

JOURNAL OF THE HOUSE.

Thursday, August 17, 2006.

Met according to adjournment, at eleven o'clock A.M., with Mrs. Haddad of Somerset in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mrs. Haddad), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag. Pledge of allegiance.

Message from the Governor — Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to the standard fire insurance policy [see House, No. 1552] (for message, see House, No. 5270) was filed in the office of the Clerk on Wednesday August 16. Standard fire insurance policies.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and reenactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Golden of Lowell, to the committee on Bills in the Third Reading.

Appointments to a Special Commission.

The Speaker announced the appointment of Representative Ronald Mariano of Quincy, Ms. Deborah J. Chollet and Ms. Rita Vertes to the special commission established (under Section 114 of Chapter 58 of the Acts of 2006) to examine and study the impact of merging the non-group insurance market and small-group health insurance market. Group insurance markets, merger.

Communication.

A communication from the Board of Trustees of the Berkshire Community College submitting recommended procedures for implementing the public higher education endowment incentive program, was placed on file. Endowment incentive program.

Resolutions.

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

Resolutions (filed by Messrs. Bosley of North Adams, Guyer of Dalton, Speranzo of Pittsfield and Pignatelli of Lenox) congratulating the Massachusetts College of Liberal Arts on its celebration of African American History Month in Berkshire County; African American History Month.

Mary F.
Rosasco.

Resolutions (filed by Mr. Bosley of North Adams) congratulating Mary F. Rosasco on the occasion of her ninetieth birthday;

Michael
Lawrence
Gigliotti.

Resolutions (filed by Messrs. O'Brien of Kingston and deMacedo of Plymouth) congratulating Michael Lawrence Gigliotti on receiving the Eagle Award of the Boy Scouts of America;

Nathan
Vickstrom.

Resolutions (filed by Messrs. O'Brien of Kingston and deMacedo of Plymouth) congratulating Nathan Vickstrom on receiving the Eagle Award of the Boy Scouts of America;

551st
Airborne
Wing.

Resolutions (filed by Mrs. Poirier of North Attleborough) on the occasion of the 2006 reunion of the 551st Airborne Early Warning and Control Wing; and

Cape
Playhouse.

Resolutions (filed by Mr. Turner of Dennis) congratulations to the Cape Playhouse on its eightieth anniversary;

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

Petitions.

Petitions severally were presented and referred as follows:

Wenham,
liquor
licenses.

By Mr. Hill of Ipswich, petition (accompanied by bill, House, No. 5142) of Bradford Hill (by vote of the town) relative to alcoholic beverage licenses for the town of Wenham. To the committee on Consumer Protection and Professional Licensure.

Wenham,
firefighters.

By the same member, petition (accompanied by bill, House, No. 5141) of Bradford Hill (by vote of the town) relative to call firefighter benefits in the town of Wenham. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Paper from the Senate.

Sandra
Brennan,
sick leave.

A petition of Frederick E. Berry for legislation to establish a sick leave bank for Sandra Brennan, an employee of the Department of Mental Retardation, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2710) was referred, in concurrence, to the committee on Public Service.

Order.

The following order (filed by Mr. Bosley of North Adams) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Economic
Development
and Emerging
Technologies
committee,
extension
of time for
reporting.

Ordered. That, notwithstanding the provisions of Joint Rule 10, the committee on Economic Development and Emerging Technologies be granted until Tuesday, January 2, 2007, within which to report on current Senate documents numbered 256, 257, 259, 260, 261, 262, 263, 264, 265, 267, 268, 269, 270, 271, 273, 275, 276,

278, 281, 282, 283, 284, 285, 286 and 287 and House documents numbered 22, 23, 24, 25, 605, 1476, 1479, 1480, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 2927, 2928, 2940, 3683, 3706, 3707, 3708, 3710, 3713, 3716, 3717, 3719, 3722, 3724, 3725, 3726, 3728, 3730, 3731, 3732, 3733, 3734, 3735, 3736, 3737, 3738, 3739, 3875, 4253 and 4290.

Mr. Scaccia of Boston, for the committees on Rules, then reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Bosley, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

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 John J. Binienda and Edward M. Augustus, Jr., that the Division of Capital Asset Management and Maintenance be authorized to release non-development covenant restrictions on certain land in the town of Leicester. To the committee on Bonding, Capital Expenditures and State Assets.

Leicester,
development.

Petition (accompanied by bill) of Mark J. Carron (by vote of the town) for legislation to authorize the Secretary of the Commonwealth to place on the state election ballot in the town of East Brookfield in the current year the filling of a vacancy in the office of the board of selectmen of said town. To the committee on Election Laws.

East
Brookfield,
election
ballot.

Petition (accompanied by bill) of Mark J. Carron and Richard T. Moore for legislation to establish a sick leave bank for Meridyth L. Reith, an employee of the office of the Fire Marshal of the Commonwealth. To the committee on Public Service.

Meridyth L.
Reith,
sick leave.

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

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 Bill relative to oceans (Senate, No. 2653),—and recommending that the same be referred to the House committee on Rules. Under Rule 42, the report was considered forthwith; and it was accepted.

Oceans.

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. 5192) of Elizabeth A. Poirier and others that the Department of Education be directed to include a course in civics as a requirement for students to graduate from high school,—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.

Civics,
high school
curriculum.

Fall River,
ballot
question.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill allowing the city of Fall River to place a ballot question on the November 2006 Massachusetts state election ballot (House, No. 4874) [Local Approval Received] be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Correia of Fall River, the bill was read a second time forthwith; and it was ordered to a third reading.

Post-
incarceration
supervision.

Report of the committees on Rules of the two branches, acting concurrently, that the House Bill establishing a commission to study mandatory post-incarceration supervision (House, No. 1809) ought NOT to pass (under Joint Rule 10).

Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, the report was considered forthwith, the question being on rejection (under Joint Rule 10).

Pending the question on rejection of the bill, under said rule, it was referred to the House committee on Rules, on motion of Mr. Scaccia of Boston.

Leo D.
Shea,
sick leave.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill establish a sick leave bank for Leo D. Shea, an employee of the Trial Court (House, No. 5252). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency Measure.

Amherst,
land.

The engrossed Bill releasing certain land in the town of Amherst from the operation of an agricultural preservation restriction (see Senate, No. 2359), having been certified by the Clerk 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 4 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Bills
enacted.

Engrossed bills
Requiring a disabled commuter representative on regional transit authority advisory boards (see Senate, No. 2509) (which originated in the Senate);

Further regulating senior housing (see House, No. 3189, amended); and

Exempting Scott Lemay from the maximum age requirement for firefighters in the city of Methuen (see House, No. 4118);

(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.

Reconsideration.

Mr. Golden of Lowell asked unanimous consent that the vote be reconsidered by which the House, on Monday, August 7, passed to be enacted the engrossed Bill authorizing the conveyance of certain parcels of land in the city of Boston (see House, No. 4801, amended); and the motion to reconsider was considered forthwith; and it prevailed.

Boston,
land
conveyances.

Pending the recurring question on passing the bill to be enacted, on motion of the same member, the bill was recommitted to the committee on Bills in the Third Reading, with instructions to determine whether or not said bill comes under the provisions of Article XCVII of the amendments to the Constitution.

Orders of the Day.

The House Bill establishing a sick leave bank for Kathreen Tessier, an employee of the Department of Revenue (House, No. 5038), 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.

Third
reading
bill.

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 twenty-one minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.