

JOURNAL OF THE HOUSE.

Monday, August 28, 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.

Eternal God, Our Source of Hope and Truth, we look for Your guidance as we address each day's legislative and personal matters. In this changing world, help us to remain faithful to our high ideals, lofty goals and sound principles in our search for stable and peaceful communities and personal happiness. Your assistance enables us to cope more successfully with each day's responsibilities and opportunities. Inspire us to build trust in each other and confidence in our basic institutions and traditions as we serve the common good.

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.

Appointments to an Award Selection Committee.

Madeline Sweeney Award committee.

The Speaker announced the appointment of Representatives Fagan of Taunton and Moran of Boston to the Madeline Amy Sweeney Award Selection Committee established (under Section 214 of Chapter 6 of the General Laws) for the purpose of selecting citizens of the Commonwealth who have displayed extraordinary courage, bravery and heroism without regard to personal safety, in an effort to save the life of another.

Resolutions.

Milton, St. Mary's Church.

Resolutions (filed with the Clerk by Ms. Forry of Boston and other members of the House) congratulating St. Mary of the Hills Catholic Church of Milton upon its seventy-fifth anniversary, were referred, under Rule 85, to the committee on Rules.

Mrs. Parente of Milford, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Hynes of Marshfield, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

Endowment incentive program.

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

Petition.

Mr. Petersen of Marblehead presented a petition (accompanied by bill, House, No. 5147) of Douglas W. Petersen (by vote of the town) that the town of Marblehead be authorized to reorganize the water and sewer boards of said town; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Marblehead, water and sewer systems.

Paper from the Senate.

A petition (accompanied by bill, Senate, No. 2711) of Stanley C. Rosenberg and Ellen Story (by vote of the town) for legislation relative to certain conservation land in the town of Amherst, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Amherst, conservation land.

Reports of Committees.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration

Of the Bill authorizing collaborative drug therapy management (Senate, No. 2691); and

Drug therapy management.

Of the Bill relative to pregnant and postpartum inmates in state prisons, county houses of correction and jails (House, No. 1797);

Pregnant inmates.

And recommending that the same severally be referred to the committee on Ways and Means.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Report of the committee on Public Service, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4977) of James H. Fagan (with the approval of the mayor and city council) relative to authorizing the certification and eligibility of certain persons as fire fighters in the city of Taunton.

Taunton, fire fighters.

Under suspension of the rules, on motion of Mr. Fagan of Taunton, the report was considered forthwith.

Pending the question on acceptance of the report, the same member moved that it be amended by substitution of the Bill authorizing the certification and eligibility as firefighters in the city of Taunton (House, No. 4977), which was read.

The amendment was adopted; and, under suspension of the rules, on further motion of Mr. Fagan, the substituted bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of Mr. Fagan of Taunton, the bill (having been 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. The bill then was sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Requiring triple damage for wage violations (see House, No. 4663); and

Bills enacted.

Bills
enacted.

Providing for health care coverage for certain prosthetic devices (see House, No. 5256);

(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.

Third
reading
bill.

The Senate Bill clarifying the community preservation act (Senate, No. 167), 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, in concurrence.

Third reading
bill amended.

The House Bill authorizing the state secretary to place a certain question on the official ballot for the state election to be used in the city of Fall River (House, No. 4874) (its title having been changed by the committee on Bills in the Third Reading) was read a third time.

Pending the question on passing the bill to be engrossed, said committee reported recommending that it be amended in section 1, in lines 7 to 33, inclusive, by striking out the paragraph contained therein and inserting in place thereof the following paragraph:

“ORDERED, That \$70,000,000 is hereby appropriated for the additional costs of construction of sewers, sewerage systems and sewage treatment and disposal facilities relative to the remediation of combined sewer overflows, including costs incidental and related thereto, that to raise this appropriation the treasurer with the approval of the mayor is authorized to borrow \$70,000,000 under and pursuant to paragraph (1) of section 7, paragraph (15) of section 8 of chapter 44 and chapter 29C of the General Laws or any other enabling authority and to issue and sell bonds or notes of the city therefore and that the treasurer, with the approval of the mayor, is hereby authorized to borrow all or any portion of this amount from the Water Pollution Abatement Trust, established under said chapter 29C and in connection therewith the treasurer and the mayor are each authorized to enter into a loan agreement, project regulatory agreement, security agreement and another other agreements with the trust or the department of environmental protection that may be necessary with respect to the loan and with respect to any state or federal aid that may be recoverable for the project and its financing; that the mayor and city treasurer are hereby authorized to file an application with the state municipal finance oversight board of the commonwealth to qualify under chapter 44A of the General Laws any and all bonds of the city issued under and pursuant hereto and to provide such information and execute such documents as the state municipal finance oversight board may require.”

The amendment was adopted; and the bill, as amended, was passed to be engrossed. The bill (House, No. 4874, amended) then was sent to the Senate for concurrence.

Recess.

At twenty-six minutes after eleven o'clock, on motion of Mr. Donato of Medford (Mr. Petrolati of Ludlow being in the Chair), the House recessed until half past twelve o'clock noon; and at twenty-two minutes before one o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Paper from the Senate.

The House Bill relative to the economic development of the Commonwealth (House, No. 5253, amended) came from the Senate with the endorsement that said branch had concurred with the House in its still further amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5277) with a still further amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2715.

Under suspension of Rule 35, on motion of Mr. Bosley of North Adams, the still further amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith.

The same member then moved that the House concur with the Senate in its still further amendment with a still further amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5278.

The still further amendment was adopted. The House then concurred with the Senate in its still further amendment, as amended. Sent to the Senate for concurrence in the still further amendment.

Engrossed Bills.

The engrossed Bill establishing a sick leave bank for Karen W. Boyson, an employee of the Trial Court (see House, No. 5189) (which originated in the House), 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.

At twelve minutes after one o'clock P.M., on motion of Mr. Sciortino of Medford (Mr. Donato of Medford being in the Chair), the House recessed until the hour of two o'clock; and at nine minutes after two o'clock the House was called to order with Mr. Donato in the Chair.

The engrossed Bill clarifying the community preservation act (see Senate, No. 167) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Recess.

Recess.

At ten minutes after two o'clock P.M., on motion of Mr. Eldridge of Acton (Mr. Donato of Medford being in the Chair), the House recessed until a quarter before three o'clock; and at two minutes after four o'clock the House was called to order with Mr. Donato in the Chair.

*Order.*Next
sitting.

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.

At twenty-two minutes before five o'clock P.M., on motion of Mr. Bosley of North Adams (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.