

Thursday, April 19, 2007.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Rush of Boston 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, each day we pray for Your gift of peace. Our hope is that Your peace will fill our hearts and minds at all times as we deal with constituents and their legislative and public concerns. Teach us to recognize and to respect the human dignity, the rights, civil and religious, of all people from the youngest child to the most elderly adult. Bless our efforts to build a society which is civil, prosperous and aware of the signs of the times. Grant us the wisdom to select those goals, ideals and values which enable us to be responsible and thoughtful citizens. Prayer.

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

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

Appointment to a Special Commission.

The Speaker announced the appointment of House Minority Leader Bradley H. Jones, Jr., to the special commission established (pursuant to Chapter 2 of the Resolves of 2006) for the purpose of devising a statewide strategy to end homelessness in the Commonwealth. Homelessness.

Communication.

A communication from the City Council of the city of Worcester transmitting a copy of Resolutions (introduced by the Mayor and others) urging the General Court to oppose the elimination of the municipal consent process for competitive providers of cable television service, having been adopted by said Council by a unanimous vote, were spread upon the records of the House; and sent to the Senate for its information. Worcester,—
cable
service.

Resolutions.

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

Resolutions (filed by Messrs. Binienda of Worcester, Fresolo of Worcester, Pedone of Worcester and Spellane of Worcester) congratulating David Coyne for his ten years of service as Director of Clark Hillel; David
Coyne.

Women in
Public Higher
Education.

Resolutions (filed by Mr. Humason of Westfield) on the occasion of the twenty-fifth anniversary of the Massachusetts Women in Public Higher Education;

Ugandan
educators.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Ugandan educators teaching and observing in the Weston Public Schools;

Alec S.
Harrison.

Resolutions (filed by Mr. Turner of Dennis) congratulating Alec S. Harrison on receiving the Eagle Award of the Boy Scouts of America;

Central
Square
Theatre
Day.

Resolutions (filed by Representatives Walz of Boston, Brownsberger of Belmont, Kaprielian of Watertown, Rushing of Boston, Toomey of Cambridge and Wolf of Cambridge) recognizing the City of Cambridge observance of May 1, 2007 as Central Square Theatre Day; and

Margaret
McKenna.

Resolutions (filed by Ms. Wolf of Cambridge) honoring Margaret McKenna;

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

Papers from the Senate.

Dennis
McNamara,—
sick leave.

The House Bill establishing a sick leave bank for Dennis McNamara, an employee of the Department of Fish and Game (House, No. 3940) came from the Senate passed to be engrossed, in concurrence, with an amendment in the third sentence, striking out the words “department of fish and game paid leave” (as changed by the House committee on Bills in the Third Reading) and inserting in place thereof the words “extended illness leave bank”.

Under suspension of Rule 35, on motion of Ms. Peisch of Wellesley, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Masters of
library
science.

A report of the Senate committee on Ways and Means, asking to be discharged from further consideration of the Bill to establish a Master of Library Science assistance program (Senate, No. 2009), and recommending that the same be referred to the committee on Higher Education,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, in so much as relates to the reference.

Building,—
incentives.

Reports of the committee on Community Development and Small Business, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 138) of Susan C. Fargo, William N. Brownsberger and Susan C. Tucker for legislation relative to high performance building incentive program,— and recommending that the same be referred to the committee on Economic Development and Emerging Technologies.

Healthy
communities.

Of the petition (accompanied by bill, Senate, No. 129) of Jarrett T. Barrios, Pamela P. Resor, Douglas W. Petersen, William N. Brownsberger and other members of the General Court for legislation to promote healthy communities and the environment,— and recommending that the same be referred to the committee on Public Health.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2215) of Stephen J. Buoniconti and Joyce A. Spiliotis for legislation to prohibit discrimination against physical therapists and physical therapist assistants in securing medical malpractice insurance. To the committee on Financial Services. Physical therapy,—malpractice insurance.

Petition (accompanied by bill, Senate, No. 2216) of Benjamin B. Downing and Denis E. Guyer for legislation relative to the enforcement of decisions by the Appellate Tax Board. To the committee on Revenue. Appellate tax board.

Reports of Committees.

By Mr. Petruccelli of Boston, for the committee on Community Development and Small Business, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 175) of Douglas W. Petersen and others for legislation to provide land use reforms under the zoning laws of the Commonwealth,— and recommending that the same be referred to the committee on Municipalities and Regional Government. Under Rule 42, the report was considered forthwith. The House then refused to accept the report; and, on motion of Mr. Petruccelli, the petition was recommitted. Land use reform.

By Ms. Coakley-Rivera of Springfield, for the committee on Children, Families and Persons with Disabilities, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3938) of Theodore C. Speliotis and others relative to the membership and the jurisdiction of the Architectural Access Board,— and recommending that the same be referred to the committee on Public Safety and Homeland Security; Architectural Access Board.

By Mr. Petruccelli of Boston, for the committee on Community Development and Small Business, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 148) of Bruce J. Ayers for legislation to further regulate the community preservation law concerning “smart growth” planning in cities and towns,— and recommending that the same be referred to the committee on Election Laws; Cities and towns,—growth planning.

Of the petition (accompanied by bill, House, No. 169) of Peter J. Koutoujian and others relative to profits from crime,— and recommending that the same be referred to the committee on the Judiciary; Crime,—profits.

