

JOURNAL OF THE HOUSE.

Thursday, March 11, 2004.

Met according to adjournment, at ten o'clock A.M., with Mr. Correia of Fall River in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

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

Gracious God, the Ultimate Source of Forgiveness and Truth, today's legislative session begins with a prayer of petition for guidance as we take up the items on today's legislative calendar. May our hearts and minds be filled with peace, love and civility. Teach us, in our diverse society, to respect the human rights and the religious commitments of each person in our community. In addressing complex and sensitive issues, we depend upon our gift of wisdom, which empowers us to make personal and legislative decisions which are in accord with right reason, our biblical precepts and serve both the present and future common good. In our daily struggle to do what is right and to serve You faithfully and the people honorably, may we achieve success, reach our personal goals and the purpose for which we have been created by You.

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

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

Message from the Governor — Veto.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill providing for a special election to fill a vacancy on the board of selectmen in the town of Wilmington [see House, No. 3921, changed] (for message, see House, No. 4569) was filed in the Office of the Clerk on Tuesday, March 9.

The message was read; and, under the provisions of Article II of Section I of Chapter I of the Constitution, the House proceeded to "reconsider" the said bill.

The question on passing the bill, notwithstanding the said objections, was determined by the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

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

Therefore the bill was passed, notwithstanding the objections of His Excellency the Governor (more than two-thirds of the members having voted in the affirmative). Sent to the Senate for its action.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to extending the service of Massachusetts National Guard Adjutant General George W. Keefe for a period of one year (House, No. 4568) was filed in the office of the Clerk on Monday, March 8.

Adjutant General George W. Keefe.

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

Changes in Joint Standing Committees.

The Speaker announced the following changes in joint standing committees:

That Representative Wallace of Boston had been relieved of duty (at his own request) from the committee on Election Laws; and that Representative Driscoll of Braintree had been appointed to the ninth position on said committee to fill the existing vacancy; and

Joint standing committees, changes.

That Representative Spellane of Worcester had been relieved of duty (at his own request) from the committee on Housing and Urban Development; and that Representative Driscoll of Braintree had been appointed to the ninth position on said committee to fill the existing vacancy.

Resolutions.

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

Resolutions (filed by Representatives Falzone of Saugus, Rein-stein of Revere and Connolly of Everett) congratulating Edith Miller on her eightieth birthday;

Edith Miller.

Resolutions (filed by Mr. Marzilli of Arlington) congratulating the Boston Sea Rovers on the occasion of their fiftieth anniversary; and

Boston Sea Rovers.

Resolutions (filed by Mr. Vallee of Franklin) congratulating Andrew J. Carroll on receiving the Eagle Award of the Boy Scouts of America;

Andrew J. Carroll.

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

Order.

The following order (filed by Mr. Finneran of Boston) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, joint standing committees and the committees on Rules of the two branches, acting concurrently, be granted until Thursday, March 18,

Joint standing committees, time for reporting.

Prayer.

Pledge of allegiance.

Wilmington, selectmen.

Bill passed over veto, yea and nay No. 542.

2004, within which to make reports on all matters referred to them; and be it further

Ordered, That, the provisions of this extension shall not be considered a suspension of Joint Rule 10 in the calculation of the number of suspensions permitted under the last sentence of said rule.

Mr. Scaccia of Boston, for the committees on Rules, then reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. O’Leary of Worcester, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Communication.

A communication from Plainridge Racecourse (under the provisions of Section 2 of Chapter 128C of the General Laws) submitting copies of contracts for the simulcasting of dog races, was placed on file.

Annual and Special Reports.

The annual report of the Educational Management Audit Council (under the provisions of Section 55A of Chapter 15 of the General Laws) for the fiscal year 2003; and

A monthly report of the Division of Unemployment Assistance (under the provisions of Chapter 142 of the Acts of 2003) relative to the condition of the Commonwealth’s Unemployment Insurance Trust Fund for January, 2004; and

A semi-annual report of the Executive Office for Administration and Finance (under the provisions of Section 65 of Chapter 30 of the General Laws) relative to expenditures for legal services; and

A special report of the Department of Education (under the provisions of Section 128 of Chapter 140 of the Acts of 2003) relative to the implementation of the special education circuit breaker, so-called;

Severally were placed on file.

Papers from the Senate.

The House Bill establishing a sick leave bank for Joanne M. Sollecito, an employee of the Department of Correction (House, No. 4440) came from the Senate passed to be engrossed, in concurrence, with an amendment adding at the end thereof the following sentence: “Whenever Joanne Sollecito terminates employment with said department or requests to dissolve said sick leave bank, the balance of the sick leave time shall be transferred to the extended illness leave bank.” (as changed by the committee on Bills in the Third Reading).

Under suspension of Rule 35, on motion of Mr. Brown of Wrentham, the amendment (reported by said committee to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

A petition (accompanied by bill, Senate, No. 2248) of Guy W. Glodis and Paul K. Frost (by vote of the town) for legislation to authorize the town of Auburn to increase local room occupancy excise tax, was referred, in concurrence, to the committee on Taxation.

Reports of Committees.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Tony Liccardi for legislation to exempt persons denied a firearms identification card from jury duty. Under suspension of the rules, on motion of Mr. Sullivan of Fall River, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Jury duty, exemption.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain land to Thayer Academy in the town of Braintree (Senate, No. 2178) be scheduled for consideration by the House.

Braintree, Thayer Academy.

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

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration

Of the Bill to allow the regulation of trash collection hours in business, commercial and industrial areas (House, No. 1089); and

Trash collection.

Of the Bill providing for the right to counsel for litigants at trial of divorce proceedings (House, No. 3845);

Divorce.

And recommending that the same severally be referred to the House committee on Rules; and

Of the Bill relative to vending machines in schools (House, No. 2571); and

Schools, soda machines.

Of the Bill relative to the donation of bone marrow by certain minors (House, No. 2964);

Minors, bone marrow.

And recommending that the same severally be referred to the committee on Ways and Means.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Greene of Billerica, for the committee on Natural Resources and Agriculture, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 1206) of Stephen M. Brewer, Reed V. Hillman and Anne M. Gobi for legislation to protect public water supply lands,— and recommending that the same be referred to the committee on Homeland Security and Federal Affairs;

Public water supply.

Of the petition (accompanied by bill, Senate, No. 1210) of Cynthia S. Creem, Susan W. Pope, Paul J. Donato and other members of the General Court for legislation to finance water and sewer projects from the water pollution abatement trust;

Water and sewer projects.

Of the petition (accompanied by bill, Senate, No. 1263) of Bruce E. Tarr, Brian P. Lees, Michael R. Knapik, Robert L. Hedlund and other members of the General Court for legislation to direct the Sec-

Title v.

Simulcasting of dog races.

Educational Management.

Unemployment Trust Fund.

Legal services expenditures.

Special education circuit breaker.

Joanne M. Sollecito, sick leave bank.

Auburn, room occupancy tax.

retary of Environmental Affairs to establish a program to assist cities and towns in the treatment of wastewater;

Of the petition (accompanied by bill, House, No. 198) of Frank M. Hynes for legislation to provide assistance to homeowners for the expense of conforming to Title V septic regulations;

Of the petition (accompanied by bill, House, No. 968) of Frank M. Hynes, Robert L. Hedlund and Garrett J. Bradley for legislation to establish a low interest loan program within the Department of Environmental Protection for owners of property connecting to sewer systems in cities and towns;

Of the petition (accompanied by bill, House, No. 2478) of Geoffrey D. Hall, Pamela P. Resor and another for legislation to provide loans to certain elderly persons for assistance in compliance with Title V, so-called, for the disposal of sanitary waste; and

Of the petition (accompanied by bill, House, No. 3007) of Robert M. Koczera and other members of the General Court for legislation to establish a zero percentage interest program for the state revolving loan fund for water and sewer projects;

And recommending that the same severally be referred to the committee on Long-Term Debt and Capital Expenditures; and

By Mr. Koutoujian of Waltham, for the committee on Health Care, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 146) of Demetrius J. Atsalis that the Division of Medical Assistance be directed to pay certain ambulance services to the Centerville-Oster-ville-Marstons Mills Fire District Ambulance Service;

Of the petition (accompanied by bill, House, No. 1292) of Martin J. Walsh for legislation to establish a pilot program to provide access to health care and social services within the Department of Health and Human Services; and

Of the petition (accompanied by resolve, House, No. 1665) of Elizabeth A. Malia and other members of the General Court for an investigation by a special commission (including members of the General Court) of the impact of alcohol abuse in the Commonwealth;

By Mr. Greene of Billerica, for the committee on Natural Resources and Agriculture, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 966) of Frank M. Hynes, Robert L. Hedlund and Garrett J. Bradley for an appropriation of a certain sum of money for reconstruction and maintenance of the seawall in the towns of Marshfield and Scituate;

Of the petition (accompanied by bill, House, No. 3200) of Kathi-Anne Reinstein for legislation to provide for the construction of a public launching ramp in the city of Revere; and

Of the petition (accompanied by bill, House, No. 3371) of Thomas M. Menino, Angelo M. Scaccia, Martin J. Walsh, Brian P. Wallace, John A. Hart, Jr. and Dianne Wilkerson that the Department of Environmental Management be authorized to provide for the expenditure of certain funds for the development of Long Wharf in the city of Boston;

And recommending that the same severally be referred to the committee on Ways and Means.

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

By Mr. Koutoujian of Waltham, for the committee on Health Care, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2598) of Brian Paul Golden relative to sanitary stations at large capacity public or private facilities;

By Mr. Toomey of Cambridge, for the committee on Public Safety, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4403) of Deborah B. Goldberg, Frank I. Smizik, Cynthia S. Creem, Brian Paul Golden, Michael F. Rush, Jeffrey Sanchez and others (by vote of the town) that the town of Brookline be authorized to establish fees for certain permits issued by the chief of the fire department of said town;

And recommending that the same severally be referred to the committee on Local Affairs and Regional Government; and

By Mr. Koutoujian of Waltham, for the committee on Health Care, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 898) of William G. Greene, Jr. relative to HIV/AIDS testing;

Of the petition (accompanied by bill, House, No. 1291) of Martin J. Walsh, Brian P. Wallace and Robert K. Coughlin for legislation relative to the exposure of public safety officials to the AIDS virus or infectious hepatitis;

Of the petition (accompanied by bill, House, No. 2236) of John P. Fresolo, Joan M. Menard and another relative to the exposure of public safety officials to the AIDS virus; and

Of the petition (accompanied by bill, House, No. 2237) of Reed V. Hillman relative to providing for the disclosure of certain medical information of contact with certain bodily fluids to public safety personnel;

And recommending that the same severally be referred to the committee on Public Safety.

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

By Mr. Koutoujian of Waltham, for the committee on Health Care, on a petition, a Resolve relative to the donor laws in the Commonwealth (House, No. 2806).

