

JOURNAL OF THE HOUSE.

Monday, April 7, 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:

Eternal God, we are grateful to You for our countless daily material and spiritual blessings and for Your always-available help. With Your assistance, we try, at all times, to make right, reasoned and honorable decisions in our daily routine. We also pray for the patience to listen to and to discuss with constituents the complex, emotional and difficult legislative issues of these uneasy times. If and when we disagree on current legislative matters, inspire us to disagree on principles, values, priorities and goals. Let us, together, be aware of the current needs of people and the times as we also plan for the future of our communities.

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. Costello of Newburyport) congratulating Laura Greenwald on being awarded a 2008 Prudential Spirit of Community Award;

Resolutions (filed by Mrs. Haddad of Somerset) commending Ann J. Reale for her many years of dedicated service to the commonwealth; and

Resolutions (filed by Messrs. Verga of Gloucester and Atsalis of Barnstable) honoring Sydney L. Chase for forty years of service as a veterans' service officer of the commonwealth;

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. Hill of Ipswich, 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 prohibition of fishing gear containing lead (Senate, No. 2575, amended by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2616)(on Senate bill, No.2505), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Bills

Further regulating teacher certifications (Senate, No. 271, changed in line 11, after the word "score" by inserting the words "that is", by striking out the word "two" and inserting in place

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thereof the word "one" and after the word "passing" by inserting the words "or less" and in line 12, by striking out the word "Department" and inserting in place thereof the word "Commissioner"; and amended in lines 18 to 22, inclusive, by striking out the sentence contained therein and inserting in place thereof the following sentence: "A performance appeal, if determined by the commissioner to meet or exceed the performance level equivalent of the qualifying score, shall be the equivalent of a passing score on relevant tests for certification pursuant to this section.", and by adding at the end thereof the following paragraph:

"The commissioner shall file a report that details the number of persons whose appeal is granted and the number of persons whose appeal is rejected pursuant to this section, and a short description of the reasons for granting or rejecting such appeals. This report shall be filed with the chairs of the joint committee on education not later than November 1 of each year." (on a petition);

Relative to authorizing the city of Northampton to convert 5 seasonal licenses for the sale all alcoholic beverages to be drunk on the premises (Senate, No. 2594) (on Senate, No. 2237);

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.

By Mr. Scaccia of Boston, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration of the Resolve providing for the creation of a special commission relative to a new seal and new motto for the Commonwealth (House, No. 3412),- - and recommending that the same be referred to the committees on Rules. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Scaccia of Boston, for the committee on Rules, asking to be discharged from further consideration of the Order relative to authorizing the committee on Tourism, Arts and Cultural Development to make an investigation and study of a certain House document concerning museums and archives repositories (House, No. 4327),- - and recommending that the same be recommitted to the committee on Tourism, Arts and Cultural Development. Under Rule 42, the report was considered forthwith; and it was accepted. By Mr. Scaccia of Boston, for the committee on Rules, on the The Order relative to authorizing the committee on Revenue to make an investigation and study of certain House documents concerning the raising of revenue, tax credits, tax exemptions, local property taxes and other related matters (House, No. 4608) reports, in part, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 4081) of Timothy J. Toomey, Jr. (with the approval of the mayor and city council) that the city of Cambridge be authorized to abate certain real estate taxes assessed on property formerly owned by Cambridge Gore Limited Partnership;

Of the petition (accompanied by bill, House, No. 4240) of Joseph R. Driscoll and others (by vote of the town) that the board of assessors of the town of Braintree be authorized to grant tax abatements to certain military personnel; and

Of the petition (accompanied by bill, House, No. 4381) of Sarah K. Peake (by vote of the town) relative to property tax exemptions for rental properties restricted as affordable housing in the town of Truro;

And recommending that the same severally be recommitted to the committee on Revenue. Under Rule 42, the reports severally were considered forthwith; and they were accepted.

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By Mr. Walsh of Lynn, for the committee on Community Development and Small Business, on Senate, Nos. 134, 143, 144, 146 and House, Nos. 164 and 183, an Order relative to authorizing the committee on Community Development and Small Business to make an investigation and study of certain Senate and House documents concerning community development and small businesses (House, No. 4649).

By Ms. Reinstein of Revere, for the committee on Elder Affairs, on House, Nos. 609, 615, 619 and 624, an Order relative to authorizing the committee on Elder Affairs to make an investigation and study of certain House documents concerning elder care (House, No. 4650).

By Mr. Mariano of Quincy, for the committee on Financial Services, House, Nos. 545, 1071, 1081, 1118 and 3855, an Order relative to authorizing the committee on Financial Services to make an investigation and study of certain House documents health insurance and other related matters (House, No. 4651).

By Mr. Torrisi of North Andover, for the committee on Labor and Workforce Development, on House, Nos. 1799, 1862, 149, 355, 1069, 1774, 1775, 1776, 1779, 1782, 1783, 1784, 1785 1786, 1787, 1788, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1801, 1804, 1805 1806, 1807, 1810, 1811, 1812, 1813, 1814, 1815, 1817, 1818, 1820, 1821, 1822 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835 1838, 1841, 1842, 1843, 1847, 1848, 1849, 1850, 1851, 1854, 1855, 1856, 1858 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1868, 1869, 3460, 3795, 3796, 3798, 3799 and 4422, an Order relative to authorizing the committee on Labor and Workforce Development to make an investigation and study of certain House documents concerning labor, workforce development and other related matters (House, No. 4652).

