obtaining goods or services from, having distribution agreements with, issuance of credit or loans to, purchasing bonds or commercial paper issued by, investing in or having equity ties to or with Iran, Sudan or Syria or any company domiciled in Iran, Sudan, Syria of their affiliates thereof.

(b) 'Company' is any entity capable of affecting commerce, including but not limited to a government, government agency, natural person, legal person, sole proprietorship, partnership, firm, corporation, subsidiary, affiliate, franchisor, franchisee, joint venture, trade association, financial institution, utility, public franchise, provider of financial services, trust, or enterprise any association thereof.

UNCORRECTED PROOF

UNCORRECTED PROOF

(c) 'Independent research provider' means a private U.S. company that has submitted an affidavit to the PRIM Board averring that: 1) it specializes in identifying and assessing companies that are exposed to global security risk; 2) it offers creditable research on corporate ties to Iran, Sudan, and/or Syria that has been maintained and provided to the market for a minimum of two calendar years; and 3) does not have the potential for conflicts of interest stemming from investment banking and corporate finance activities.

(d) 'Iran' refers to the Islamic Republic of Iran.

(e) 'North Korea' refers to the Democratic People's Republic of Korea.

(f) 'Sudan' refers to the Islamic Republic of Sudan.

(g) 'Syria' refers to the Syrian Arab Republic.

SECTION 2. Chapter 23 of section 32 in the 2004 Official Edition of the General Laws shall be amended by adding the following paragraph after paragraph (h):-

(i) Any asset manager that invests in international equities of public-traded foreign companies on behalf of the PRIT fund must attest semi-annually in a written statement to the PRIM Board that they do not hold on behalf of the PRIT fund the stock of any foreign company that, according to a reputable independent research provider specializing in global security risk assessment, has active business ties to Iran, North Korea, Sudan and Syria that are non-humanitarian in nature. The provisions of this paragraph shall expire with respect to each individual country, irrespective of the countries that still remain prohibited, at such time that the President of the United States affirmatively and unambiguously states by means of, but not limited to, enacted legislation, executive order or written certification from the President to Congress that the U.S. Department of State no longer recognizes Iran, North Korea, Sudan or Syria as state sponsors of terrorism.

SECTION 3. Notwithstanding any general or special law to the contrary, the public fund shall be exempt from any conflicting statutory or common law obligations, including any such obligations in respect to choice of asset managers, investment funds, or investments for the public fund's securities portfolios with respect to actions taken in compliance with this act, including all good faith determinations regarding companies as required by this act."

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Murphy of Lowell; and on the roll call 56 members voted in the affirmative and 101 in the negative.

[See Yea and Nay No. 574 in Supplement.]

Therefore the amendment was rejected.

Subsequently a statement of Ms. Fox 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 it was my intention to vote in the affirmative. However, I now find that, for some inexplicable reason, I was recorded in the negative. Representative Fox of Boston.

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 132 members voted in the affirmative and 23 in the negative.

[See Yea and Nay No. 575 in Supplement.]

Therefore Rule 1A was suspended.

Ms. Provost of Somerville then moved to amend the bill in section 8, in line 1, by striking out the words "upon passage" and inserting in place thereof the words "provided that the President of the United States declares that this act does not interfere with the conduct of the United States foreign policy". The amendment was rejected.

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 125 members voted in the affirmative and 27 in the negative.

[See Yea and Nay No. 576 in Supplement.]

UNCORRECTED PROOF

UNCORRECTED PROOF

[Representatives Conroy of Wayland, Linsky of Natick, Peisch of Wellesley and St. Fleur of Boston answered "Present" in response to their names.]

Therefore the bill (House, No. 4970) was passed to be engrossed. Sent to the Senate for concurrence.

The engrossed Bill providing for the public higher education capital improvement needs of the Commonwealth (see Senate, No. 2785, 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 56 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 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 "loan" bill as defined by Section 3 of Article LXII 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. 577 in Supplement.]

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

Engrossed Bill -- Land Taking.