By the same member, for the same committee, on a petition, a Resolve establishing a special commission to make a study on long term custodial care options for cognitively intact, physically disabled young adults between ages of 19 and 59 (House, No. 3769).

Severally read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Koutoujian of Waltham, for the committee on Health Care, on a petition, a Bill relative to regional health care (House, No. 3752). Read; and referred, under Rule 33, to the committee on Local Affairs and Regional Government on the part of the House.

Sanitary stations.

Brookline, permit fees.

HIV testing.

AIDS exposure.

RI

Public safety personnel.

Donor laws.

Young adults, custodial care.

Regional health care.

Title V.

Sewer conversion.

Title V.

Water and sewer projects.

Division of Medical Assistance.

Health care.

Alcohol commission.

Marshfield and Scituate, seawall.

Coastal waterways.

Long Wharf, renovations.

Funeral costs.
By Mr. Koutoujian of Waltham, for the committee on Health Care, on a petition, a Bill relative to realistic allowable costs for funerals of indigents (House, No. 351).

End of life commission.
By the same member, for the same committee, on a petition, a Bill relative to the establishment of a retained revenue account for the End of Life Commission (House, No. 905).

Nursing homes, dead bodies removal.
By the same member, for the same committee, on a petition, a Bill regulating the storage and removal of dead bodies from nursing homes, rest homes and long term care facilities (House, No. 1287).

Contact lenses.
By the same member, for the same committee, on a petition, a Bill relative to mail order contact lenses (House, No. 1667).

Students, immunization.
By the same member, for the same committee, on a recommitted petition, a Bill granting the Department of Public Health authority to investigate and enforce immunization of children (House, No. 2025).

Nursing advisory board.
By the same member, for the same committee, on a petition, a Bill creating a nursing advisory board (House, No. 2962).

Children, well-being.
By the same member, for the same committee, on a petition, a Bill to assess the impact of the public welfare system on the health and well-being of children (House, No. 2982).

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

Higher education, tuition.
By Mr. Walsh of Boston, for the committee on Homeland Security and Federal Affairs, that the Bill relating to the eligibility of certain persons to qualify as residents of this state for purposes of higher education tuition (House, No. 4455) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4570). Referred, under Rule 33, to the committee on Ways and Means with the amendment pending.

Forest reserves.
By Mr. Walsh of Boston, for the committee on Homeland Security and Federal Affairs, that the Bill authorizing the establishment of old growth forest reserves (House, No. 2849) ought to pass. Referred, under Rule 33B, to the committee on Science and Technology.

By Mr. Walsh of Boston, for the committee on Homeland Security and Federal Affairs, that the following bills ought to pass:

Annual fees.
Bill relative to annual compliance fees (House, No. 43);

Farmers and pesticides.
Bill making corrective changes in certain statutes pertaining to license fees for farmers and producers of farm products and for pesticides (House, No. 48) and the

Emergency transmission.
Bill relative to falsifying an emergency transmission (House, No. 1636).

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

Emergency Measure.

Roxse, agreements.
The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the Roxbury/South End Tenants' Council, Inc., D/B/A Roxse Tenants Council (see Senate, No. 2181, 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 8 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills
Relative to the police department in the town of Bridgewater (see Senate, No. 2071) (which originated in the Senate);
Requiring pilots for certain vessels (see House, No. 4104);
Relative to annuity contracts (see House, No. 4193); and
Authorizing the town of Dedham to reimburse certain sewer fees paid in error (see House, No. 4558);
(Which severally 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.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing a change in land use in the town of Lakeville (see House, No. 4112, 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 153 members voted in the affirmative and 0 in the negative.

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

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

Orders of the Day.

The engrossed Bill relative to the off-street parking board in the city of Worcester (see House, No. 4082), which had been returned to the House by His Excellency the Governor with recommendation of amendment (for message, see House, No. 4489), was adopted in the following form (as approved by the committee on Bills in the Third Reading):

In section 4 (as printed), in lines 4 and 5, by striking out the following: "1½ per cent" (as changed by said committee) and inserting in place thereof the following: "½ of 1 per cent".

Sent to the Senate for concurrence.

The Senate Bill designating a certain roadway in the Veterans' Memorial cemetery in the town of Winchendon (Senate, No. 2126), 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.

House bills

Relative to public charities (House, No. 4234); and
 Providing for a charter for the town of Dudley (House, No. 4428);
 Severally reported by the committee on Bills in the Third Reading
 to be correctly drawn, were read a third time; and they were passed to
 be engrossed. Severally sent to the Senate for concurrence.

Senate bills

Further regulating the weight of motor buses (Senate, No. 1285,
 amended);

Creating a firearms licensing fund in the town of Charlton (Senate,
 No. 2058); and

Authorizing the city of Quincy to establish funds to enhance
 streets and sidewalks and to oversee the Quarry Hills recreation
 complex (Senate, No. 2167); and

House bills

Relative to dig-safe excavations in the Commonwealth (House,
 No. 28);

Clarifying certain powers and duties of the Department of Food
 and Agriculture pertaining to dairy farms (House, No. 45);

Further regulating adoption agencies (House, No. 718);

Relating to the payment of interest on pecuniary legacies and
 pecuniary distributions under a trust instrument (House, No. 741);

Requiring that the names and addresses of the owners of land
 taken by eminent domain be included in the order of taking (House,
 No. 744);

Granting discretion to the Superior Court to allocate certain settle-
 ment proceeds (House, No. 775);

Relative to the reporting of child abuse to local laws enforcement
 officials (House, No. 1283);

Relative to the Wampanoag Tribe of Gay Head (Aquinnah) (House,
 No. 1586);

Relative to fire insurance (House, No. 1698);

Concerning the regulation of certain commercial contracts of
 insurance (House, No. 1700);

Relative to unlawful conduct by non-residents of public housing
 (House, No. 1705);

Relative to provisional employees in the city of Worcester (House,
 No. 3839);

Authorizing the city of Taunton to re-institute an early retirement
 program (House, No. 3871);

Providing for an animal control commission in the town of Lan-
 caster (House, No. 3879);

Relative to the taxation of certain property in the town of Belmont
 (House, No. 3980);

Relative to compensated absences in cities and towns (House,
 No. 4063);

Amending certain provisions of the city charter of the city of
 Lawrence (House, No. 4195);

Validating the special town election held in the town of Goshen
 (printed in House, No. 4244);

Providing for recall elections in the town of Blandford (House,
 No. 4280);

Designating a certain traffic island in the city of Gloucester the
 Paul Bergmann Memorial Traffic Island (House, No. 4284);

Authorizing the town of Norfolk to establish a department of
 public works (House, No. 4313);

Providing for a statement relative to veteran status on ballots for
 city of Brockton elections (House, No. 4337);

Relative to the release of a conservation restriction in the town of
 Grafton (House, No. 4352);

Exempting the position of deputy police chief of the town of
 Braintree from civil service (House, No. 4379); and

Relative to voting precincts in the town of Amherst (printed in
 House, No. 4421);

Severally were read a second time; and they were ordered to a
 third reading.

House reports

Of the committee on Public Safety, ought NOT to pass, on the peti-
 tion (accompanied by bill, House, No. 398) of Thomas P. Kennedy
 that the Registrar of Motor Vehicles be directed to issue distinctive
 license plates for combat veterans; and

Of the same committee, ought NOT to pass, on the petition (accom-
 panied by bill, House, No. 1333) of Gale D. Candaras, Stephen M.
 Brewer, Reed V. Hillman and Susan W. Pope relative to the loss of
 license to operate a motor vehicle for the refusal of a breathalyzer;

Severally were accepted.

The House Bill authorizing the town of Northbridge to issue an
 additional license for the sale of all alcoholic beverages not to be
 drunk on the premises (House, No. 4490) was read a second time.

Pending the question on ordering the bill to a third reading,
 Mr. Peterson of Grafton moved that it be amended by substitution of
 a bill with the same title (House, No. 3935), which was read.

The amendment was adopted; and the substituted bill was ordered
 to a third reading.

The House Bill relative to the safe placement of newborns and
 infants (House, No. 4325) was considered, the main question being
 on ordering it to a third reading.

The amendments previously recommended by the committee on
 Ways and Means,— that the bill be amended in section 1, in line 4,
 by striking out the word “The” and inserting in place thereof the
 words “Subject to appropriation, the” and by adding at the end of
 said section 1 the following paragraph:

“The department shall explore the possibility of expending funds
 received from the United States Department of Health and Human
 Services pursuant to the Promoting Safe and Stable Families Program,
 as most recently amended by the Promoting Safe and Stable Fami-
 lies of 2001, in order to implement the public information program

Third
reading
bills.Second
reading
bills.House
reports.Second reading
bill amended.Newborns
and
infants.

Newborns
and
infants.

required by this section and to alleviate the burden said information program may have on the department’s appropriation from the commonwealth. When implementing its public information program, the department shall prioritize those areas of the commonwealth that have been identified by the department of public health as having the highest teen pregnancy rates.”; in section 2, in line 35, by striking out the year “2008” and inserting in place thereof the year “2007”; in section 3, in line 2, by striking out the date “January 1, 2006” and inserting in place thereof the date “June 30, 2008”; and by adding at the end thereof the following section:

“SECTION 4. For purposes of this act only, the following term shall be defined in the following manner unless the context shall clearly indicate a different meaning or intent:— ‘hospital’, a hospital that is licensed under section fifty-one of chapter one hundred and eleven, or operated by the teaching hospital of the University of Massachusetts Medical School.”— were adopted.

Mr. Cabral of New Bedford then moved that the bill be amended in section 1, in lines 5 and 15, by inserting after the word “days”, in each instance, the words “of age”; and the amendments were adopted.

The same member then moved that the bill be amended in section 1, in lines 6 and 7, 16 and 24, by striking out the following: “24 hour” and inserting in place thereof, in each instance, the word “manned”; and the amendments were adopted.

Mr. Cabral then moved that the bill be amended in section 1, in lines 7 and 24 (the second time it appears), by striking out the word “department” and inserting in place thereof, in each instance, the word “station”; and the amendments were adopted.

Mrs. Teahan of Whitman then moved that the bill be amended in section 1, in line 47, by inserting after the word “law” the words “, teen pregnancy prevention programs and adoption information”; and the amendment was adopted.

Ms. Wolf of Cambridge then moved that the bill be amended in section 1, in line 44, by inserting after the word “information.” the following sentence: “If there is not suspected child abuse or neglect, the person receiving the newborn shall provide to the parent or lawful agent of the parent verbal and written information about the parental rights and petition to terminate parental rights that may be initiated by the Department of Social Services, including contact information for the Department.”; and the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved that the bill be amended in section 1, in lines 7 and 8, by striking out the words “or by a lawful agent of said parent”, in line 42, by striking out the words “or lawful agent of the parent”, and in lines 33 and 43, by striking out, in each instance, the words “or lawful agent”; and the amendments were adopted.

