

JOURNAL OF THE HOUSE.

Thursday, October 12, 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:

God, Our Creator, we pause for a moment of reflection and prayer and we ask for Your guidance as we take up the items on our personal and legislative agendas. In Your goodness, help us to evaluate and address the many complex, sensitive and controversial matters of the moment in an objective, logical and rational manner. Teach us to respect the views and insights of others, even when we disagree. As leaders and concerned citizens, inspire us to unite various communities and constituencies in promoting the best interest of the people and society. May we remain faithful to our ideals and values, human and spiritual.

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

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

Resolutions.

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

Resolutions (filed by Ms. Fox of Boston) congratulating John B. Cruz, Jr., and Cruz Construction Company on their fifty-eighth anniversary;

Resolutions (filed by Ms. Polito of Shrewsbury) honoring the Westborough Woman's Club on its ninetieth anniversary;

Resolutions (filed by Mr. Rice of Gardner and other members of the House) recognizing the one hundredth anniversary of the Gardner Visiting Nursing Association, Inc.;

Resolutions (filed by Mr. Ross of Wrentham) congratulating Frank J. Gross on the occasion of his retirement; and

Resolutions (filed by Ms. Wolf of Cambridge) congratulating Pozzi Escot for her lifetime of musical achievements;

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Ms. Wolf, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Prayer.

Pledge of
allegiance.

John B.
Cruz, Jr.

Westborough
Woman's Club.

Gardner
Visiting Nursing
Association.

Frank J.
Gross.

Pozzi
Escot.

*Communication.*Public safety
promotional
lists.

A communication from the Human Resources Division of the Executive Office for Administration and Finance (under the provisions of Section 25 of Chapter 31 of the General Laws) submitting a list of certain public safety promotional lists which have been revoked as of October 1, 2006, was placed on file.

*Annual and Monthly Reports.*Economic
stabilization.

Annual reports
Of the Economic Stabilization Trust (under the provisions of Section 14 of Chapter 23D of the General Laws) for the fiscal year 2006; and

Ethics
Commission.

Of the State Ethics Commission (under the provisions of Section 2(1) of Chapter 268B of the General Laws) for the fiscal year 2006; and

Unemployment
Insurance
Trust Fund.

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 September, 2006;
Severally were placed on file.

*Petition.*State Racing
Commission.

Mr. Flynn of Bridgewater presented a petition (subject to Joint Rule 12) of David L. Flynn, Marc R. Pacheco and James H. Fagan for an investigation by a special commission (including members of the General Court) of certain actions and rulings of the State Racing Commission; and the same was referred, under Rule 24, to the committee on Rules.

*Paper from the Senate.*Yarmouth,
tourism
fund.

The House Bill establishing a tourism revenue preservation fund in the town of Yarmouth (House, No. 4945, changed) came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in line 3, and also in section 2, in line 3, striking out the words "is hereby authorized to" and inserting in place thereof, in each instance, the word "shall"; and in section 2, in line 4, inserting after the figures "\$50,000" the words ", subject to appropriation,".

Under suspension of Rule 35, on motion of Ms. Khan of Newton, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

*Reports of Committees.*Freedom s Way
Heritage area,
commission.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill establishing the Freedom's Way Heritage Area and Commission (Senate, No. 1852, amended) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

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

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill relative to the veteran status of Michael L. Buckley (Senate, No. 2468) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Michael L.
Buckley,
veteran
status.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

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

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill relative to shaken baby syndrome (House, No. 4855) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with an amendment previously recommended by the committee on Health Care Financing pending.

Shaken
baby
syndrome.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

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

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a Bill to prevent shaken baby syndrome in Massachusetts (House, No. 4959),— was adopted.

The substituted bill then was ordered to a third reading.

By Mr. Flynn of Bridgewater, for the committee on Bonding, Capital Expenditures and State Assets, on House, No. 5292, a Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land in Foxborough (House, No. 5319).

Foxborough,
land.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a recommitted petition, a Bill regarding benefits for uniformed members of the Bureau of Fire Control (House, No. 486).

Bureau of
Fire Control,
benefits.

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

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill to create a Charles River water quality commission (House, No. 4683) ought to pass with amendments, in lines 54 and 55, by striking out the sentence contained therein and, in lines 63 and 64, by striking out the following: “February 1, 2007” and inserting in place thereof the following: “November 1, 2007”. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendments pending.

Charles
River.

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

	Senate bills
Donald J. Castle.	Relative to the vacation accrual rate of Donald J. Castle, an employee of the Trial Court (Senate, No. 2105);
Renewable energy.	Relative to the renewable energy portfolio (Senate, No. 2122, amended);
Harbormasters.	Relative to harbormaster training and curriculum certification (Senate, No. 2178, amended);
John G. Flores.	Allowing increased retirement benefits for John G. Flores (Senate, No. 2426);
Disabled veterans plates.	Relative to disabled veterans' motor vehicle plates (Senate, No. 2428);
Performing groups.	Regulating certain musical performances and the protection of performing groups (Senate, No. 2530); and
Forest land, taxation.	Relative to the taxation of forest, farm, and recreation land (Senate, No. 2683); and
	House bills
Pilots.	Relative to pilots (House, No. 1377, changed);
Vessels.	Relative to abandoned vessels (House, No. 1380, changed);
Automobile insurance.	Relative to private passenger automobile insurance (House, No. 1551);
Fluid storage.	Relative to certain tanks used for the storage of fluids (House, No. 1863);
Amblyopia.	Relative to amblyopia and strabismus (House, No. 2671);
Transitional Assistance, rent payment.	Further regulating direct payment of rent to landlords by the Department of Transitional Assistance (House, No. 2819, changed);
Vessels.	Relative to abandoned vessels (House, No. 4362);
Burlington, town meeting.	Relative to the election of town meeting member in the town of Burlington (House, No. 4556, changed) [Local Approval Received]; and
Municipal liability funds.	To establish retiree health care liability funds for municipalities (House, No. 4887);
	Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bills.

Bill enacted. The engrossed Bill designating the annual observance of Massachusetts History Day and establishing a special commission on civic engagement and learning (see House, No. 3465, amended) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed bills
 Bills enacted. Reducing the supplemental reserve fund requirement for the city of Pittsfield (see Senate, No. 2149) (which originated in the Senate); and
 Establishing an affordable housing trust fund in the town of Wellfleet (see House, No. 4094, amended) (which originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Senate bills

Eliminating the property holdings cap for the Boston Public Library (Senate, No. 2484, amended); Third reading bills.

Relative to Quincy College (Senate, No. 2523); and

Authorizing the Department of Conservation and Recreation to provide leases to yacht clubs on its property (Senate, No. 2695);

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, in concurrence.

House bills

Relative to health benefits for elected officials in the town of North Andover (House, No. 4864) (its title having been changed by the committee on Bills in the Third Reading); xi

Providing certain benefits for call firefighters in the town of Wenham (House, No. 5141); and

Establishing a sick leave bank for Paul LaFrance, an employee of the Department of Correction (House, No. 5307) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Order.

On motion of Mr. DiMasi of Boston,—

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

At a quarter before twelve o'clock noon, on motion of Ms. Provost of Somerville (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.