Of the petition (accompanied by bill, House, No. 192) of David M. Torrissi providing training for certain local boards and commissions,— and recommending that the same be referred to the committee on Municipalities and Regional Government; Local boards,—training.

Of the petition (accompanied by bill, House, No. 178) of Michael J. Rodrigues and others relative to redeeming losing lottery tickets in the purchase of lottery tickets,— and recommending that the same be referred to the committee on Revenue; State Lottery.

Professional
licensure.

By Mrs. Haddad of Somerset, for the committee on Education, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 419) of James H. Fagan and others for legislation to require applicants for professional licenses to have satisfied all state tax obligations of such applicants,— and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure;

Assisted
housing.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, asking to be discharged from further consideration of the joint petition (accompanied by bill, House, No. 1729) of Robert P. Spellane and others relative to employer assisted housing,— and recommending that the same be referred to the committee on Housing.

By Mr. Pedone of Worcester, for the committee on Municipalities and Regional Government, asking to be discharged from further consideration

Child care,—
enrollment.

Of the petition (accompanied by bill, House, No. 1983) of Douglas W. Petersen for legislation to regulate the admittance to pre-school or school age child care programs,— and recommending that the same be referred to the committee on Children, Families and Persons with Disabilities;

Inland
waters,—
protection.

Of the petition (accompanied by bill, House, No. 1976) of James M. Murphy relative to the protection of inland waters,— and recommending that the same be referred to the committee on Environment, Natural Resources and Agriculture; and

Electric
street
poles.

Of the petition (accompanied by bill, House, No. 1991) of Carl M. Sciortino, Jr., and others relative to electric street poles,— and recommending that the same be referred to the committee on Telecommunications, Utilities and Energy.

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

Parole
Board.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill providing for behavioral science representation on the Parole Board (House, No. 1314).

Patient
confidentiality.

By the same member, for the same committee, on a petition, a Bill protecting patient confidentiality (House, No. 1315).

Infant
deaths.

By the same member, for the same committee, on a petition, a Bill establishing a sudden infant death syndrome advisory council (House, No. 1678).

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

Boston,—
DCR
land.

By Mr. Flynn of Bridgewater, for the committee on Bonding, Capital Expenditures and State Assets, on a petition, a Bill authorizing the transfer of certain land to the city of Boston (House, No. 53).

Barnstable
Fire
District.

By Mr. Pedone of Worcester, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to transferring certain funds to the Barnstable Fire District (House, No. 1915).

Pensioners,—
service
after
retirement.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a joint petition, a Bill relative to capping payment of pensioners for services after retirement (House, No. 2713, changed by inserting after section 1 the following section:

“SECTION 2. Section 91 (b) is further amended by adding at the end thereof the following sentence:— The provisions of this subsection shall apply to individual services provided by such a person in any capacity, including an employee, contractor, temporary or leased employee, or through a third party labor supplying organization.”).

By the same member, for the same committee, on a petition, a Bill for a special law re: creditable service of certain employees of the city of Boston (House, No. 2719).

Boston teachers,—retirement.

By the same member, for the same committee, on a petition, a Bill relative to vesting and accumulating creditable service in the state retirement system for part-time faculty teaching in the Commonwealth’s institutions of higher education (House, No. 2821).

Part time teaching,—creditable service.

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

By Mr. Rodrigues of Westport, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 227, 237, 285 and 335, a Bill relative to the issuance of certain special alcoholic beverages licenses (House, No. 285).

Golf courses,—alcoholic beverages.

By Mr. Bradley of Hingham, for the committee on Election Laws, on a message from His Excellency the Governor, a Bill validating the actions taken at an annual town election held in the town of Dudley (printed in House, No. 3971).

Dudley,—annual election.

By Mr. Pedone of Worcester, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to provide funds for ADA compliance in cities and towns (House, No. 1916).

Disability compliance,—funds.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of North Reading to convey and acquire land (House, No. 1954) [Local Approval Received].

North Reading,—land.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of North Reading to convey and acquire land (House, No. 1955) [Local Approval Received].

Id.

By the same member, for the same committee, on a petition, a Bill authorizing the county commissioners of the county of Norfolk to borrow money for the preparation of plans and specifications for renovation of and additions to the Presidents Golf Course Clubhouse at Norfolk County’s Wollaston Recreational Facility (House, No. 1968).

Wollaston Recreational Facility.

By the same member, for the same committee, on a petition, a Bill to amend the fine for failing to obtain, renew or violating the terms of a license to operate an open air parking lot (House, No. 2002).

Open-air parking lots.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill authorizing the town of Wellesley to convey a certain parcel of land (printed in House, No. 3748).

Wellesley,—land conveyance.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Norwood to convey certain park land (House, No. 3753). [Local Approval Received].

Norwood,—park land.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Wellesley to exchange certain property with James and Pamela Broderick (House, No. 3954) [Local Approval Received].

Wellesley,—land conveyance.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a petition, a Bill providing for creditable service in a retire-

Police officers,—retirement.

ment system for out of state service as a police officer (House, No. 2586, changed in section 1, in line 4, by striking out the following: “(5)” and inserting in place thereof the following: “(5A)”, and, in line 4, and also in line 8, by inserting after the word “police officer” in each instance, the words “or firefighter”).

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

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 after eleven o'clock A.M., on motion of Ms. Peisch of Wellesley (Mr. Rush of Boston being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M.