The engrossed Bill authorizing the sale of certain land by the city of Haverhill in the town of Boxford (see House, No. 4890) (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. 578 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. 4956), returning with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2009 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. 4900), reported, in part, in each instance, that certain items (contained in section 2) and section 73 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 73 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 7066-0009 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$6,512,898 to \$5,512,898.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 137 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 579 in Supplement.]

UNCORRECTED PROOF

UNCORRECTED PROOF

Therefore item 7066-0009 (contained in section 2) was passed, notwithstanding the reduction 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 7077-0023 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$5,525,000 to \$5,325,000.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 138 members voted in the affirmative and 18 in the negative.

[See Yea and Nay No. 580 in Supplement.]

Therefore item 7077-0023 (contained in section 2) was passed, notwithstanding the reduction 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 4100-0600 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$17,013,039 to \$17,513,039.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 133 members voted in the affirmative and 24 in the negative.

[See Yea and Nay No. 581 in Supplement.]

Therefore item 4100-0600 (contained in section 2) was passed, notwithstanding the reduction 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 7061-9626 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$2,770,500 to \$2,520,500.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 140 members voted in the affirmative and 18 in the negative.

[See Yea and Nay No. 582 in Supplement.]

Therefore item 7061-9626 (contained in section 2) was passed, notwithstanding the reduction 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 7061-9805 (contained in section 2), which had been vetoed by the Governor then was considered.

The question on passing said item, notwithstanding the objections of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 141 members voted in the affirmative and 17 in the negative.

[See Yea and Nay No. 583 in Supplement.]

Therefore item 7061-9805 (contained in section 2) was passed, notwithstanding the objections 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 7066-0000 (contained in section 2), which had been reduced by the Governor, was considered.

The Governor had stricken certain wording and reduced said item from \$6,512,898 to \$5,512,898.

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 137 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 584 in Supplement.]

Therefore item 7066-0000 (contained in section 2) was passed, notwithstanding the reduction 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 1000-0001 (contained in section 2), which had been reduced by the Governor by striking out certain wording, was considered.

UNCORRECTED PROOF

UNCORRECTED PROOF

On the question on passing said item, notwithstanding the reduction of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 134 members voted in the affirmative and 24 in the negative.

[See Yea and Nay No. 585 in Supplement.]

Therefore item 1000-0001 (contained in section 2) was passed, notwithstanding the reduction 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 73, which had been vetoed by the Governor then was considered.

The question on passing said item, notwithstanding the objections of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 150 members voted in the affirmative and 8 in the negative.

[See Yea and Nay No. 586 in Supplement.]

Therefore section 73 was passed, notwithstanding the objections 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.

By Mr. Smizik of Brookline, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2855) of the House Bill providing for the preservation and improvement of land, parks, and clean energy in the Commonwealth (House, No. 5005), reports a bill with the same title (House, No. 5054).

Under suspension of the rules, on motion of the same member, the report was considered forthwith; and it was accepted. The report then was sent to the Senate for concurrence.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill authorizing the development of a regional education, training and skills center in the city of Taunton (Senate, No. 53, changed and 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 the rules, on motion of Mr. DeLeo, 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, in concurrence.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill relative to children's mental health (Senate, No. 2804, 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 5047.

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 amendment recommended by the committee on Ways and Means then was adopted; and the bill, as amended, 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. The bill (Senate, No. 2804, amended) then was sent to the Senate for concurrence in the amendment.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill conveying certain property in the city of Worcester to community healthlink, Inc. (Senate, No. 2838) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

UNCORRECTED PROOF

UNCORRECTED PROOF

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. Scaccia of Boston, 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 relating to the repair of damaged motor vehicles (House, No. 4556) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5053). 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 Ms. St. Fleur of Boston, 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.

Subsequently, under suspension of the rules, on motion of Mr. Mariano of Quincy, the bill was read a third time.

The committee on Bills in the Third Reading reported asking to be discharged from further consideration of the bill; and the report was accepted.