Mr. Jones and other members of the House then moved that the bill be amended in section 1, in lines 17, 18 and 19, by striking out the words “a finding of abuse or neglect and shall be considered an affirmative defense” and inserting in place thereof the following: “either a finding of abuse or neglect or a violation of any criminal statute for child abuse or neglect or for abandonment under section 39 of chapter 119. Such voluntary abandonment shall be consid-

ered an affirmative defense to an agency decision under section 51B of chapter 119”; and the amendment was adopted.

After debate on the question on ordering the bill, as amended, to a third reading, Mr. Jones of North Reading asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Correia of Fall River), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 159 members were recorded as being in attendance.

Quorum,
yea and nay
No. 544.

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

Therefore a quorum was present.

After further debate on the question on ordering the bill, as amended, to a third reading, Ms. Jehlen of Somerville asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Correia of Fall River), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 152 members were recorded as being in attendance.

Quorum,
yea and nay
No. 545.

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Quorum,
yea and nay
No. 546.

[See Yea and Nay No. 546 in Supplement.]

Therefore a quorum was present.

After further debate on the question on ordering the bill, as amended, to a third reading, the sense of the House was taken by yeas and nays, at the request of Mrs. Harkins of Needham; and on the roll call 137 members voted in the affirmative and 21 in the negative.

Bill ordered
to a third
reading,
yea and nay
No. 547.

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

Therefore the bill (House, No. 4325, amended) was ordered to a third reading.

Engrossed Bill — Land Taking.

The engrossed Bill regulating the use of Lowell Park in the town of Barnstable (see Senate, No. 1935) (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.

Barnstable,
Lowell
Park.

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.,

Bill enacted
(Land taking),
yea and nay
No. 548.

as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 548 in Supplement.]

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

Recess.

At twenty-five minutes before two o'clock P.M., on motion of Mr. Falzone of Saugus (Mr. Correia of Fall River being in the Chair), the House recessed until five minutes before two o'clock P.M.; and at one minute after two o'clock the House was called to order with the Speaker in the Chair.

Joint Session of the Two Houses to Consider Specific Amendments to the Constitution.

At seven minutes past two o'clock P.M., the two Houses met in

JOINT SESSION

and were called to order by the Honorable Robert E. Travaglini, President of the Senate.

At nine minutes past two o'clock P.M., Mr. Jones of North Reading doubted the presence of a quorum and asked for a call of the yeas and nays to ascertain if a quorum was present. The President, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum. Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum at nine minutes past two o'clock P.M., as follows to wit (Answered Present 196) **[Senate Yeas and Nays No. 477] [House Yeas and Nays No. 549]:**

ANSWERED "PRESENT" (196).

Senators.

Antonioni, Robert A.	Magnani, David P.
Baddour, Steven A.	McGee, Thomas M.
Barrios, Jarrett T.	Melconian, Linda J.
Berry, Frederick E.	Menard, Joan M.
Brewer, Stephen M.	Montigny, Mark C.
Chandler, Harriette L.	Moore, Richard T.
Creedon, Robert S., Jr.	Morrissey, Michael W.
Creem, Cynthia Stone	Murray, Therese
Fargo, Susan C.	Nuciforo, Andrea F., Jr.
Glodis, Guy W.	O'Leary, Robert A.
Hart, John A., Jr.	Pacheco, Marc R.
Havern, Robert A.	Panagiotakos, Steven C.
Hedlund, Robert L.	Resor, Pamela
Joyce, Brian A.	Rosenberg, Stanley C.
Knapik, Michael R.	Shannon, Charles E.
Lees, Brian P.	Sprague, Jo Ann

Tarr, Bruce E.
Tisei, Richard R.
Tolman, Steven A.
Travaglini, Robert E.

Tucker, Susan C.
Walsh, Marian
Wilkerson, Dianne — 39.

Representatives.

Asselin, Christopher P.	Goguen, Emile J.
Atkins, Cory	Golden, Brian Paul
Atsalis, Demetrius J.	Golden, Thomas A., Jr.
Ayers, Bruce J.	Gomes, Shirley
Balser, Ruth B.	Grant, Mary E.
Binienda, John J.	Greene, William G., Jr.
Blumer, Deborah D.	Haddad, Patricia A.
Bosley, Daniel E.	Hall, Geoffrey D.
Bradley, Garrett J.	Hargraves, Robert S.
Broadhurst, Arthur J.	Harkins, Lida E.
Brown, Scott P.	Hill, Bradford
Buoniconti, Stephen J.	Hillman, Reed V.
Cabral, Antonio F. D.	Honan, Kevin G.
Callahan, Jennifer M.	Howland, Mark A.
Canavan, Christine E.	Hynes, Frank M.
Candaras, Gale D.	Jehlen, Patricia D.
Carron, Mark J.	Jones, Bradley H., Jr.
Casey, Paul C.	Kafka, Louis L.
Ciampa, Vincent P.	Kane, Michael F.
Connolly, Edward G.	Kaprielian, Rachel
Coppola, Michael J.	Kaufman, Jay R.
Correia, Robert	Keenan, Daniel F.
Costello, Michael A.	Kelly, Shaun P.
Coughlin, Robert K.	Kennedy, Thomas P.
Creedon, Geraldine	Khan, Kay
DeLeo, Robert A.	Knuuttila, Brian
deMacedo, Viriato Manuel	Kocot, Peter V.
Demakis, Paul C.	Koczera, Robert M.
Dempsey, Brian S.	Koutoujian, Peter J.
DiMasi, Salvatore F.	Kujawski, Paul
Donato, Paul J.	Kulik, Stephen
Donelan, Christopher J.	Lantigua, William
Donovan, Carol A.	Larkin, Peter J.
Driscoll, Joseph R.	Leary, James Brendan
Eldridge, James B.	LeDuc, Stephen P.
Evangelidis, Lewis G.	Lepper, John A.
Fagan, James H.	Linsky, David P.
Fallon, Christopher G.	L'Italien, Barbara A.
Falzone, Mark V.	Loscocco, Paul J.
Fennell, Robert F.	Malia, Elizabeth A.
Festa, Michael E.	Mariano, Ronald
Finigold, Barry R.	Marzilli, J. James, Jr.
Finneran, Thomas M.	Miceli, James R.
Flynn, David L.	Murphy, Charles A.
Fox, Gloria L.	Murphy, James M.
Fresolo, John P.	Murphy, Kevin J.
Frost, Paul K.	Nangle, David M.
Galvin, William C.	Naughton, Harold P., Jr.
Garry, Colleen M.	Nyman, Robert J.
George, Thomas N.	O'Brien, Thomas J.
Gifford, Susan W.	O'Flaherty, Eugene L.
Gobi, Anne M.	Owens-Hicks, Shirley

Recess.

Joint session.

Quorum.

Parente, Marie J.
 Patrick, Matthew
 Paulsen, Anne M.
 Pedone, Vincent A.
 Peisch, Alice H.
 Perry, Jeffrey D.
 Petersen, Douglas W.
 Peterson, George N., Jr.
 Petrolati, Thomas M.
 Petruccelli, Anthony
 Pignatelli, Smitty
 Poirier, Elizabeth A.
 Polito, Karyn E.
 Pope, Susan W.
 Quinn, John F.
 Reinstein, Kathi-Anne
 Rivera, Cheryl A.
 Rodrigues, Michael J.
 Rogeness, Mary S.
 Rogers, John H.
 Ruane, J. Michael
 Rush, Michael F.
 Rushing, Byron
 Sánchez, Jeffrey
 Scaccia, Angelo M.
 Scibak, John W.
 Smizik, Frank Israel

Speliotis, Theodore C.
 Spellane, Robert P.
 Spiliotis, Joyce A.
 Spilka, Karen
 Stanley, Harriett L.
 Stanley, Thomas M.
 St. Fleur, Marie P.
 Story, Ellen
 Straus, William M.
 Sullivan, David B.
 Teahan, Kathleen M.
 Timilty, Walter F.
 Tobin, A. Stephen
 Toomey, Timothy J., Jr.
 Torrisi, David M.
 Travis, Philip
 Turkington, Eric
 Vallee, James E.
 Verga, Anthony J.
 Wagner, Joseph F.
 Wallace, Brian P.
 Walrath, Patricia A.
 Walsh, Martin J.
 Walsh, Steven M.
 Webster, Daniel K.
 Wolf, Alice K. — 157.

NAYS — (0).

ABSENT OR NOT VOTING (3).

Representatives.

Howland, Mark A.
 Simmons, Mary Jane

Swan, Benjamin — 3.

The President in the Chair, the yeas and nays having been completed at seventeen minutes past two o'clock P.M., a quorum was declared present.

Statement of Representative Humason of Westfield.

A statement of Mr. Humason of Westfield was spread upon the records of the Joint Session, as follows:

MR. PRESIDENT: I write to request that I be allowed to explain why I missed the first quorum roll call (House Yea and Nay No. 549) of the Constitutional Convention.

I was speaking on the telephone in my office with a constituent about gay marriage. Unfortunately, the House quorum call was only open for three (3) minutes and I was unable to get to the Chamber until the roll call had been closed. I have since been present for all business and every vote.

The President, members, guests and employees then recited the pledge of allegiance to the flag.

*Pledge of
 allegiance.*

The Proposal for a Legislative Amendment to the Constitution relative to the affirmation of marriage (House, No. 3190) was considered, the question being on ordering the proposal to a third reading.

The Proposal was as follows:—

ARTICLE OF AMENDMENT.

It being the public policy of this Commonwealth to protect the unique relationship of marriage in order to promote, among other goals, the stability and welfare of society and the best interest of children, only the union of one man and one woman shall be valid or recognized as a marriage in Massachusetts. Any other relationship shall not be recognized as a marriage or its legal equivalent.

Pending the question on ordering the proposal to a third reading, and pending the question on adoption of the amendment previously moved Messrs. Finneran, Travaglini, Lees, Rogers, Baddour, Leary, Pedone and Spellane by striking out the text and inserting in place thereof the following text:—

“It being the public policy of this Commonwealth to protect the unique relationship of marriage, only the union of one man and one woman shall be valid or recognized as a marriage in Massachusetts. Two persons of the same sex shall have the right to form a civil union if they meet the requirements set forth by law for marriage. Civil Unions for same sex couples are established hereunder and shall provide entirely the same benefits, protections, rights and responsibilities that are afforded to couples married under Massachusetts law. All laws applicable to marriage shall also apply to civil unions.

This Article is self-executing, but the General Court may enact laws not inconsistent with anything herein contained to carry out the purpose of this Article.”,— Mr. Rogers of Norwood moved to limit debate on the amendment to three hours.

