

JOURNAL OF THE HOUSE.

Monday, February 11, 2008.

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, with minds and hearts filled with hope and love, we focus our thoughts and attention on You and the relevance of spiritual values in our daily routine and decision-making actions. Your help enables us to organize our personal agenda and priorities for this and every day. Your assistance also inspires us to evaluate and to check out our personal goals and ideals in our changing culture. As elected officials, teach us to connect with constituents in resolving together in a mature and reasonable manner the legislative and administrative issues of the moment. Teach us to address both the current and the future needs of our communities and our Commonwealth in these uneasy times.

Grant Your blessings to the Speaker, the members and employees of the 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 Mr. Fernandes of Milford) congratulating Antonio Nathan Armata on earning the Eagle Scout award;

Resolutions (filed by Miss Garry of Dracut) recognizing February 7 through 14 as Congenital Heart Defect Awareness Week;

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Andrew G. Walker on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Sanchez of Boston) congratulating Douglas S. Baird for his outstanding leadership, advocacy and commitment to children and families; and

Resolutions (filed by Mr. Scibak of South Hadley) congratulating Marlene Mondor on her retirement from the South Hadley Housing Authority;

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

Petition.

Framingham,
veterans
cost.

Mr. Sannicandro of Ashland presented a petition (subject to Joint Rule 12) of Tom Sannicandro and others that the Department of Veterans Services be authorized to reimburse the town of Framingham for the cost of veterans' benefits provided by said town; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

Quaboag
and Ware
River.

A Bill establishing the Quaboag and Ware River Valley Heritage District Commission (Senate, No. 489) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Bills

Nantucket,
land
conveyance.
Boiler
operator,
license.

Approving the conveyance of property by the county of Nantucket (Senate, No. 2224) (on a petition) [Local Approval Received]; and

Further regulating the educational requirements for operating boilers under a special license (Senate, No. 2488) (on Senate bill No. 173);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Reports of Committees.

Rose
Kennedy
Greenway.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rules 12 and 9 be suspended on the petition of Salvatore F. DiMasi relative to certain open space and parkland known as the Rose Kennedy Greenway in the city of Boston. Under suspension of the rules, on motion of Mr. Hynes of Marshfield, the report was considered forthwith. Joint Rules 12 and 9 were suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

Suzanne
Soucie,
sick leave.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Suzanne L. Soucie, an employee of the Trial Court (House, No. 4505). Read; and 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 the rules, on motion of Mr. Linsky of Natick, the bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

Alternative
energy.

By Mr. Smizik of Brookline, for the committee on Environment, Natural Resources and Agriculture, asking to be discharged from further consideration of the petition (accompanied by bill, Senate,

No. 473) of Stephen M. Brewer for legislation to promote alternative energy on farms,— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the discharge of the committee.

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

Of the petition (accompanied by bill, Senate, No. 522) of Michael W. Morrissey for legislation to expand pleasure boat access to Boston harbor,— and recommending that the same be referred to the committee on Bonding, Capital Expenditures and State Assets; and

Boston harbor, boat access.

Of the petition (accompanied by bill, House, No. 788) of Peter V. Kocot and others relative to agricultural production and profitability,— and recommending that the same be referred to the committee on Revenue.

Farms, profits.

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

By Mr. Scaccia of Boston, for the committees on Rules of the two branches, acting concurrently, that the Bill relative to establishing Massachusetts land conservation incentives (House, No. 799) ought to pass. Referred, under Rule 33, to the committees on Ways and Means.

Land conservation incentives.

By Mr. Smizik of Brookline, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to the posting of fish advisories (House, No. 760).

Fish advisories.

By the same member, for the same committee, on a petition, a Resolve providing for an investigation and study by the Division of Marine Fisheries relative to fishing gear swept ashore (House, No. 771).

Marine Fisheries, gear.

By the same member, for the same committee, on House, Nos. 782 and 821, a Bill to reduce solid waste in the Commonwealth (House, No. 782).

Solid waste.

By the same member, for the same committee, on Senate, No. 476 and House, No. 800, a Bill to protect farm viability (House, No. 800).