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. 5056), which was read.

The amendment was adopted; and the substituted bill 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 lease of land to yacht clubs (House, No. 4152) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5049). 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. Sciortino of Medford, 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. 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 land in the town of Spencer to the Worcester County 4H Center (Senate, No. 30, 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 the rules, on motion of Ms. Gobi of Spencer, 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 relative to renewal communities and smart growth zoning (Senate, No. 2370) 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.

UNCORRECTED PROOF

UNCORRECTED PROOF

Under suspension of Rule 7A, on motion of Mr. Torrissi of North Andover, 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 relative to the Massachusetts Convention Center Authority (Senate, No. 2793) 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 Ms. St. Fleur 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 Senate Bill to provide for the public inspection of law enforcement records made or received by special state police officers at colleges and universities (Senate, No. 2657, amended) be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Walsh of Lynn, 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 ensuring consumer protection in life insurance contracts (Senate, No. 2818) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Golden of Lowell, the bill was read a second time forthwith.

Pending the question on ordering the bill to a third reading, Mr. Mariano of Quincy moved to amend it by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5057.

The amendment was adopted; and the bill (Senate, No. 2818, amended) was ordered to a third reading.

Matters Discharged from the Orders of the Day.

The Senate Bill designating certain land in the towns of Acton and Concord for conservation, agriculture, open space and recreational purposes (Senate, No. 38, 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. Golden of Lowell; and it was passed to be engrossed, in concurrence.

The Senate Bill authorizing the conveyance of an easement over certain conservation and recreation lands in the town of Blackstone (Senate, No. 45), 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. Golden of Lowell; and it was passed to be engrossed, in concurrence.

The Senate Bill relative to the North Raynham Water District (Senate, No. 2736, 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. Golden of Lowell; and it was passed to be engrossed, in concurrence.

The House Bill relative to biomedical research (House, No. 4812), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of Rule 47, on motion of Mr. Golden of Lowell; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the town of Westwood to grant a license for the sale of wines and malt beverages not to be drunk on the premises at a food store (House, No. 4832) (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. Golden of Lowell; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the Department of Highways and the town of Kingston to exchange a certain parcel of land (House, No. 4913) was read a third time, under suspension of the rules, on motion of Mr. Golden of Lowell.

UNCORRECTED PROOF

UNCORRECTED PROOF

The committee on Bills in the Third Reading reported asking to be discharged from further consideration of the bill; and the report was accepted.

The bill then was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the conveyance of certain Commonwealth property to the town of Sherborn (House, No. 5043), 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. Golden of Lowell; and it was passed to be engrossed. Sent to the Senate for concurrence.

Emergency Measures.

The engrossed Bill authorizing and directing the Commissioner of Capital Asset Management and Maintenance to convey certain land in the town of Westport (see House, No. 4949, 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 48 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.

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 157 members voted in the affirmative and 1 in the negative. [See Yea and Nay No. 587 in Supplement.]

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

The engrossed Bill authorizing the Commissioner of Capital Asset Management and Maintenance to lease certain property in the town of Great Barrington (see House, No. 5010, 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 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 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 157 members voted in the affirmative and 1 in the negative. [See Yea and Nay No. 588 in Supplement.]

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

Emergency Measure.

The engrossed Bill providing for a partial release of certain land in Sunderland from the operation of an agricultural preservation restriction (see House, No. 5011) 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 41 to 0. Sent to the Senate for concurrence.

UNCORRECTED PROOF

UNCORRECTED PROOF

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 158 members voted in the affirmative and 0 in the negative. [See Yea and Nay No. 589 in Supplement.]

Therefore the bill 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 Richard K. Ward II, an employee of the Department of Correction (see House, No. 4819, 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 41 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.

The engrossed Bill relative to the Commonwealth's pension system (see House, No. 4959, 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.

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.

Engrossed Bill -- Land Taking.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement in certain land in the town Holden (see Senate, No. 2794, 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 158 members voted in the affirmative and 0 in the negative. [See Yea and Nay No. 590 in Supplement.]

