

JOURNAL OF THE HOUSE.

Monday, July 10, 2006.

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

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

Prayer.

Eternal God, in Whom we place our trust and faith, we look to You for guidance as we take up this day's legislative items. In Your goodness, help us, each day, to make reasoned, just and ethical legislative and personal decisions. We are grateful that we are citizens of this blessed nation in which the personal rights, dignity and freedoms of all are recognized and the opinions and principles of all, even the most controversial and sensitive, are respected. Teach us to have a mind which is open to truth and a heart which is open to the human and spiritual needs of all members of our varied communities.

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

Pledge of allegiance.

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

Message from the Governor — Disapprovals and Reductions in General Appropriation Bill.

General Appropriation Bill, vetoes and reductions.

A message from His Excellency the Governor 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 2006 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. 5000] (for message, see House, No. 5150) was filed in the office of the Clerk on Saturday, July 8.

The message was read; and it was referred, under Rule 30, to the committee on Ways and Means.

Message from the Governor — General Appropriation Bill Returned with Recommendations of Amendments.

General Appropriation Bill, amendments.

A message from His Excellency the Governor returning with recommendations of amendments sections 93, 95, 106, 117 and 123 contained in the engrossed Bill making appropriations for the fiscal year 2007 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. 5000] (for message, see House, No. 5151 – Attachments C to G, inclusive) was filed in the office of the Clerk on Saturday, July 8.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the amendments severally were thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendments recommended by the Governor, the subject-matters (printed as House, Nos. 5152 to 5156, inclusive) were referred, in each instance, on motion of Mr. Golden of Lowell, to the committee on Bills in the Third Reading.

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

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill to establish a personal care attendant quality home care workforce council [see House, No. 4758, amended] (for message, see House, No. 5157) was filed in the office of the Clerk on Saturday, July 8.

Workforce council.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Golden of Lowell, to the committee on Bills in the Third Reading.

Messages from the Governor — Vetoes.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to compensation of justices [see House, No. 5093, amended] (for message, see House, No. 5158) was filed in the Office of the Clerk on Saturday, July 8.

Justices, compensation.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to compensation of sheriffs [see House, No. 5094, amended] (for message, see House, No. 5159) was filed in the Office of the Clerk on Saturday, July 8.

Sheriffs, compensation.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to compensation of certain court employees [see House, No. 5095, amended] (for message, see House, No. 5160) was filed in the Office of the Clerk on Saturday, July 8.

Court employees, compensation.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

Commonwealth
Zoological
Society.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to the Commonwealth Zoological Society [see House, No. 5096, amended] (for message, see House, No. 5161) was filed in the Office of the Clerk on Saturday, July 8.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

Public
Safety
programs.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to certain programs within the Executive Office of Public Safety [see House, No. 5098, amended] (for message, see House, No. 5162) was filed in the Office of the Clerk on Saturday, July 8.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

Transitional
Escrow
Fund.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to the Transitional Escrow Fund [see House, No. 5099, amended] (for message, see House, No. 5163) was filed in the Office of the Clerk on Saturday, July 8.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

Cultural
facilities
fund.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill establishing the Massachusetts cultural facilities fund [see House, No. 5103, amended] (for message, see House, No. 5164) was filed in the Office of the Clerk on Saturday, July 8.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

Electricity,
generation.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to the generation of electricity [see House, No. 5104, amended] (for message, see House, No. 5165) was filed in the Office of the Clerk on Saturday, July 8.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

Educational
funds.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill establishing certain educational funds [see House, No. 5105, amended] (for message, see

House, No. 5166) was filed in the Office of the Clerk on Saturday, July 8.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

Communication.

From the Office of the Commissioner of Banks (under the provisions of section 2 of Chapter 167F of the General Laws) submitting regulations relative to parity with federal or out-of-state banks (House, No. 4860) was referred to the committee on Financial Services. Sent to the Senate for concurrence.

Out-of-state
banks.

Annual and Monthly Reports.

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 June, 2006; and

Unemployment
Insurance
Trust Fund.

Annual reports

Of the Department of Telecommunications and Energy (under the provisions of Section 69I of Chapter 164 of the General Laws) submitting a report evaluating the effects of self-generation on sales of electricity and recovery of transition costs during the year 2005;

Electricity,
self-
generation.

Of the Statewide Emergency Telecommunications Board (under the provisions of Section 18B (e) of Chapter 6A of the General Laws) relative to the implementation of the enhanced emergency 9-1-1 public safety answering system for the calendar year 2005; and

Emergency
9-1-1
phone
system.

Of the Registry of Vital Statistics (under the provisions Section 2 of Chapter 111 of the General Laws) submitting its one hundred fifty-sixth annual report on statistics of births, deaths, marriages and divorces in the Commonwealth;

Vital
statistics.