After debate, at seventeen minutes before three o'clock P.M., the motion to limit debate on the amendment prevailed.

Mr. Peterson of Grafton doubted the vote and asked for a call of the yeas and the nays.

An insufficient number of members joining with him, the yeas and nays were not ordered.

The question coming on adoption of the pending amendment (Messrs. Finneran, Travaglini, Lees, Rogers, Baddour, Leary, Pedone and Spellane), Mr. Rogers of Norwood then moved to spread on the record a communication he received from two framers of the constitution, that being Senate President Travaglini and Speaker Finneran as to the legislative intent of their amendment.

After debate, the question on spreading the communication on the record was determined by a call of the yeas and nays, on motion of Mr. Barrios, at four minutes before three o'clock P.M., as follows to wit (Yeas 70 — Nays 125) [Senate Yeas and Nays No. 478] [House Yeas and Nays No. 550]:

*Statement of
 Representative
 Humason of
 Westfield.*

Proposal for a
Legislative
Amendment
to the
Constitution,
affirmation
of marriage.

YEAS (70).

Senators.

Baddour, Steven A.
Berry, Frederick E.
Brewer, Stephen M.
Hart, John A., Jr.
Lees, Brian P.

Murray, Therese
Pacheco, Marc R.
Tarr, Bruce E.
Travaglini, Robert E. — 9.

Representatives.

Asselin, Christopher P.
Atsalis, Demetrius J.
Binienda, John J.
Broadhurst, Arthur J.
Buoniconti, Stephen J.
Canavan, Christine E.
Candaras, Gale D.
Casey, Paul C.
Ciampa, Vincent P.
Connolly, Edward G.
Costello, Michael A.
DeLeo, Robert A.
Dempsey, Brian S.
Donato, Paul J.
Driscoll, Joseph R.
Fagan, James H.
Fennell, Robert F.
Finneran, Thomas M.
Flynn, David L.
Fresolo, John P.
Galvin, William C.
Garry, Colleen M.
Goguen, Emile J.
Golden, Brian Paul
Golden, Thomas A., Jr.
Greene, William G., Jr.
Hall, Geoffrey D.
Harkins, Lida E.
Howland, Mark A.
Kane, Michael F.
Keenan, Daniel F.

Knuuttila, Brian
Kujawski, Paul
Lantigua, William
Larkin, Peter J.
Leary, James Brendan
Murphy, Kevin J.
Nangle, David M.
Naughton, Harold P., Jr.
Nyman, Robert J.
O'Brien, Thomas J.
O'Flaherty, Eugene L.
Owens-Hicks, Shirley
Pedone, Vincent A.
Petrolati, Thomas M.
Petruccelli, Anthony
Quinn, John F.
Rodrigues, Michael J.
Rogers, John H.
Ruane, J. Michael
Spellane, Robert P.
Spiliotis, Joyce A.
Straus, William M.
Sullivan, David B.
Timilty, Walter F.
Tobin, A. Stephen
Turkington, Eric
Verga, Anthony J.
Wagner, Joseph F.
Wallace, Brian P.
Walrath, Patricia A. — 61.

NAYS — (125).

Senators.

Antonioni, Robert A.
Barrios, Jarrett T.
Chandler, Harriette L.
Creedon, Robert S., Jr.
Creem, Cynthia Stone
Fargo, Susan C.
Glodis, Guy W.
Havern, Robert A.
Hedlund, Robert L.
Joyce, Brian A.
Knapik, Michael R.
Magnani, David P.
McGee, Thomas M.
Melconian, Linda J.
Menard, Joan M.

Montigny, Mark C.
Moore, Richard T.
Morrissey, Michael W.
Nuciforo, Andrea F., Jr.
O'Leary, Robert A.
Panagiotakos, Steven C.
Resor, Pamela
Rosenberg, Stanley C.
Shannon, Charles E.
Sprague, Jo Ann
Tisei, Richard R.
Tolman, Steven A.
Tucker, Susan C.
Walsh, Marian
Wilkerson, Dianne — 30.

Representatives.

Atkins, Cory
Ayers, Bruce J.
Balsler, Ruth B.
Blumer, Deborah D.
Bosley, Daniel E.
Bradley, Garrett J.
Brown, Scott P.
Cabral, Antonio F. D.
Callahan, Jennifer M.
Carron, Mark J.
Coppola, Michael J.
Correia, Robert
Coughlin, Robert K.
Creedon, Geraldine
deMacedo, Viriato Manuel
Demakis, Paul C.
Donelan, Christopher J.
Donovan, Carol A.
Eldridge, James B.
Evangelidis, Lewis G.
Fallon, Christopher G.
Falzone, Mark V.
Festa, Michael E.
Finegold, Barry R.
Fox, Gloria L.
Frost, Paul K.
George, Thomas N.
Gifford, Susan W.
Gobi, Anne M.
Gomes, Shirley
Grant, Mary E.
Haddad, Patricia A.
Hargraves, Robert S.
Hill, Bradford
Hillman, Reed V.
Honan, Kevin G.
Humason, Donald F., Jr.
Hynes, Frank M.
Jehlen, Patricia D.
Jones, Bradley H., Jr.
Kafka, Louis L.
Kapielian, Rachel
Kaufman, Jay R.
Kelly, Shaun P.
Kennedy, Thomas P.
Khan, Kay
Kocot, Peter V.
Koczera, Robert M.

Koutoujian, Peter J.
Kulik, Stephen
LeDuc, Stephen P.
Lepper, John A.
Linsky, David P.
L'Italien, Barbara A.
Loscocco, Paul J.
Malia, Elizabeth A.
Mariano, Ronald
Marzilli, J. James, Jr.
Miceli, James R.
Murphy, Charles A.
Murphy, James M.
Parente, Marie J.
Patrick, Matthew
Paulsen, Anne M.
Peisch, Alice H.
Perry, Jeffrey D.
Petersen, Douglas W.
Peterson, George N., Jr.
Pignatelli, Smitty
Poirier, Elizabeth A.
Polito, Karyn E.
Pope, Susan W.
Reinstein, Kathi-Anne
Rivera, Cheryl A.
Rogeness, Mary S.
Rush, Michael F.
Rushing, Byron
Sanchez, Jeffrey
Scibak, John W.
Smizik, Frank Israel
Speliotis, Theodore C.
Spilka, Karen
Stanley, Harriett L.
Stanley, Thomas M.
St. Fleur, Marie P.
Story, Ellen
Swan, Benjamin
Teahan, Kathleen M.
Toomey, Timothy J., Jr.
Torrise, David M.
Travis, Philip
Walsh, Martin J.
Walsh, Steven M.
Webster, Daniel K.
Wolf, Alice K. — 95.

ABSENT OR NOT VOTING (4).

Representatives.

DiMasi, Salvatore F.
Scaccia, Angelo M.

Simmons, Mary Jane
Vallee, James E. — 4.

The yeas and nays having been completed at two minutes past three o'clock P.M., the motion did not prevail.

The amendment (Messrs. Finneran, Travaglini, Lees, Rogers, Baddour, Leary, Pedone and Spellane),— was further considered.

During consideration, the Speaker in the Chair, at twenty-two minutes before five o'clock P.M., Mr. Rush of Boston, doubted the presence of a quorum and asked for a call of the yeas and nays to ascertain if a quorum was present. The Speaker, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum at nine minutes past two o'clock P.M., as follows to wit (Answered Present 195) [**Senate Yeas and Nays No. 479**] [**House Yeas and Nays No. 551**]:

ANSWERED "PRESENT" (195).

Senators.

Baddour, Steven A.	Montigny, Mark C.
Barrios, Jarrett T.	Moore, Richard T.
Berry, Frederick E.	Morrissey, Michael W.
Brewer, Stephen M.	Murray, Therese
Chandler, Harriette L.	Nuciforo, Andrea F., Jr.
Creedon, Robert S., Jr.	O'Leary, Robert A.
Creem, Cynthia Stone	Pacheco, Marc R.
Fargo, Susan C.	Panagiotakos, Steven C.
Glodis, Guy W.	Resor, Pamela
Hart, John A., Jr.	Rosenberg, Stanley C.
Havern, Robert A.	Shannon, Charles E.
Hedlund, Robert L.	Sprague, Jo Ann
Joyce, Brian A.	Tarr, Bruce E.
Knapik, Michael R.	Tisei, Richard R.
Lees, Brian P.	Tolman, Steven A.
Magnani, David P.	Travaglini, Robert E.
McGee, Thomas M.	Tucker, Susan C.
Melconian, Linda J.	Walsh, Marian
Menard, Joan M.	Wilkerson, Dianne — 38.

Representatives.

Asselin, Christopher P.	Correia, Robert
Atkins, Cory	Costello, Michael A.
Ayers, Bruce J.	Coughlin, Robert K.
Balsler, Ruth B.	Creedon, Geraldine
Binienda, John J.	DeLeo, Robert A.
Blumer, Deborah D.	deMacedo, Viriato Manuel
Bosley, Daniel E.	Demakis, Paul C.
Bradley, Garrett J.	Dempsey, Brian S.
Broadhurst, Arthur J.	DiMasi, Salvatore F.
Brown, Scott P.	Donato, Paul J.
Buoniconti, Stephen J.	Donelan, Christopher J.
Cabral, Antonio F. D.	Donovan, Carol A.
Callahan, Jennifer M.	Driscoll, Joseph R.
Canavan, Christine E.	Eldridge, James B.
Candaras, Gale D.	Evangelidis, Lewis G.
Carron, Mark J.	Fagan, James H.
Casey, Paul C.	Fallon, Christopher G.
Ciampa, Vincent P.	Falzone, Mark V.
Connolly, Edward G.	Fennell, Robert F.
Coppola, Michael J.	Festa, Michael E.