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

The engrossed Bill providing for the release of certain land in the town of Deerfield from the operation of an agricultural preservation restriction (see House, No. 4779) 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 16 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.

UNCORRECTED PROOF

UNCORRECTED PROOF

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 158 members voted in the affirmative and 0 in the negative. [See Yea and Nay No. 591 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.

Engrossed bills

Authorizing the development of a regional education, training and skills center in the city of Taunton (see Senate, No. 53, changed and amended);

Establishing the Global Warming Solutions Act (see Senate, No. 2540, amended);
(Which severally originated in the Senate); and

Relative to Charlestown's designated port area (see House, No. 4992, 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.

The engrossed Bill relative to the agreement among the states to elect the President by national popular vote (see House, No. 4952) (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 (the Speaker having been in the Chair) 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. 4956), returning with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2009 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. 4900), reported, in part, in each instance, that sections 18 and 90 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, sections 18 and 90 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 18, which had been vetoed by the Governor, was considered.

The question on passing said item, notwithstanding the objections of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 157 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 592 in Supplement.]

Therefore Section 18 was passed, notwithstanding the objections 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 90, which had been vetoed by the Governor then was considered.

The question on passing said item, notwithstanding the objections of the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 138 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 593 in Supplement.]

UNCORRECTED PROOF

UNCORRECTED PROOF

Therefore Section 90 was passed, notwithstanding the objections 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 the town of Tewksbury to enter into a lease with the Division of Capital Asset Management (see House, No. 4943) (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 157 members voted in the affirmative and 1 in the negative. [See Yea and Nay No. 594 in Supplement.]

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

The engrossed Bill authorizing the conveyance of an easement over certain conservation and recreation lands in the town of Blackstone (see Senate, No. 45) (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 1 in the negative. [See Yea and Nay No. 595 in Supplement.]

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

The engrossed Bill authorizing the town of Middleborough to convey town-owned conservation land in exchange for other land to be used as conservation and recreation land (see Senate, No. 1188, 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 (the Speaker being in the Chair) 157 members voted in the affirmative and 1 in the negative. [See Yea and Nay No. 596 in Supplement.]

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

The engrossed Bill relative to the North Raynham Water District (see Senate, No. 2736, 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 158 members voted in the affirmative and 0 in the negative. [See Yea and Nay No. 597 in Supplement.]

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

Emergency Measures.

The engrossed Bill to create a state 911 department, single 911 surcharge and enhanced 911 fund (see House, No. 5051), 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.

UNCORRECTED PROOF

UNCORRECTED PROOF

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.

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, at the request of Mr. Jones of North Reading; and on the roll call 158 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 598 in Supplement.]

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

The engrossed Bill making appropriations for the fiscal year 2008 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5022, 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 44 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.

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. Peterson of Grafton; and on the roll call 139 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 599 in Supplement.]

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

The engrossed Bill relative to green jobs in the Commonwealth (see House, No. 5018, 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.

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.

Engrossed Bill -- Land Taking.

The engrossed Bill to authorize the transfer of land in Hamilton and Manchester-by-the-Sea (see Senate, No. 2862) (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 158 members voted in the affirmative and 0 in the negative. [See Yea and Nay No. 600 in Supplement.]

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

Emergency Measure.

The engrossed Bill providing for the preservation and improvement of land, parks, and clean energy in the Commonwealth (see House, No. 5054), 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.

UNCORRECTED PROOF

UNCORRECTED PROOF

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 65 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.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 158 members voted in the affirmative and 0 in the negative. [See Yea and Nay No. 601 in Supplement.]

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

Engrossed Bills -- Land Takings.

The engrossed Bill authorizing the town of Weymouth to transfer certain water supply land (see Senate, No. 2734) (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 158 members voted in the affirmative and 0 in the negative. [See Yea and Nay No. 602 in Supplement.]