Farmers, loan program.

By the same member, for the same committee, on a petition, a Bill relative to the Division of Urban Parks and Recreation (House, No. 854).

Urban parks, revenue.

By the same member, for the same committee, on a petition, a Bill protecting the environment (House, No. 879).

Environment, protection.

By the same member, for the same committee, on a petition, a Bill relative to representation by the Attorney General in actions involving pilots (House, No. 882).

Pilots, district three.

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 further regulating the sale of gift certificates (Senate, No. 2345, amended) ought to pass with certain amendments

Gift certificate law.

Gift
certificate
law.

in section 1 (as printed) by striking out the words “as appearing in the 2006 Official Edition” (as changed by the Senate committee on Bills in the Third Reading) and inserting in place thereof the words “as so appearing”; and in section 3 (as printed) by striking out the figures: “\$10.00” (inserted by amendment by the Senate) and inserting in place thereof the figures: “\$5.00” (inserted by the Senate committee on Bills in the Third Reading).

Oceans.

By the same member, for the same committee, that the Bill relative to oceans (Senate, No. 2346, amended) ought to pass with certain amendments by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4527 and by striking out the title and inserting in place thereof the following title: “An Act to protect the public trust and safeguard ocean resources.” [Representative Quinn of Dartmouth dissenting].

Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendments pending.

Mr. Donato of Medford, for said committee, reported that the matters be scheduled for consideration by the House; and, under said rule, they were placed in the Orders of the Day for the next sitting for a second reading with the amendments pending.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Senate bills

Establishing a special fund in the town of Brimfield (Senate, No. 2328, changed); and

Regulating public entities licensed by the Department of Telecommunications and Energy (Senate, No. 2469); and

House bills

Relative to the teaching of African American history in public schools (House, No. 432);

Relative to school improvement plans (House, No. 448);

Relative to caregiver medical and educational consent (House, No. 1151, changed);

To improve access to mental health services (House, No. 1873);

Authorizing the town of Carver to appoint new members to the conservation commission (House, No. 1938);

Providing for the merger of the Turners Falls Fire District and the Lake Pleasant Water Supply District (House, No. 4417);

Authorizing the town of Amesbury to grant 2 additional alcoholic beverage licenses (House, No. 4426);

Relative to certain licenses for the sale of all alcoholic beverages to be drunk on the premises in the town of Hingham (House, No. 4501); and

Authorizing the town of North Andover to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4517);

Severally placed in the Orders of the Day for the next sitting for a second reading.

Brimfield,
fund.

Telecommu-
nications
and Energy.

African
American
history.

Schools,
improvement.

Minors,
caregivers.

Mental health.

Carver,
conservation
commission.

Turners Falls
and Lake
Pleasant.

Amesbury,
liquor licenses.

Hingham,
liquor
licenses.

North
Andover,
liquor
license.

Engrossed Bills.

The engrossed Bill establishing a sick leave bank for Thomas D'Intinosanto, an employee of the Department of Mental Retardation (see Senate, No. 2349, amended) (which originated in the Senate), 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.

Bill
enacted.

Engrossed bills

Authorizing Brendan Gormley to take the civil service examination for firefighter in the town of Arlington notwithstanding the maximum age requirement (see House, No. 4142);

Bills
enacted.

Authorizing the town of Weston to grant a license for the sale of wines at a food store (see House, No. 4177);

Authorizing the placement of a question on the ballot relative to the sale of wines and malt beverages to be drunk on the premises of certain restaurants (see House, No. 4194);

Relative to the land acquisition and maintenance fund of the town of Eastham (see House, No. 4256);

Authorizing the city of Methuen to lease a portion of a certain building to the Methuen Municipal Employees Federal Credit Union (see House, No. 4325);

Designating a certain rink in the town of Franklin as the Staff Sergeant Robert Pirelli Veterans Memorial Rink (see House, No. 4354); and

Further regulating the town administrator in the town of Somerset (see House, No. 4402);

(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.

Order.

On motion of Mr. DiMasi of Boston,—

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

Next
sitting.

At twenty-two minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Wednesday next at eleven o'clock A.M.