Finegold, Barry R.	Naughton, Harold P., Jr.
Finneran, Thomas M.	Nyman, Robert J.
Flynn, David L.	O'Brien, Thomas J.
Fox, Gloria L.	O'Flaherty, Eugene L.
Fresolo, John P.	Owens-Hicks, Shirley
Frost, Paul K.	Parente, Marie J.
Galvin, William C.	Patrick, Matthew
Garry, Colleen M.	Paulsen, Anne M.
George, Thomas N.	Pedone, Vincent A.
Gifford, Susan W.	Peisch, Alice H.
Gobi, Anne M.	Perry, Jeffrey D.
Goguen, Emile J.	Petersen, Douglas W.
Golden, Brian Paul	Peterson, George N., Jr.
Golden, Thomas A., Jr.	Petrolati, Thomas M.
Gomes, Shirley	Petrucelli, Anthony
Grant, Mary E.	Pignatelli, Smitty
Greene, William G., Jr.	Poirier, Elizabeth A.
Haddad, Patricia A.	Polito, Karyn E.
Hall, Geoffrey D.	Pope, Susan W.
Hargraves, Robert S.	Quinn, John F.
Harkins, Lida E.	Reinstein, Kathi-Anne
Hill, Bradford	Rivera, Cheryl A.
Hillman, Reed V.	Rodrigues, Michael J.
Honan, Kevin G.	Rogeness, Mary S.
Howland, Mark A.	Rogers, John H.
Humason, Donald F., Jr.	Ruane, J. Michael
Hynes, Frank M.	Rush, Michael F.
Jehlen, Patricia D.	Rushing, Byron
Jones, Bradley H., Jr.	Sanchez, Jeffrey
Kafka, Louis L.	Scaccia, Angelo M.
Kane, Michael F.	Scibak, John W.
Kaprielian, Rachel	Smizik, Frank Israel
Kaufman, Jay R.	Speliotis, Theodore C.
Keenan, Daniel F.	Spellane, Robert P.
Kelly, Shaun P.	Spiliotis, Joyce A.
Kennedy, Thomas P.	Spilka, Karen
Khan, Kay	Stanley, Harriett L.
Knuuttila, Brian	Stanley, Thomas M.
Kocot, Peter V.	St. Fleur, Marie P.
Koczera, Robert M.	Story, Ellen
Koutoujian, Peter J.	Straus, William M.
Kujawski, Paul	Sullivan, David B.
Kulik, Stephen	Swan, Benjamin
Lantigua, William	Teahan, Kathleen M.
Larkin, Peter J.	Timilty, Walter F.
Leary, James Brendan	Tobin, A. Stephen
LeDuc, Stephen P.	Toomey, Timothy J., Jr.
Lepper, John A.	Torrisi, David M.
Linsky, David P.	Travis, Philip
L'Italien, Barbara A.	Vallee, James E.
Loscocco, Paul J.	Verga, Anthony J.
Malia, Elizabeth A.	Wagner, Joseph F.
Mariano, Ronald	Wallace, Brian P.
Marzilli, J. James, Jr.	Walrath, Patricia A.
Miceli, James R.	Walsh, Martin J.
Murphy, Charles A.	Walsh, Steven M.
Murphy, James M.	Webster, Daniel K.
Murphy, Kevin J.	Wolf, Alice K. — 157.
Nangle, David M.	

Proposal for a
Legislative
Amendment
to the
Constitution,
affirmation
of marriage.

NAYS — (0).

ABSENT OR NOT VOTING (4).

Senator.

Antonioni, Robert A. — 1.

Representatives.

Atsalis, Demetrius J.
Simmons, Mary Jane

Turkington, Eric — 3.

The yeas and nays having been completed at eleven minutes before five o'clock P.M., a quorum was declared present.

The President in the Chair, the Proposal for a Legislative Amendment to the Constitution relative to the affirmation of marriage (House, No. 3190),— was further considered, the question being on the adoption of the further amendment (Messrs. Finneran, Travaglini, Lees, Rogers, Baddour, Leary, Pedone and Spellane).

During consideration of the further amendment, Mr. Peterson of Grafton moved to extend the hour of debate until the half past six o'clock P.M., and this motion was rejected.

After debate, the question on adoption of the further amendment (Messrs. Finneran, Travaglini, Lees, Rogers, Baddour, Leary, Pedone and Spellane) was determined by a call of the yeas and nays at twenty-seven minutes before six o'clock P.M., as follows to wit (Yeas 129 — Nays 69) [**Senate Yeas and Nays No. 480**] [**House Yeas and Nays No. 552**]:

YEAS — (129).

Senators.

Antonioni, Robert A.
Baddour, Steven A.
Barrios, Jarrett T.
Berry, Frederick E.
Brewer, Stephen M.
Chandler, Harriette L.
Creem, Cynthia Stone
Glodis, Guy W.
Hart, John A., Jr.
Hedlund, Robert L.
Joyce, Brian A.
Knapik, Michael R.
Lees, Brian P.
McGee, Thomas M.
Melconian, Linda J.
Menard, Joan M.

Montigny, Mark C.
Morrissey, Michael W.
Murray, Therese
Nuciforo, Andrea F., Jr.
O'Leary, Robert A.
Pacheco, Marc R.
Panagiotakos, Steven C.
Resor, Pamela
Rosenberg, Stanley C.
Shannon, Charles E.
Tarr, Bruce E.
Tolman, Steven A.
Travaglini, Robert E.
Tucker, Susan C.
Wilkerson, Dianne — 31.

Representatives.

Atkins, Cory
Atsalis, Demetrius J.
Balsler, Ruth B.
Binienda, John J.
Blumer, Deborah D.
Bradley, Garrett J.
Broadhurst, Arthur J.

Buoniconiti, Stephen J.
Cabral, Antonio F. D.
Callahan, Jennifer M.
Canavan, Christine E.
Candaras, Gale D.
Casey, Paul C.
Connolly, Edward G.

Coughlin, Robert K.
Creedon, Geraldine
DeLeo, Robert A.
Demakis, Paul C.
Dempsey, Brian S.
Donelan, Christopher J.
Eldridge, James B.
Fagan, James H.
Falzone, Mark V.
Fennell, Robert F.
Festa, Michael E.
Finegold, Barry R.
Finneran, Thomas M.
Flynn, David L.
Fresolo, John P.
Galvin, William C.
Garry, Colleen M.
Gobi, Anne M.
Goguen, Emile J.
Golden, Thomas A., Jr.
Grant, Mary E.
Greene, William G., Jr.
Haddad, Patricia A.
Hall, Geoffrey D.
Honan, Kevin G.
Howland, Mark A.
Kafka, Louis L.
Kaprielian, Rachel
Kaufman, Jay R.
Kelly, Shaun P.
Kennedy, Thomas P.
Khan, Kay
Koczera, Robert M.
Koutoujian, Peter J.
Kujawski, Paul
Kulik, Stephen
Leary, James Brendan
LeDuc, Stephen P.
Linsky, David P.
L'Italien, Barbara A.
Mariano, Ronald
Marzilli, J. James, Jr.

Murphy, Charles A.
Murphy, Kevin J.
Nangle, David M.
Naughton, Harold P., Jr.
Nyman, Robert J.
O'Brien, Thomas J.
O'Flaherty, Eugene L.
Owens-Hicks, Shirley
Patrick, Matthew
Paulsen, Anne M.
Pedone, Vincent A.
Peisch, Alice H.
Petersen, Douglas W.
Petrolati, Thomas M.
Petruccelli, Anthony
Pignatelli, Smitty
Quinn, John F.
Reinstein, Kathi-Anne
Rivera, Cheryl A.
Rodrigues, Michael J.
Rogers, John H.
Ruane, J. Michael
Scibak, John W.
Smizik, Frank Israel
Spellane, Robert P.
Spiliotis, Joyce A.
Spilka, Karen
Stanley, Harriett L.
Stanley, Thomas M.
Story, Ellen
Straus, William M.
Sullivan, David B.
Teahan, Kathleen M.
Timilty, Walter F.
Torrissi, David M.
Turkington, Eric
Vallee, James E.
Verga, Anthony J.
Wagner, Joseph F.
Wallace, Brian P.
Walrath, Patricia A.
Walsh, Steven M. — 98.

NAYS — (69).

Senators.

Creedon, Robert S., Jr.
Fargo, Susan C.
Havern, Robert A.
Magnani, David P.

Moore, Richard T.
Sprague, Jo Ann
Tisei, Richard R.
Walsh, Marian — 8.

Representatives.

Asselin, Christopher P.
Ayers, Bruce J.
Bosley, Daniel E.
Brown, Scott P.
Carron, Mark J.
Ciampa, Vincent P.

Coppola, Michael J.
Correia, Robert
Costello, Michael A.
deMacedo, Viriato Manuel
DiMasi, Salvatore F.
Donato, Paul J.

Proposal for a
Legislative
Amendment
to the
Constitution,
affirmation
of marriage.

Donovan, Carol A.
Driscoll, Joseph R.
Evangelidis, Lewis G.
Fallon, Christopher G.
Fox, Gloria L.
Frost, Paul K.
George, Thomas N.
Gifford, Susan W.
Golden, Brian Paul
Gomes, Shirley
Hargraves, Robert S.
Harkins, Lida E.
Hill, Bradford
Hillman, Reed V.
Humason, Donald F., Jr.
Hynes, Frank M.
Jehlen, Patricia D.
Jones, Bradley H., Jr.
Kane, Michael F.
Keenan, Daniel F.
Knuuttila, Brian
Kocot, Peter V.
Lantigua, William
Larkin, Peter J.
Lepper, John A.

Loscocco, Paul J.
Malia, Elizabeth A.
Miceli, James R.
Murphy, James M.
Parente, Marie J.
Perry, Jeffrey D.
Peterson, George N., Jr.
Poirier, Elizabeth A.
Polito, Karyn E.
Pope, Susan W.
Rogeness, Mary S.
Rush, Michael F.
Rushing, Byron
Sanchez, Jeffrey
Scaccia, Angelo M.
Speliotis, Theodore C.
St. Fleur, Marie P.
Swan, Benjamin
Tobin, A. Stephen
Toomey, Timothy J., Jr.
Travis, Philip
Walsh, Martin J.
Webster, Daniel K.
Wolf, Alice K. — 61.

ABSENT OR NOT VOTING (1).

Representative.

Simmons, Mary Jane. — 1.

The yeas and nays having been completed at nineteen minutes before six o'clock P.M., the further amendment was adopted.

Recess.

Pending the question on adoption of the pending amendment (Barrios), as amended (Messrs. Finneran, Travaglini, Lees, Rogers, Baddour, Leary, Pedone and Spellane), at seventeen minutes before six o'clock P.M., at the request of Mr. Lees, for the purposes of a minority caucus, the President declared a recess; and at three minutes before seven o'clock P.M., the Joint Session reassembled, the President in the Chair.

Quorum.

At three minutes before seven o'clock P.M., Mr. Lees doubted the presence of a quorum and asked for a call of the yeas and nays to ascertain if a quorum was present. The President, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum at three minutes before seven o'clock P.M., as follows to wit (Answered Present 196) [**Senate Yeas and Nays No. 481**] [**House Yeas and Nays No. 553**]:

ANSWERED "PRESENT" (196).

Senators.

Antonioni, Robert A.	Menard, Joan M.
Baddour, Steven A.	Montigny, Mark C.
Barrios, Jarrett T.	Moore, Richard T.
Berry, Frederick E.	Morrissey, Michael W.
Brewer, Stephen M.	Murray, Therese
Chandler, Harriette L.	Nuciforo, Andrea F., Jr.
Creedon, Robert S., Jr.	O'Leary, Robert A.
Creem, Cynthia Stone	Pacheco, Marc R.
Fargo, Susan C.	Panagiotakos, Steven C.
Glodis, Guy W.	Resor, Pamela
Hart, John A., Jr.	Rosenberg, Stanley C.
Havern, Robert A.	Shannon, Charles E.
Hedlund, Robert L.	Sprague, Jo Ann
Joyce, Brian A.	Tarr, Bruce E.
Knapik, Michael R.	Tisei, Richard R.
Lees, Brian P.	Travaglini, Robert E.
Magnani, David P.	Tucker, Susan C.
McGee, Thomas M.	Walsh, Marian
Melconian, Linda J.	Wilkerson, Dianne — 38.

