

JOURNAL OF THE HOUSE.

Monday, January 30, 2006.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Petrolati of Ludlow 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.

God, Our Creator, we place our trust and hope in You. We believe that we can depend upon You and Your assistance and guidance in our daily tasks, sometimes burdensome, of analyzing correctly the legislative and cultural issues of these changing, exciting and challenging times. In our decision-making roles, inspire us to be thoughtful, fair and open to the views and experiences of others and to be guided by traditional philosophical and ethical principles. May the well-being of our families, our neighbors and our diverse communities, with a diversity of needs, remain our top priorities.

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. Petrolati), 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:

Red for Women Day.

Resolutions (filed by Messrs. DiMasi of Boston and Koutoujian of Waltham) proclaiming February 3, 2006 as "Wear Red For Women" Day;

Crane s Personal Design Services.

Resolutions (filed by Mr. Bosley of North Adams) congratulating Crane's Design Services for its selection by the National Multiple Sclerosis Society, Central New England Chapter, as the MS employer of the Year for 2005 in Central New England;

Captain Forbes House Museum.

Resolutions (filed by Representatives Timilty of Milton, Forry of Boston and Scaccia of Boston) commending the Captain Forbes House Museum's "Lincoln Day";

Father Charles Joseph McCoy, Jr. Anne Nee.

Resolutions (filed by Mr. Timilty of Milton) congratulating Father Charles Joseph McCoy, Jr., on his retirement; and

Resolutions (filed by Mr. Walsh of Boston) honoring Anne Nee of Dorchester on her many accomplishments for the community;

Mrs. Harkins of Needham, 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. Rush of Boston, 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.

A Bill relative to the Nantucket Housing Authority (Senate, No. 2103, amended in section 2, in line 2, by striking out the following: "3A, 3B" and inserting in place thereof the figure "3") (on a petition and reported on a part of Senate bill, No. 805) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Nantucket Housing Authority.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2352) of Michael W. Morrissey for legislation relative to teacher certification. To the committee on Education.

Teacher certification.

Petition (accompanied by bill, Senate, No. 2351) of Mark C. Montigny for legislation to relocate certain harbor lines in the Fairhaven and New Bedford harbors. To the committee on Environment, Natural Resources and Agriculture.

New Bedford, Fairhaven, harbor lines.

Petition (accompanied by bill, Senate, No. 2353) of Harriette L. Chandler, Richard T. Moore, Peter J. Koutoujian, Susan C. Fargo and other members of the General Court for legislation to further regulate organ and tissue donations. To the committee on Public Health.

Organ and tissue donations.

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 following petitions:

Petition (accompanied by bill) of James M. Murphy and others for legislation to designate a certain portion of the Webb Memorial State Park in the town of Weymouth as the Robert B. Ambler Walkway. To the committee on Environment, Natural Resources and Agriculture.

Weymouth, Robert B. Ambler Walkway.

Petition (accompanied by bill) of Michael J. Moran relative to lodging houses. To the committee on Housing.

Lodging houses.

Petition (accompanied by bill) of Jeffrey Sánchez and others for legislation to provide certain notices for the protection of patients in long-term care facilities from sex offenders who are residents of such facilities;

Elderly, long-term care.

Petition (accompanied by bill) of Patricia D. Jehlen and others for legislation to regulate the manufacture, sale and possession of machetes and providing a penalty for such violations;

Machetes, prohibiting.

Petition (accompanied by bill) of Peter J. Koutoujian and others for legislation to establish a sick leave bank for Ellen E. Briggs, an employee of the Trial Court; and

Ellen E. Briggs, sick leave.

Petition (accompanied by bill) of Philip Travis and others relative to reciprocal beneficiary contracts;

Reciprocal beneficiary contracts.

Severally to the committee on the Judiciary.

Public employees, disability retirement.

Petition (accompanied by bill) of Regina Anshewitz relative to the period of time for eligibility of certain public employees to qualify for accidental disability retirement. To the committee on Public Service.

Arbella Day, designation.

Petition (accompanied by bill) of Daniel F. Keenan for legislation to provide for the issuance by the Governor of an annual proclamation establishing June twelfth as Arbella Day. To the committee on Tourism, Arts and Cultural Development.

Under suspension of the rules, on motion of Mr. Fallon of Malden, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Technical assistance centers, establish.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3577) of Brian S. Dempsey and others relative to the creation of technical assistance centers within regional planning districts for the delivery of coordinated, comprehensive and continuing services to local governments,— and recommending that the same be referred to the committee on Labor and Workforce Development. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

School employees.

