

Tuesday, February 27, 2007.

Met according to adjournment, at eleven o'clock A.M., 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

Gracious God, we begin each day with the intention of serving You, our families and our constituents faithfully and conscientiously. Your assistance helps us to understand even the most complex issues more clearly. In dealing with the needs and concerns of people, our communities, and society itself, inspire us to consider the impact of our decisions now and their consequences in the future. In our efforts to strengthen our basic institutions, grant us the wisdom to be thoughtful and trusted leaders. May our wise choices help make the lives of the people and our children safe, peaceful and secure.

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.

Changes in Joint Standing Committees.

The Speaker announced the following changes in joint standing committees:

Joint committees.

That Representative L'Italien of Andover had been relieved of duty (at her own request) from the committee on Election Laws; and that Representative Eldridge of Acton had been appointed to the seventh position on said committee to fill the vacancy; and

That Representative Eldridge of Acton had been relieved of duty (at his own request) from the committee on Children, Families and Persons with Disabilities; and that Representative L'Italien of Andover had been appointed to the fifth position on said committee to fill the vacancy.

Statement Concerning Representative Khan of Newton.

A statement of Mr. Rogers of Norwood concerning Ms. Khan of Newton was spread upon the records of the House, as follows:

Statement concerning Representative Khan of Newton.

MADAM SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Khan of Newton, will not be present in the House Chamber for today's sitting due to a prior family commitment. Any roll calls that she may miss today will be due entirely to the reason stated.

Statement Concerning Representative Verga of Gloucester.

A statement of Mr. Rushing of Boston concerning Mr. Verga of Gloucester, was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Verga of Gloucester, will not be present in the House Chamber for today's sitting due to illness. Any roll calls that he may miss today will be due entirely to the reason stated.

Statement concerning Representative Verga of Gloucester.

Resolutions.

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

Resolutions (filed by Mr. Barrows of Mansfield) recognizing Paul O'Sullivan for his hard work and dedication to the Knights of Columbus in Foxborough;

Paul O'Sullivan.

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

Bryan Boyle.

Resolutions (filed by Mr. Turner of Dennis) congratulating Jay Boyle on receiving the Eagle Award of the Boy Scouts of America; and

Jay Boyle.

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

Nicholas Ciocca.

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

Petition.

Mr. Rogers of Norwood presented a petition (accompanied by bill, House, No. 3753) of John H. Rogers (by vote of the town) relative to authorizing the town of Norwood to convey certain park land to the Karsten Company for residential housing purposes; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Norwood,—park land.

Recess.

At five minutes after eleven o'clock A.M., on motion of Mrs. Canavan of Brockton (Mr. Donato of Medford being in the Chair), the House recessed until the hour of one o'clock P.M.; and at fourteen minutes after one o'clock the House was called to order with Mrs. Harkins of Needham in the Chair.

Recess.

Emergency Measure.

The engrossed Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain land in the town of Foxborough (see House, No. 2020), having been certified by the Clerk

Foxborough,—land.

to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 55 to 0. Sent to the Senate for concurrence.

Orders of the Day.

House bills

Third
reading
bills.

Establishing a sick leave bank for Denise Goodreau, an employee of the Department of Mental Retardation (House, No. 2548) (its title having been changed by the committee on Bills in the Third Reading);

Establishing a sick leave bank for Cheryl L. Traina, an employee of the Department of Revenue (House, No. 3744); and

Validating the actions taken at a certain election held in the town of Wareham (House, No. 3747);

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. Severally sent to the Senate for concurrence.

Registries of
deeds.

The engrossed Bill relative to the modernization of registries of deeds (see House, No. 3751), being a printed copy of Section 3 contained in the engrossed Bill making appropriations for the fiscal year 2007 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 2037, amended), which had been returned to the House by His Excellency the Governor with recommendation of amendment) (for message, see House, No. 3750), was considered.

The amendment recommended by the Governor then was adopted in the following form (as approved by the committee on Bills in the Third Reading):

By striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Section 31 of chapter 9 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by striking out the fourth and fifth sentences and inserting in place thereof the following two sentences:— From March 15, 2003 until June 30, 2011, all surcharges on fees collected pursuant to this section shall be forwarded to the Registers Technological Fund, established in section 2JJJ of chapter 29. From July 1, 2011 all of the surcharges shall be forwarded to the General Fund as provided in section 2 of said chapter 29.

SECTION 2. Section 41 of chapter 36 of the General Laws, as so appearing, is hereby amended by striking out the fourth and fifth sentences and inserting in place thereof the following 2 sentences:— From March 15, 2003 until June 20, 2011, all surcharges on fees collected pursuant to this section shall be forwarded to the County Registers Technological Fund, established in section 2KKK of chapter 29. From July 1, 2011, all of the surcharges shall be forwarded to the General Fund as provided in section 2 of said chapter 29.” Sent to the Senate for concurrence.

The House Bill establishing a sick leave bank for Kimberly Chuckran, an employee of the Department of Correction (House, No. 2513) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Kimberly
Chuckran,—
sick
leave.

Pending the question on passing the bill to be engrossed, Mr. Flynn of Bridgewater moved that it be amended by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of correction, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 2513, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The Reorganization Plan No. 1 of 2007 (submitted by the Governor under the provisions of Article LXXXVII of the Amendments to the Constitution) reorganizing the Governor’s Cabinet and certain agencies of the Executive Department (see House, No. 2034), was considered.

Reorganization
plan
No.1 of
2007.

Pending the question on approval of the reorganization plan, Mr. Peterson of Grafton asked for a count of the House to ascertain if a quorum was present. The Chair (Mrs. Harkins of Needham), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 144 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 23.

[See Yea and Nay No. 23 in Supplement.]

Therefore a quorum was present.

After debate on the question on approval of the reorganization plan, the sense of the House was taken by yeas and nays, at the request of Mr. Cabral of New Bedford; and on the roll call 153 members voted in the affirmative and 0 in the negative.

Reorganization
plan
approved,—
yea and nay
No.24.

[See Yea and Nay No. 24 in Supplement.]

Therefore the House approved Reorganization Plan No. 1 of 2007.

Order.

On motion of Mr. DiMasi of Boston,—

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

Next
sitting.

At twenty-nine minutes after two o’clock P.M., on motion of Ms. Reinstein of Revere (Mrs. Harkins of Needham being in the Chair), the House adjourned, to meet on Thursday next at eleven o’clock A.M., in an Informal Session.