Representatives.

Asselin, Christopher P.	Donovan, Carol A.
Atkins, Cory	Driscoll, Joseph R.
Atsalis, Demetrius J.	Eldridge, James B.
Ayers, Bruce J.	Evangelidis, Lewis G.
Balsler, Ruth B.	Fagan, James H.
Binienda, John J.	Fallon, Christopher G.
Blumer, Deborah D.	Falzone, Mark V.
Bosley, Daniel E.	Fennell, Robert F.
Bradley, Garrett J.	Festa, Michael E.
Broadhurst, Arthur J.	Finogold, Barry R.
Brown, Scott P.	Finneran, Thomas M.
Buoniconti, Stephen J.	Flynn, David L.
Cabral, Antonio F. D.	Fox, Gloria L.
Callahan, Jennifer M.	Fresolo, John P.
Canavan, Christine E.	Frost, Paul K.
Candaras, Gale D.	Galvin, William C.
Carron, Mark J.	Garry, Colleen M.
Casey, Paul C.	Gifford, Susan W.
Ciampa, Vincent P.	Gobi, Anne M.
Connolly, Edward G.	Goguen, Emile J.
Coppola, Michael J.	Golden, Brian Paul
Correia, Robert	Golden, Thomas A., Jr.
Costello, Michael A.	Gomes, Shirley
Coughlin, Robert K.	Grant, Mary E.
Creedon, Geraldine	Greene, William G., Jr.
DeLeo, Robert A.	Haddad, Patricia A.
deMacedo, Viriato Manuel	Hall, Geoffrey D.
Demakis, Paul C.	Hargraves, Robert S.
Dempsey, Brian S.	Harkins, Lida E.
DiMasi, Salvatore F.	Hill, Bradford
Donato, Paul J.	Hillman, Reed V.
Donelan, Christopher J.	Honan, Kevin G.

Proposal for a
Legislative
Amendment
to the
Constitution,
affirmation
of marriage.

Howland, Mark A.
Humason, Donald F., Jr.
Hynes, Frank M.
Jehlen, Patricia D.
Jones, Bradley H., Jr.
Kafka, Louis L.
Kane, Michael F.
Kaprielian, Rachel
Kaufman, Jay R.
Keenan, Daniel F.
Kelly, Shaun P.
Kennedy, Thomas P.
Khan, Kay
Knuuttila, Brian
Kocot, Peter V.
Koczera, Robert M.
Koutoujian, Peter J.
Kujawski, Paul
Kulik, Stephen
Lantigua, William
Larkin, Peter J.
Leary, James Brendan
LeDuc, Stephen P.
Lepper, John A.
Linsky, David P.
L'Italian, Barbara A.
Loscocco, Paul J.
Malia, Elizabeth A.
Mariano, Ronald
Marzilli, J. James, Jr.
Miceli, James R.
Murphy, Charles A.
Murphy, James M.
Murphy, Kevin J.
Nangle, David M.
Naughton, Harold P., Jr.
Nyman, Robert J.
O'Brien, Thomas J.
O'Flaherty, Eugene L.
Owens-Hicks, Shirley
Parente, Marie J.
Patrick, Matthew
Paulsen, Anne M.
Pedone, Vincent A.
Peisch, Alice H.
Perry, Jeffrey D.
Petersen, Douglas W.

Peterson, George N., Jr.
Petrolati, Thomas M.
Petruccelli, Anthony
Pignatelli, Smitty
Poirier, Elizabeth A.
Polito, Karyn E.
Pope, Susan W.
Quinn, John F.
Reinstein, Kathi-Anne
Rivera, Cheryl A.
Rodrigues, Michael J.
Rogeness, Mary S.
Rogers, John H.
Ruane, J. Michael
Rush, Michael F.
Rushing, Byron
Sanchez, Jeffrey
Rushing, Byron
Scibak, John W.
Smizik, Frank Israel
Speliotis, Theodore C.
Spellane, Robert P.
Spiliotis, Joyce A.
Spilka, Karen
Stanley, Harriett L.
Stanley, Thomas M.
St. Fleur, Marie P.
Story, Ellen
Straus, William M.
Sullivan, David B.
Swan, Benjamin
Teahan, Kathleen M.
Timilty, Walter F.
Tobin, A. Stephen
Toomey, Timothy J., Jr.
Torrisi, David M.
Travis, Philip
Turkington, Eric
Vallee, James E.
Verga, Anthony J.
Wagner, Joseph F.
Wallace, Brian P.
Walrath, Patricia A.
Walsh, Martin J.
Walsh, Steven M.
Wolf, Alice K.
Wolf, Alice K. — 158.

NAYS — (0).

ABSENT OR NOT VOTING (3).

Senator.

Tolman, Steven A. — 1.

Representatives.

George, Thomas N.

Simmons, Mary Jane — 2.

The yeas and nays having been completed at ten minutes past seven o'clock P.M., a quorum was declared present.

The Proposal for a Legislative Amendment to the Constitution relative to the affirmation of marriage (House, No. 3190),— was further considered, the question being on adoption of the pending amendment (Barrios), as amended (Messrs. Finneran, Travaglini, Lees, Rogers, Baddour, Leary, Pedone and Spellane), to the main amendment and after debate, the question on adoption of the further amendment was determined by a call of the yeas and nays at twenty-nine minutes past eight o'clock P.M., as follows to wit (Yeas 136 — Nays 62) [**Senate Yeas and Nays No. 482**] [**House Yeas and Nays No. 554**]:

YEAS (136).

Senators.

Antonioni, Robert A.
Baddour, Steven A.
Barrios, Jarrett T.
Berry, Frederick E.
Brewer, Stephen M.
Chandler, Harriette L.
Creem, Cynthia Stone
Hart, John A., Jr.
Havern, Robert A.
Hedlund, Robert L.
Joyce, Brian A.
Knapik, Michael R.
Lees, Brian P.
Magnani, David P.
McGee, Thomas M.
Melconian, Linda J.

Menard, Joan M.
Montigny, Mark C.
Morrissett, Michael W.
Murray, Therese
Nuciforo, Andrea F., Jr.
O'Leary, Robert A.
Pacheco, Marc R.
Resor, Pamela
Rosenberg, Stanley C.
Shannon, Charles E.
Tarr, Bruce E.
Tisei, Richard R.
Tolman, Steven A.
Travaglini, Robert E.
Tucker, Susan C.
Wilkerson, Dianne — 32.

Representatives.

Atkins, Cory
Atsalis, Demetrius J.
Balsler, Ruth B.
Binienda, John J.
Blumer, Deborah D.
Bosley, Daniel E.
Bradley, Garrett J.
Buoniconti, Stephen J.
Cabral, Antonio F. D.
Callahan, Jennifer M.
Canavan, Christine E.
Candaras, Gale D.
Casey, Paul C.
Connolly, Edward G.
Costello, Michael A.
Coughlin, Robert K.
Creedon, Geraldine
DeLeo, Robert A.
Demakis, Paul C.
Donelan, Christopher J.
Eldridge, James B.
Fagan, James H.

Fallon, Christopher G.
Falzone, Mark V.
Fennell, Robert F.
Festa, Michael E.
Finigold, Barry R.
Finneran, Thomas M.
Flynn, David L.
Fox, Gloria L.
Fresolo, John P.
Galvin, William C.
Garry, Colleen M.
Gobi, Anne M.
Goguen, Emile J.
Golden, Thomas A., Jr.
Grant, Mary E.
Haddad, Patricia A.
Hall, Geoffrey D.
Honan, Kevin G.
Howland, Mark A.
Jehlen, Patricia D.
Kafka, Louis L.
Kaprielian, Rachel

Proposal for a
Legislative
Amendment
to the
Constitution,
affirmation
of marriage.

Kaufman, Jay R.
Kelly, Shaun P.
Kennedy, Thomas P.
Khan, Kay
Kocot, Peter V.
Koczera, Robert M.
Koutoujian, Peter J.
Kulik, Stephen
Leary, James Brendan
LeDuc, Stephen P.
Linsky, David P.
L'Italien, Barbara A.
Malia, Elizabeth A.
Mariano, Ronald
Marzilli, J. James, Jr.
Murphy, Charles A.
Murphy, Kevin J.
Naughton, Harold P., Jr.
Nyman, Robert J.
O'Brien, Thomas J.
O'Flaherty, Eugene L.
Owens-Hicks, Shirley
Patrick, Matthew
Paulsen, Anne M.
Pedone, Vincent A.
Peisch, Alice H.
Petersen, Douglas W.
Petrolati, Thomas M.
Petruccelli, Anthony
Pignatelli, Smitty

Quinn, John F.
Reinstein, Kathi-Anne
Rivera, Cheryl A.
Rodrigues, Michael J.
Rogers, John H.
Ruane, J. Michael
Rushing, Byron
Scibak, John W.
Smizik, Frank Israel
Spellane, Robert P.
Spiliotis, Joyce A.
Spilka, Karen
Stanley, Harriett L.
Stanley, Thomas M.
Story, Ellen
Straus, William M.
Sullivan, David B.
Swan, Benjamin
Teahan, Kathleen M.
Timilty, Walter F.
Torrise, David M.
Turkington, Eric
Vallee, James E.
Verga, Anthony J.
Wagner, Joseph F.
Wallace, Brian P.
Walrath, Patricia A.
Walsh, Martin J.
Walsh, Steven M.
Wolf, Alice K. — 104.

Nangle, David M.
Parente, Marie J.
Perry, Jeffrey D.
Peterson, George N., Jr.
Poirier, Elizabeth A.
Polito, Karyn E.
Pope, Susan W.
Rogeness, Mary S.
Rush, Michael F.

Sanchez, Jeffrey
Scaccia, Angelo M.
Speliotis, Theodore C.
St. Fleur, Marie P.
Tobin, A. Stephen
Toomey, Timothy J., Jr.
Travis, Philip
Webster, Daniel K — 55.

ABSENT OR NOT VOTING (1).

Representative.

Simmons, Mary Jane — 1.

The yeas and nays having been completed at twenty-two minutes before nine o'clock P.M., the pending amendment (Barrios) was adopted, as amended.

Pending the question on ordering the proposal, as amended, to a third reading, at twenty-one minutes before nine o'clock P.M., at the request of Mr. Jones of Reading, for the purposes of a minority caucus, the President declared a recess; and at five minutes before nine o'clock P.M., the Joint Session reassembled, the President in the Chair.