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

The engrossed Bill to modify a conservation restriction in the town of North Andover (see Senate, No. 2762) (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 158 members voted in the affirmative and 0 in the negative. [See Yea and Nay No. 603 in Supplement.]

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

Engrossed Bill -- Land Taking.

The engrossed Bill authorizing the Rose Fitzgerald Kennedy Greenway Conservancy, Inc. to operate, manage and maintain the Rose Kennedy Greenway (see House, No. 5013, 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 136 members voted in the affirmative and 0 in the negative. [See Yea and Nay No. 604 in Supplement.]

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

Engrossed Bills -- Land Takings.

The engrossed Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain land in the city of North Adams (see House, No. 4585) (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.,

UNCORRECTED PROOF

UNCORRECTED PROOF

as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 158 members voted in the affirmative and 0 in the negative. [See Yea and Nay No. 605 in Supplement.]

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

The engrossed Bill conveying certain property in the city of Worcester to Community Healthlink, Inc. (see Senate, No. 2838) (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 158 members voted in the affirmative and 0 in the negative. [See Yea and Nay No. 606 in Supplement.]

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

Emergency Measures.

The engrossed Bill providing for capital facility repairs and improvements for the Commonwealth (see House, No. 5055), 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.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call (Mr. Hynes of Marshfield being in the Chair) 158 members voted in the affirmative and 0 in the negative. [See Yea and Nay No. 607 in Supplement.]

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

The engrossed Bill to promote cost containment, transparency and efficiency in the delivery of quality health care (see Senate, No. 2863), 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.

Subsequently (the Speaker having returned to the Chair), 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 Speaker and sent to the Senate.

The engrossed Bill establishing the Massachusetts Military Reservation Fire Department (see Senate, No. 2760, 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.

Order.

On motion of Mr. Donato of Medford,--

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

Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty-five minutes after one o'clock A.M. (Friday, August 1), there being no objection, on motion of Mr.