By Ms. Balsler of Newton, for the committee on Mental Health and Substance Abuse, on House, Nos. 1877, 1878, 1879, 1888, 1890, 1902, 1903, 1910, an Order relative to authorizing the committee on Mental Health and Substance Abuse to make an investigation and study of certain House documents concerning mental health, substance abuse and other related matters (House, No. 4653).

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on House, Nos. 3165, 3169, 3173, 3176, 3177, 3178, 3179, 3184, 3186, 3187, 3188, 3189, 3192, 3195, 3196, 3197, 3200, 3201, 3207, 3208, 3211, 3215, 3216, 3218, 3219, 3222, 3226, 3228, 3230, 3233, 3235, 3237, 3241, 3242, 3243, 3245, 3248, 3250, 3251, 3252, 3254, 3255, 3256, 3257, 3258, 3265, 3270, 3739, 3743, 3749 (as relates to section 3) 3817, 3913 3970, 4034 and 4198, an Order relative to authorizing the committee on State Administration and Regulatory Oversight to make an investigation and study of certain House documents concerning state administration (House, No. 4654).

By Mr. Turkington of Falmouth, for the committee on Tourism, Arts and Cultural Development, on House, Nos. 3394, 3395 and 3410, an Order relative to authorizing the committee on Tourism, Arts and Cultural Development to make an investigation and study of certain House documents concerning indian heritage issues (House, No. 4655).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Scaccia of Boston, for said committees, reported, in each instance, asking to be discharged from further consideration of said orders; and recommending that the same severally be referred to the House committee on Rules. Under Rule 42, the reports were considered forthwith; and they were accepted.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill improving tax fairness and business competitiveness (House, No. 4645) ought to pass with an amendment

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substituting therefor a Bill with the same title (House, No. 4656) [Representatives deMacedo of Plymouth, Polito of Shrewsbury, Evangelidis of Holden, Loscocco of Holliston, Perry of Sandwich and Webster of Hanson dissenting]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendment pending.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting for a second reading with the amendment 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:

The Senate Bill regulating volunteer dentistry (Senate, No. 1323); and
House bills

To protect the mentally ill in emergency rooms (House, No. 2042, changed);

Exempting the position of chief of police in the city of Methuen from the civil service law (House, No. 4461) [Local Approval Received];

Authorizing the city known as the town of Watertown to fill by appointment a vacancy in the Board of Trustees of the public library (House, No. 4584) [Local Approval Received];

Establishing a sick leave bank for Carol A. Wall, an employee of the Department of Mental Retardation (House, No. 4912);

Designating a certain interchange in the town of Yarmouth as the State Trooper Ellen Engelhardt Interchange (House, No. 4918); and

Relative to a sick leave bank for an employee of the Commonwealth (House, No. 4924);
Severally placed in the Orders of the Day for the next sitting for a second reading.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, that the following Bill relative to services offered in assisted living facilities (House, No. 621);

Bill to increase the presence of dental hygienists on the Board of Registration in Dentistry (House, No. 2180);

Bill relative to the licensure of exercise physiologists (House, No. 2252); and

Bill relative to volunteer dentistry (House, No. 2268);

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

By Ms. Coakley-Rivera of Springfield, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to the disclosure of information held by the Disabled Persons Protection Commission pursuant to General Laws chapter 19C (House, No. 937).

By Mr. Mariano of Quincy, for the committee on Financial Services, on a petition, a Bill relative to homeowners insurance (House, No. 950).

By the same member, for the same committee, on a petition, a Bill relating to Division of Insurance maintenance assessments (House, No. 1006).

By the same member, for the same committee, on a petition, a Bill relating to liability insurance (House, No. 1007).

By the same member, for the same committee, on a petition, a Bill relative to fire insurance (House, No. 1011).

By the same member, for the same committee, on a petition, a Bill relative to affiliate transfers (House, No. 1026).

By the same member, for the same committee, on a petition, a Bill relative to the standard fire insurance policy (House, No. 1027).

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By the same member, for the same committee, on a petition, a Bill relative to policies of insurance (House, No. 1050).

By the same member, for the same committee, on a petition, a Bill relative to clarifying responsibility in matters involving multiple defendants (House, No. 1073).

By the same member, for the same committee, on a petition, a Bill relative to the delivery of loss information to an insured from commercial insurers (House, No. 1087).

By the same member, for the same committee, on a petition, a Bill relative to group life insurance (House, No. 1094).

By the same member, for the same committee, on a petition, a Bill providing insurance coverage to certain spouses (House, No. 3856).

By Mr. Kaufman of Lexington, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Deborah A. Jones, an employee of the Department of Mental Retardation (House, No. 4928).

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

Engrossed Bills.

Engrossed bills

Establishing a community events fund for the town of Wareham (see Senate, No. 2287) (which originated in the Senate);

Allowing town meetings to be held in June (see House, No. 1943);

Relative to the affordable housing trust fund in the town of Provincetown (see House, No. 4037);

Relative to a certain reserve fund in the town of Oak Bluffs (see House, No. 4041);

Further regulating health and other insurance for employees of the town of West Tisbury (see House, No. 4102); and

Providing for a charter for the town of Groton (see House, No. 4490);

(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.

Orders of the Day.

Senate bills

Regulating certain insurance benefits for elected officials of the town of Easton (Senate, No. 1525); and

Designating a portion of the Bremen Street Park in the East Boston section of the city of Boston as the Representative George DiLorenzo Playground (Senate, No. 2393) (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, in concurrence.

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Order.

On motion of Mr. DiMasi of Boston,--

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

At twenty minutes before twelve o'clock noon, on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M.