Recess.

The President then placed before the Joint Session the question on suspension of House Rule 1A in order that the Joint Session might continue to meet beyond the hour of nine o'clock P.M.

*Suspension of
House Rule 1A.*

Accordingly, the question on suspension of Rule 1A was determined by a call of the yeas and nays at four minutes before nine o'clock P.M., as follows to wit (Yeas 170 — Nays 28) [**Senate Yeas and Nays No. 483**] [**House Yeas and Nays No. 555**]:

YEAS (170).

Senators.

Creedon, Robert S., Jr.
Fargo, Susan C.
Glodis, Guy W.
Moore, Richard T.

Panagiotakos, Steven C.
Sprague, Jo Ann
Walsh, Marian — 7.

Representatives.

Asselin, Christopher P.
Ayers, Bruce J.
Broadhurst, Arthur J.
Brown, Scott P.
Carron, Mark J.
Ciampa, Vincent P.
Coppola, Michael J.
Correia, Robert
deMacedo, Viriato Manuel
Dempsey, Brian S.
DiMasi, Salvatore F.
Donato, Paul J.
Donovan, Carol A.
Driscoll, Joseph R.
Evangelidis, Lewis G.
Frost, Paul K.
George, Thomas N.
Gifford, Susan W.
Golden, Brian Paul

Gomes, Shirley
Greene, William G., Jr.
Hargraves, Robert S.
Harkins, Lida E.
Hill, Bradford
Hillman, Reed V.
Humason, Donald F., Jr.
Hynes, Frank M.
Jones, Bradley H., Jr.
Kane, Michael F.
Keenan, Daniel F.
Knuuttila, Brian
Kujawski, Paul
Lantigua, William
Larkin, Peter J.
Lepper, John A.
Loscocco, Paul J.
Miceli, James R.
Murphy, James M.

Antonioni, Robert A.
Baddour, Steven A.
Barrios, Jarrett T.
Berry, Frederick E.
Brewer, Stephen M.
Chandler, Harriette L.
Creedon, Robert S., Jr.
Creem, Cynthia Stone
Fargo, Susan C.
Glodis, Guy W.
Hart, John A., Jr.
Havern, Robert A.
Hedlund, Robert L.
Joyce, Brian A.
Lees, Brian P.
Magnani, David P.
McGee, Thomas M.
Melconian, Linda J.

Menard, Joan M.
Montigny, Mark C.
Moore, Richard T.
Morrissey, Michael W.
Murray, Therese
Nuciforo, Andrea F., Jr.
O'Leary, Robert A.
Pacheco, Marc R.
Panagiotakos, Steven C.
Resor, Pamela
Rosenberg, Stanley C.
Shannon, Charles E.
Sprague, Jo Ann
Tarr, Bruce E.
Tolman, Steven A.
Travaglini, Robert E.
Tucker, Susan C.
Wilkerson, Dianne — 36.

Proposal for a Legislative Amendment to the Constitution, affirmation of marriage.

Representatives.

Asselin, Christopher P.
Atkins, Cory
Atsalis, Demetrius J.
Ayers, Bruce J.
Balsler, Ruth B.
Binienda, John J.
Blumer, Deborah D.
Bosley, Daniel E.
Bradley, Garrett J.
Broadhurst, Arthur J.
Buoniconti, Stephen J.
Cabral, Antonio F. D.
Callahan, Jennifer M.
Canavan, Christine E.
Carron, Mark J.
Casey, Paul C.
Ciampa, Vincent P.
Connolly, Edward G.
Correia, Robert
Costello, Michael A.
Coughlin, Robert K.
Creedon, Geraldine
DeLeo, Robert A.
Demakis, Paul C.
Dempsey, Brian S.
DiMasi, Salvatore F.
Donato, Paul J.
Donelan, Christopher J.
Donovan, Carol A.
Driscoll, Joseph R.
Eldridge, James B.
Fagan, James H.
Fallon, Christopher G.
Falzone, Mark V.
Fennell, Robert F.
Festa, Michael E.
Finegold, Barry R.
Finneran, Thomas M.
Fox, Gloria L.
Fresolo, John P.
Galvin, William C.
Garry, Colleen M.
Gobi, Anne M.
Goguen, Emile J.
Golden, Brian Paul
Golden, Thomas A., Jr.
Grant, Mary E.
Greene, William G., Jr.
Haddad, Patricia A.
Hall, Geoffrey D.
Harkins, Lida E.
Honan, Kevin G.
Howland, Mark A.
Hynes, Frank M.
Jehlen, Patricia D.
Kafka, Louis L.
Kane, Michael F.

Kaprielian, Rachel
Kaufman, Jay R.
Keenan, Daniel F.
Kennedy, Thomas P.
Khan, Kay
Knuuttila, Brian
Kocot, Peter V.
Koczera, Robert M.
Koutoujian, Peter J.
Kujawski, Paul
Kulik, Stephen
Lantigua, William
Leary, James Brendan
Leary, James Brendan
LeDuc, Stephen P.
Linsky, David P.
L'Italien, Barbara A.
Malia, Elizabeth A.
Mariano, Ronald
Marzilli, J. James, Jr.
Miceli, James R.
Murphy, Charles A.
Murphy, James M.
Murphy, Kevin J.
Nangle, David M.
Naughton, Harold P., Jr.
Nyman, Robert J.
O'Brien, Thomas J.
O'Flaherty, Eugene L.
Owens-Hicks, Shirley
Parente, Marie J.
Patrick, Matthew
Paulsen, Anne M.
Pedone, Vincent A.
Peisch, Alice H.
Petersen, Douglas W.
Petrolati, Thomas M.
Petruccelli, Anthony
Pignatelli, Smitty
Quinn, John F.
Reinstein, Kathi-Anne
Rivera, Cheryl A.
Rodrigues, Michael J.
Rogers, John H.
Ruane, J. Michael
Rush, Michael F.
Rushing, Byron
Sanchez, Jeffrey
Scaccia, Angelo M.
Scibak, John W.
Smizik, Frank Israel
Speliotis, Theodore C.
Spellane, Robert P.
Spiliotis, Joyce A.
Spilka, Karen
Stanley, Harriett L.
Stanley, Thomas M.

St. Fleur, Marie P.
Story, Ellen
Straus, William M.
Sullivan, David B.
Teahan, Kathleen M.
Timilty, Walter F.
Tobin, A. Stephen
Toomey, Timothy J., Jr.
Torrissi, David M.
Travis, Philip

Turkington, Eric
Vallee, James E.
Verga, Anthony J.
Wagner, Joseph F.
Wallace, Brian P.
Walrath, Patricia A.
Walsh, Martin J.
Walsh, Steven M.
Wolf, Alice K. — 133.

NAYS — (28).

Senators.

Knapik, Michael R.
Tisei, Richard R.

Walsh, Marian — 3.

Representatives.

Brown, Scott P.
Coppola, Michael J.
deMacedo, Viriato Manuel
Evangelidis, Lewis G.
Flynn, David L.
Frost, Paul K.
George, Thomas N.
Gifford, Susan W.
Gomes, Shirley
Hargraves, Robert S.
Hill, Bradford
Hillman, Reed V.
Humason, Donald F., Jr.

Jones, Bradley H., Jr.
Kelly, Shaun P.
Lepper, John A.
Loscocco, Paul J.
Perry, Jeffrey D.
Peterson, George N., Jr.
Poirier, Elizabeth A.
Polito, Karyn E.
Pope, Susan W.
Rogeness, Mary S.
Swan, Benjamin
Webster, Daniel K. — 25.

ABSENT OR NOT VOTING (2).

Representatives.

Candaras, Gale D.

Simmons, Mary Jane — 2.

The yeas and nays having been completed at four minutes past nine o'clock P.M., House Rule 1A was suspended.

During further consideration of the question on ordering the proposal to a third reading, the Speaker in the Chair, at ten minutes before eleven o'clock P.M., Mr. Kaufman of Lexington, doubted the presence of a quorum and asked for a call of the yeas and nays to ascertain if a quorum was present. The Speaker, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum at three minutes before eleven o'clock P.M., as follows to wit (Answered Present 187) [Senate Yeas and Nays No. 484] [House Yeas and Nays No. 556]:

ANSWERED "PRESENT" (187).

Senators.

Antonioni, Robert A.
Baddour, Steven A.
Barrios, Jarrett T.
Berry, Frederick E.

Brewer, Stephen M.
Chandler, Harriette L.
Creedon, Robert S., Jr.
Creem, Cynthia Stone

Proposal for a
Legislative
Amendment
to the
Constitution,
affirmation
of marriage.

Fargo, Susan C.
Glodis, Guy W.
Hart, John A., Jr.
Hedlund, Robert L.
Joyce, Brian A.
Knapik, Michael R.
Lees, Brian P.
Magnani, David P.
McGee, Thomas M.
Melconian, Linda J.
Menard, Joan M.
Montigny, Mark C.
Moore, Richard T.
Morrissett, Michael W.
Murray, Therese

Nuciforo, Andrea F., Jr.
O'Leary, Robert A.
Pacheco, Marc R.
Resor, Pamela
Rosenberg, Stanley C.
Shannon, Charles E.
Sprague, Jo Ann
Tarr, Bruce E.
Tisei, Richard R.
Tolman, Steven A.
Travaglini, Robert E.
Tucker, Susan C.
Walsh, Marian
Wilkerson, Dianne — 37.

Representatives.

Asselin, Christopher P.
Atkins, Cory
Atsalis, Demetrius J.
Ayers, Bruce J.
Balsler, Ruth B.
Binienda, John J.
Blumer, Deborah D.
Bosley, Daniel E.
Bradley, Garrett J.
Broadhurst, Arthur J.
Brown, Scott P.
Cabral, Antonio F. D.
Callahan, Jennifer M.
Canavan, Christine E.
Candaras, Gale D.
Casey, Paul C.
Ciampa, Vincent P.
Connolly, Edward G.
Coppola, Michael J.
Correia, Robert
Costello, Michael A.
Coughlin, Robert K.
Creedon, Geraldine
DeLeo, Robert A.
deMacedo, Viriato Manuel
Dempsey, Brian S.
Donato, Paul J.
Donelan, Christopher J.
Donovan, Carol A.
Driscoll, Joseph R.
Eldridge, James B.
Evangelidis, Lewis G.
Fagan, James H.
Fallon, Christopher G.
Falzone, Mark V.
Fennell, Robert F.
Festa, Michael E.
Finegold, Barry R.
Flynn, David L.
Fox, Gloria L.
Fresolo, John P.