UNCORRECTED PROOF

UNCORRECTED PROOF

Donato (the Speaker being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session. <2>Andrew N. Clegg. <2>Samuel R. Holt. <2>Philip L. Johnson. <2>West Boylston,- hiring practices. <2>Walpole,- Economic Development. <2>Teachers,- creditable service. <2>Notaries public. <2>Donald R. Keniston Roadway. <2>Principal's contracts. <2>Firearms,- confiscation. <2>Heating oil spills,- homeowners. <2>Enhanced 911. <2>Flags,- state purchases. <2>Charles River,- water quality. <2>Rental and replacement vehicles. <2>Particulates,- health effects. <2>Public works,- mutual aid. <2>Pension governance reform. <2>Productive workers,- compensation audits. <2>Day care centers,- licensing. <2>Justices of the peace. <2>Barnstable Probate Court. <2>Food allergies. <2>Alice Eldridge. <2>Recreation vehicles. <2>Homeowners insurance. <2>Affordable housing. <2>Worker's compensation. <2>Low-speed vehicles. <2>Bills enacted. <2>Recess. <2>Russell Montgomery,- land conveyance. <2>Bill enacted (land taking),- yea and nay No. 529. <2>General Appropriation Bill. <2>Low class size grants item 7061-0222 stands,- yea and nay No. 530. <2>Citizen schools item 7061-9610 stands,- yea and nay No. 531. <2>Correctional legal services committee item 0321-2100 stands,- yea and nay No. 532. <2>Suffolk County social law library item 0321-2205 stands,- yea and nay No. 533. <2>Half hospital reserve item 1599-2009 stands,- yea and nay No. 534. <2>Trial Court administration item 0330-3337 stands,- yea and nay No. 535. <2>DOR sewer rate relief fund item 1231-1000 stands,- yea and nay No. 536. <2>Fisheries and wildlife item 2300-0100 stands,- yea and nay No. 537. <2>Public safety item 8000-0000 stands,- yea and nay No. 538. <2>Energy and environmental affairs item 2000-0100 stands,- yea and nay No. 539. <2>Environmental law enforcement item 2030-1000 stands,- yea and nay No. 540. <2>Environmental protection operations item 2200-0100 stands,- yea and nay No. 541. <2>Hazardous waste cleanup item 2260-8870 stands,- yea and nay No. 542. <2>Housing and community development item 7004-0099 stands,- yea and nay No. 543. <2>Conservation and recreation item 2800-0100 stands,- yea and nay No. 544. <2>Watershed management program item 2800-0101 stands,- yea and nay No. 545. <2>Stormwater management program item 2800-0401 stands,- yea and nay No. 546. <2>Biotech research institute item 7007-0500 stands,- yea and nay No. 547. <2>Travel and tourism item 7007-0900 stands,- yea and nay No. 548. <2>Suffolk district attorney item 0340-0100 stands,- yea and nay No. 549. <2>Eastern district attorney item 0340-0300 stands,- yea and nay No. 550. <2>Weymouth,- water supply land. <2>Explosive materials,- transport. <2>Westport,- land conveyance. <2>Charlestown,- port area. <2>Great Barrington,- land. <2>Supplemental appropriations. <2>Group marketing plans. <2>Bill enacted. <2>Bill re-enacted. <2>Bill enacted. <2>Id. <2>Bridge improvement program. <2>Bill enacted (state loan),- yea and nay No. 551. <2>Rutland Heights Hospital. <2>Holden,- easement. <2>John Adams Courthouse. <2>Tewksbury,- land lease. <2>General Appropriation Bill. <2>Worcester district attorney item 0340-0400 stands,- yea and nay No. 552. <2>Hampden district attorney item 0340-0500 stands,- yea and nay No. 553. <2>Hampshire Franklin district attorney item 0340-0600 stands,- yea and nay No. 554. <2>Norfolk district attorney item 0340-0700 stands,- yea and nay No. 555. <2>Plymouth district attorney item 0340-0800 stands,- yea and nay No. 556. <2>Bristol district attorney item 0340-0900 stands,- yea and nay No. 557. <2>Cape and Island district attorney item 0340-1000 stands,- yea and nay No. 558. <2>Berkshire district attorney item 0340-1100 stands,- yea and nay No. 559. <2>Simulcasting. <2>Procedural order adopted. <2>Amendment rejected,- yea and nay No. 560. <2>General Appropriation Bill. <2>Hampden sheriff item 8910-0102 stands,- yea and nay No. 561. <2>Worcester sheriff item 8910-0105 stands,- yea and nay No. 562. <2>Individual training grants item 7003-0702 stands,- yea and nay No. 563. <2>Middlesex sheriff item 8910-0107 stands,- yea and nay No. 564. <2>Franklin sheriff item 8910-0108 stands,- yea and nay No. 565. <2>Hampshire sheriff item 8910-0110 stands,- yea and nay No. 566. <2>Berkshire sheriff item 8910-0145 stands,- yea and nay No. 567. <2>Essex sheriff item 8910-0619 stands,- yea and nay No. 568. <2>Youth development grants item 4000-0112 stands,- yea and nay No. 569. <2>State parks and recreation item 2810-0100 stands,- yea and nay No. 570. <2>Urban parks and recreation item 2820-0100 stands,- yea and nay No. 571. <2>Zoological Corporation item 7007-0951 stands,- yea and nay No. 572. <2>Quality health care. <2>Capital facility repairs. <2>Committee of conference. <2>Id. <2>Middleborough,- land. <2>Dairy farms. <2>Higher Education,- bond. <2>School districts. <2>Rose Kennedy Greenway. <2>North Andover,- conservation. <2>Manchester-by-the-Sea,-