Severally were placed on file.

Petition.

Mr. Hall of Westford presented a petition (accompanied by bill, House, No. 5135) of Steven C. Panagiotakos (by vote of the town) that the town of Westford be authorized to grant a restrictive covenant through town-owned land for the septic system of the Cameron Senior Center in said town; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Westford,
Cameron
Senior
Center.

Reports of Committees.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Housing to make an investigation and study of certain Senate and House documents concerning affordable housing in the Commonwealth (House, No. 4791) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4377) of Stanley C. Rosenberg and Stephen Kulik for legislation to establish a senior

Deerfield,
senior
housing.

housing corporation for the town of Deerfield,— and recommending that the same be recommitted to the committee on Housing. Under Rule 42, the report was considered forthwith; and it was accepted.

Campaigns, electronic communications.
By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill relative to electioneering communications and independent expenditures (House, No. 5033),— and recommending that the same be recommitted to the committee on Election Laws. Under Rule 42, the report was considered forthwith; and it was accepted.

School attendance, study.
By Mrs. Haddad of Somerset, for the committee on Education, on House, No. 4995, an Order relative to authorizing the committee on Education to make an investigation and study of a certain House document concerning school attendance (House, No. 5167).

Health care workers, study.
By Mr. Correia of Fall River, for the committee on Elder Affairs, on House, Nos. 2896 and 2943, an Order relative to authorizing the committee on Elder Affairs to make an investigation and study of certain House documents concerning health care workers (House, No. 5168).

Environmental, study.
By Mr. Smizik of Brookline, for the committee on Environment, Natural Resources and Agriculture, on House, No. 4914, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of a certain House document concerning environmental issues (House, No. 5169).

Municipal zoning, study.
By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on Senate, No. 2531, an Order relative to authorizing the committee on Municipalities and Regional Government to make an investigation and study of a certain Senate document concerning municipal zoning (House, No. 5170) [Representatives Kulik of Worthington and Guyer of Dalton dissenting].

Municipal issues, study.
By the same member, for the same committee, on House, Nos. 4985 and 4993, an Order relative to authorizing the committee on Municipalities and Regional Government to make an investigation and study of certain House documents concerning municipal issues (House, No. 5171).

Revenue, study.
By Mr. Binienda of Worcester, for the committee on Revenue, on House, No. 4986, an Order relative to authorizing the committee on Revenue to make an investigation and study of a certain House document concerning the Appellate Tax Board (House, No. 5172).

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

Subsequently Mr. Scaccia of Boston, for said committees, reported, in each instance, asking to be discharged from further consideration of said orders; and recommending that the same severally be referred to the House committee on Rules.

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

Algonquin Gas Transmission, LLC.
By Mr. Flynn of Bridgewater, for the committee on Bonding, Capital Expenditures and State Assets, on House, No. 5049, a Bill

authorizing the Commissioner of the Division of Capital Asset Management and Maintenance to grant easements to Algonquin Gas Transmission, LLC and Colonial Gas Company d/b/a Keyspan Energy Delivery New England (House, No. 5173).

By the same member, for the same committee, on House, No. 5065, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the town of Milford (House, No. 5174).
Milford, land conveyance.

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

By Mr. Pedone of Worcester, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill authorizing the town of North Andover to hold a license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4693) [Local Approval Received].
North Andover, Stevens Estate.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Westwood to grant inkeepers' licenses (House, No. 5014) [Local Approval Received].
Westwood, inkeepers licenses.

By Mr. Binienda of Worcester, for the committee on Revenue, on a recommitted petition, a Bill relative to the homeowners' residential tax exemption in the city of Boston (House, No. 4421) [Local Approval Received].
Boston, homeowners tax.

By the same member, for the same committee, on House No. 4946, reports, in part, a Bill relative to real estate tax payments in the town of Acton (House, No. 5175) [Local Approval Received].
Acton, tax payments.

By the same member, for the same committee, on the residue of House, No. 4946, a Bill relative to real estate tax payments (House, No. 5176) [Local Approval Received].
Real estate tax payments.

By the same member, for the same committee, on House, No. 5008, a Bill authorizing the city of Fitchburg to abate certain taxes (House, No. 5177) [Local Approval Received].
Fitchburg, tax abatements.

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

Engrossed Bill.

The engrossed Bill relative to creditable service for certain state contract employees (see Senate, No. 2462, amended) (which originated in the Senate) (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, without amendment; and it was signed by the acting Speaker and sent to the Senate.
Bill re-enacted.

Order.

On motion of Mr. DiMasi of Boston,—
Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.
Next sitting.

At twenty-nine minutes after eleven o'clock A.M., on motion of Mr. Rush of Boston (Mr. Donato of Medford being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M., in an Informal Session.