Frost, Paul K.
Galvin, William C.
Garry, Colleen M.
George, Thomas N.
Gifford, Susan W.
Gobi, Anne M.
Goguen, Emile J.
Golden, Brian Paul
Golden, Thomas A., Jr.
Gomes, Shirley
Grant, Mary E.
Greene, William G., Jr.
Haddad, Patricia A.
Hall, Geoffrey D.
Hargraves, Robert S.
Harkins, Lida E.
Hill, Bradford
Hillman, Reed V.
Honan, Kevin G.
Howland, Mark A.
Humason, Donald F., Jr.
Hynes, Frank M.
Jehlen, Patricia D.
Jones, Bradley H., Jr.
Kafka, Louis L.
Kane, Michael F.
Kaprielian, Rachel
Kaufman, Jay R.
Keenan, Daniel F.
Kelly, Shaun P.
Kennedy, Thomas P.
Khan, Kay
Knuuttila, Brian
Kocot, Peter V.
Koczera, Robert M.
Kujawski, Paul
Kulik, Stephen
Lantigua, William
Larkin, Peter J.
Leary, James Brendan
LeDuc, Stephen P.

Lepper, John A.
Linsky, David P.
L'Italien, Barbara A.
Loscocco, Paul J.
Mariano, Ronald
Marzilli, J. James, Jr.
Miceli, James R.
Murphy, Charles A.
Murphy, James M.
Murphy, Kevin J.
Nangle, David M.
Naughton, Harold P., Jr.
Nyman, Robert J.
O'Brien, Thomas J.
O'Flaherty, Eugene L.
Owens-Hicks, Shirley
Parente, Marie J.
Patrick, Matthew
Paulsen, Anne M.
Pedone, Vincent A.
Peisch, Alice H.
Perry, Jeffrey D.
Petersen, Douglas W.
Peterson, George N., Jr.
Petrolati, Thomas M.
Petruccelli, Anthony
Pignatelli, Smitty
Poirier, Elizabeth A.
Polito, Karyn E.
Pope, Susan W.
Quinn, John F.
Rivera, Cheryl A.
Rodrigues, Michael J.
Rogeness, Mary S.

Rogers, John H.
Ruane, J. Michael
Rush, Michael F.
Rushing, Byron
Sanchez, Jeffrey
Scibak, John W.
Smizik, Frank Israel
Speliotis, Theodore C.
Spellane, Robert P.
Spiliotis, Joyce A.
Spilka, Karen
Stanley, Harriett L.
Stanley, Thomas M.
St. Fleur, Marie P.
Story, Ellen
Straus, William M.
Sullivan, David B.
Swan, Benjamin
Teahan, Kathleen M.
Timilty, Walter F.
Tobin, A. Stephen
Toomey, Timothy J., Jr.
Torrise, David M.
Travis, Philip
Turkington, Eric
Vallee, James E.
Verga, Anthony J.
Wagner, Joseph F.
Wallace, Brian P.
Walrath, Patricia A.
Walsh, Martin J.
Walsh, Steven M.
Webster, Daniel K.
Wolf, Alice K. — 150.

NAYS — (0).

ABSENT OR NOT VOTING (12).

Senators.

Havern, Robert A.

Panagiotakos, Steven C. — 2.

Representatives.

Buoniconti, Stephen J.
Carron, Mark J.
Demakis, Paul C.
DiMasi, Salvatore F.
Finneran, Thomas M.

Koutoujian, Peter J.
Malia, Elizabeth A.
Reinstein, Kathi-Anne
Scaccia, Angelo M.
Simmons, Mary Jane — 10.

The yeas and nays having been completed at four minutes before eleven o'clock P.M., a quorum was declared present.

The President in the Chair, the Proposal for a Legislative Amendment to the Constitution relative to the affirmation of marriage (House, No. 3190),— was further considered, the question being on ordering the proposal, as amended (Messrs. Finneran, Travaglini, Lees, Rogers, Baddour, Leary, Pedone and Spellane), to a third reading.

Proposal for a
Legislative
Amendment
to the
Constitution,
affirmation
of marriage.

After debate, the question on ordering the proposal, as amended (Messrs. Finneran, Travaglini, Lees, Rogers, Baddour, Leary, Pedone and Spellane), to a third reading was determined by a call of the yeas and nays at seven minutes past eleven o'clock P.M., as follows to wit (Yeas 121 — Nays 77) [**Senate Yeas and Nays No. 485**] [**House Yeas and Nays No. 557**]:

YEAS (121).

Senators.

Baddour, Steven A.	Menard, Joan M.
Berry, Frederick E.	Moore, Richard T.
Brewer, Stephen M.	Morrissey, Michael W.
Creedon, Robert S., Jr.	Murray, Therese
Glodis, Guy W.	Pacheco, Marc R.
Hart, John A., Jr.	Panagiotakos, Steven C.
Hedlund, Robert L.	Tarr, Bruce E.
Knapik, Michael R.	Travaglini, Robert E. — 17.
Lees, Brian P.	

Representatives.

Asselin, Christopher P.	Gobi, Anne M.
Atsalis, Demetrius J.	Goguen, Emile J.
Ayers, Bruce J.	Golden, Brian Paul
Binienda, John J.	Golden, Thomas A., Jr.
Bradley, Garrett J.	Gomes, Shirley
Broadhurst, Arthur J.	Greene, William G., Jr.
Brown, Scott P.	Hall, Geoffrey D.
Buoniconti, Stephen J.	Hargraves, Robert S.
Callahan, Jennifer M.	Hill, Bradford
Canavan, Christine E.	Hillman, Reed V.
Candaras, Gale D.	Howland, Mark A.
Carron, Mark J.	Humason, Donald F., Jr.
Casey, Paul C.	Hynes, Frank M.
Ciampa, Vincent P.	Jones, Bradley H., Jr.
Connolly, Edward G.	Kafka, Louis L.
Coppola, Michael J.	Kane, Michael F.
Correia, Robert	Keenan, Daniel F.
Coughlin, Robert K.	Knuuttila, Brian
Creedon, Geraldine	Koczera, Robert M.
DeLeo, Robert A.	Kujawski, Paul
deMacedo, Viriato Manuel	Lantigua, William
Dempsey, Brian S.	Larkin, Peter J.
Donato, Paul J.	Leary, James Brendan
Driscoll, Joseph R.	LeDuc, Stephen P.
Evangelidis, Lewis G.	Lepper, John A.
Fagan, James H.	Loscocco, Paul J.
Fallon, Christopher G.	Mariano, Ronald
Fennell, Robert F.	Miceli, James R.
Finneran, Thomas M.	Murphy, Charles A.
Flynn, David L.	Murphy, James M.
Fresolo, John P.	Murphy, Kevin J.
Frost, Paul K.	Nangle, David M.
Galvin, William C.	Naughton, Harold P., Jr.
Garry, Colleen M.	Nyman, Robert J.
George, Thomas N.	O'Brien, Thomas J.
Gifford, Susan W.	O'Flaherty, Eugene L.

Owens-Hicks, Shirley
Parente, Marie J.
Pedone, Vincent A.
Perry, Jeffrey D.
Peterson, George N., Jr.
Petrolati, Thomas M.
Petruccelli, Anthony
Poirier, Elizabeth A.
Polito, Karyn E.
Pope, Susan W.
Quinn, John F.
Rodrigues, Michael J.
Rogeness, Mary S.
Rogers, John H.
Ruane, J. Michael
Rush, Michael F.

Scaccia, Angelo M.
Spellane, Robert P.
Spiliotis, Joyce A.
Stanley, Harriett L.
Straus, William M.
Sullivan, David B.
Timilty, Walter F.
Tobin, A. Stephen
Travis, Philip
Turkington, Eric
Vallee, James E.
Verga, Anthony J.
Wagner, Joseph F.
Wallace, Brian P.
Walrath, Patricia A.
Webster, Daniel K. — 104.

NAYS — (77).

Senators.

Antonioni, Robert A.	Nuciforo, Andrea F., Jr.
Barrios, Jarrett T.	O'Leary, Robert A.
Chandler, Harriette L.	Resor, Pamela
Creem, Cynthia Stone	Rosenberg, Stanley C.
Fargo, Susan C.	Shannon, Charles E.
Havern, Robert A.	Sprague, Jo Ann
Joyce, Brian A.	Tisei, Richard R.
Magnani, David P.	Tolman, Steven A.
McGee, Thomas M.	Tucker, Susan C.
Melconian, Linda J.	Walsh, Marian
Montigny, Mark C.	Wilkerson, Dianne — 22.

Representatives.

Atkins, Cory	Khan, Kay
Balser, Ruth B.	Kocot, Peter V.
Blumer, Deborah D.	Koutoujian, Peter J.
Bosley, Daniel E.	Kulik, Stephen
Cabral, Antonio F. D.	Linsky, David P.
Costello, Michael A.	L'Italien, Barbara A.
Demakis, Paul C.	Malia, Elizabeth A.
DiMasi, Salvatore F.	Marzilli, J. James, Jr.
Donelan, Christopher J.	Patrick, Matthew
Donovan, Carol A.	Paulsen, Anne M.
Eldridge, James B.	Peisch, Alice H.
Falzone, Mark V.	Petersen, Douglas W.
Festa, Michael E.	Pignatelli, Smitty
Finewood, Barry R.	Reinstein, Kathi-Anne
Fox, Gloria L.	Rivera, Cheryl A.
Grant, Mary E.	Rushing, Byron
Haddad, Patricia A.	Sanchez, Jeffrey
Harkins, Lida E.	Scibak, John W.
Honan, Kevin G.	Smizik, Frank Israel
Jehlen, Patricia D.	Speliotis, Theodore C.
Kaprielian, Rachel	Spilka, Karen
Kaufman, Jay R.	Stanley, Thomas M.
Kelly, Shaun P.	St. Fleur, Marie P.
Kennedy, Thomas P.	Story, Ellen

Proposal for a
Legislative
Amendment
to the
Constitution,
affirmation
of marriage.

Swan, Benjamin
Teahan, Kathleen M.
Toomey, Timothy J., Jr.
Torrissi, David M.

Walsh, Martin J.
Walsh, Steven M.
Wolf, Alice K. — 55.

ABSENT OR NOT VOTING (1).

Representative.

Simmons, Mary Jane — 1.

The yeas and nays having been completed at a quarter past eleven o'clock P.M., the proposal, as amended, was ordered to a third reading.

At sixteen minutes past eleven o'clock P.M., at the request of Mr. Lees, for the purposes of a minority caucus, the President declared a recess; and at twenty-three minutes before twelve o'clock midnight, the Joint Session reassembled, the President in the Chair.

On motion of Mr. Jones of Reading, and without further action on the matters duly and constitutionally assigned for consideration, at twenty-one minutes before twelve o'clock midnight, the Joint Session was recessed until Monday, March 29, 2004 at ten o'clock A.M.

Mr. DiMasi of Boston then moved that when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.; and the motion prevailed.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at sixteen minutes before twelve o'clock midnight (the Speaker being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.