By Mr. Kaufman of Lexington, for the committee on Public Service, on House, No. 281, a Bill to clarify eligibility for health insurance for school employees (House, No. 4654).

Retirees, healthcare liability.

By the same member, for the same committee, on House, No. 361, a Bill to establish retiree healthcare liability funds for the Commonwealth and municipalities (House, No. 4655).

Severally read; and referred, under Joint Rule 1E, to the committee on Healthcare Financing.

Marlborough, land.

By Mr. Flynn of Bridgewater, for the committee on Bonding, Capital Expenditures and State Assets, on House, No. 1432, a Bill authorizing the Division of Capital Asset Management and Maintenance to transfer certain land in the city of Marlborough to James Farina (House, No. 4656).

Southbridge, armory.

By the same member, for the same committee, on House, No. 1436, a Bill reimbursing the town of Southbridge for the cost of purchasing its own armory (House, No. 4657).

Agricultural land.

By the same member, for the same committee, on House, No. 3422, a Bill relative to the leasing of publicly-owned land for agricultural purposes (House, No. 4658).

Route 2, land.

By the same member, for the same committee, on House, Nos. 3423 and 3850, a Bill relative to the conveyance of land directly abutting Route 2 in Concord, Acton and Lincoln (House, No. 4659).

Part-time faculty teaching, creditable service.

By Mr. Kaufman of Lexington, for the committee on Public Service, 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. 189).

By Mr. Binienda of Worcester, for the committee on Revenue, on Senate, Nos. 1636, 1637, 1643, 1668, 1676, 1980, 1987, 1988, 1997, 2004, 2005, 2008, 2013 and 2129 and House, Nos. 2305, 2316, 2319, 2320, 2321, 2323, 2339, 2348, 2356, 2363, 2364, 2409, 2449, 2454, 2508, 2512, 2524, 2537, 2539, 2540, 2541, 2542, 2543, 4025, 4089 and 4355, a Bill establishing the Massachusetts military enhanced relief individual tax (MERIT) plan (House, No. 4660).

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

Military tax relief.

By Mr. Rodrigues of Westport, for the committee on Labor and Workforce Development, that the recommended Bill to protect employees from unscrupulous employers (House, No. 4343) ought to pass with an amendment substituting therefor a bill to clarify the law protecting employee compensation (House, No. 4663). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendment pending.

Employees, protections.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill relative to increasing the amount of damages in small claims court (House, No. 856, changed by inserting after the figure: "6", in line 2, the following: "and line 35").

Small claims court.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the town of Brookline to lease certain town owned land (House, No. 4113) [Local Approval Received].

Brookline.

By the same member, for the same committee, on a petition, a Bill relative to creation of certain funds in the town of Falmouth (House, No. 4134) [Local Approval Received].

Falmouth.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Ayer to convey certain land (House, No. 4203) [Local Approval Received].

Ayer.

By the same member, for the same committee, on a petition, a Bill authorizing the city of Revere to use certain dedicated park land for school purposes (House, No. 4546) [Local Approval Received].

Revere.

By the same member, for the same committee, on a petition, a Bill relative to extending the term of agreement between the town of Shrewsbury and the town of Westborough for the Westborough treatment plant (House, No. 4565).

Westborough and Shrewsbury.

By the same member, for the same committee, on a petition, a Bill relative to certain conservation restrictions in the town of Edgartown (House, No. 4570).

Edgartown.

By the same member, for the same committee, on a petition, a Bill relative to the use of certain land in the town of Stockbridge (House, No. 4595) [Local Approval Received].

Stockbridge.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for John Lavoie, an employee of the Massachusetts Department of Corrections (House, No. 4566, changed by striking out, in line 2, the words "the trial court of the commonwealth" and inserting in place thereof the words "the Massachusetts Department of Corrections").

John Lavoie.

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

Engrossed Bills.

Engrossed bills
 Bills enacted. Establishing a sick leave bank for Maureen Quinney, an employee of the Department of Revenue (see House, No. 4450); and Establishing a sick leave bank for Barry Conway, an employee of the Department of Correction (see House, No. 4475, amended); (Which severally originated in the House); In respect to each of which the Senate had concurred in adoption of the emergency preamble, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Senate bills
 Third reading bills. Authorizing the town of Auburn to convey a certain parcel of land (Senate, No. 2162); and Designating the official blues artist of the Commonwealth (Senate, No. 2262); 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.

Third reading bill. The House Bill authorizing the town of Concord to establish a post-retirement group health insurance trust fund (House, No. 2980), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Order.

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

At twenty minutes after eleven o'clock A.M., on motion of Mrs. Paulsen of Belmont (Mr. Petrolati of Ludlow being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M., in an Informal Session.