UNCORRECTED PROOF

UNCORRECTED PROOF

land. <2>Bills enacted. <2>Transportation bond. <2>Bill enacted (state loan),- -yea and nay No. 573. <2>Iran,- pension fund investments. <2>Procedural order adopted. <2>Amendment rejected,- yea and nay No. 574. <2>Statement of <2>Suspension of Rule 1A. <2>Rule 1A suspended,- yea and nay No. 575. <2>Bill passed to be engrossed,- yea and nay No. 576. <2>Higher education bond. <2>Bill enacted (state loan),- -yea and nay No. 577. <2>Haverhill,- Boxford land. <2>Bill enacted (land taking),- -yea and nay No. 578. <2>General Appropriation Bill. <2>Board of Higher Education item 7066-0009 stands,- yea and nay No. 579. <2>Veterinary program item 7077-0023 stands,- yea and nay No. 580. <2>Health care finance item 4100-0600 stands,- yea and nay No. 581. <2>Youth build program item 7061-9626 stands,- yea and nay No. 582. <2>Bullying prevention item 7061-9805 stands,- yea and nay No. 583. <2>Higher education administration item 7066-0000 stands,- yea and nay No. 584. <2>State comptroller item 1000-0001 stands,- yea and nay No. 585. <2>Mosquito control board section 73 stands,- yea and nay No. 586. <2>Clean energy. <2>Taunton,- skills center. <2>Children,- mental health. <2>Worcester,- land <2>Motor vehicles,- repair. <2>Yacht clubs,- land. <2>Worcester County,- land lease. <2>Small business,- tax exemption. <2>Convention center and garage. <2>Special state police officers. <2>Life insurance,- contracts. <2>Acton and Concord,- open space. <2>Blackstone,- land. <2>North Raynham Water District. <2>Biomedical research. <2>Westwood,- liquor license. <2>Kingston,- Route 3 ramp. <2>Sherborn,- Farm Pond. <2>Westport,- land conveyance. <2>Bill enacted (land taking),- -yea and nay No. 587. <2>Great Barrington,- land. <2>Bill enacted (land taking),- -yea and nay No. 588. <2>Sunderland,- land. <2>Bill enacted (land taking),- -yea and nay No. 589. <2>Richard K. Ward III,- sick leave. <2>Bill enacted. <2>State pension system. <2>Bill re-enacted. <2>Holden,- land conveyance. <2>Bill enacted (land taking),- -yea and nay No. 590. <2>Deerfield,- land. <2>Bill enacted (land taking),- -yea and nay No. 591. <2>Bills enacted. <2>Bill enacted. <2>General Appropriation Bill. <2>Title V tax credit Section 18 stands,- yea and nay No. 592. <2>STEM transfer Section 90 stands,- yea and nay No. 593. <2>Tewksbury,- land lease. <2>Bill enacted (land taking),- -yea and nay No. 594. <2>Blackstone,- land. <2>Bill enacted (land taking),- -yea and nay No. 595. <2>Middleborough,- conservation land. <2>Bill enacted (land taking),- -yea and nay No. 596. <2>North Raynham Water District. <2>Bill enacted (land taking),- -yea and nay No. 597. <2>Enhanced 911 fund. <2>Bill enacted,- yea and nay No. 598. <2>Supplemental appropriation. <2>Bill enacted,- yea and nay No. 599. <2>Green jobs. <2>Bill enacted. <2>Manchester-by-the-Sea,- land. <2>Bill enacted (land taking),- -yea and nay No. 600. <2>Environmental bond. <2>Bill enacted (state loan),- -yea and nay No. 601. <2>Weymouth,- water supply land. <2>Bill enacted (land taking),- -yea and nay No. 602. <2>North Andover,- conservation. <2>Bill enacted (land taking),- -yea and nay No. 603. <2>Rose Kennedy Greenway. <2>Bill enacted (land taking),- -yea and nay No. 604. <2>North Adams,- land conveyance. <2>Bill enacted (land taking),- -yea and nay No. 605. <2>Worcester,- land <2>Bill enacted (land taking),- -yea and nay No. 606. <2>Capital outlay program. <2>Bill enacted (state loan),- -yea and nay No. 607. <2>Quality health care. <2>Bill enacted. <2>Military Reservation Fire department. <2>Next sitting.

UNCORRECTED PROOF