

## JOURNAL OF THE HOUSE.

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Thursday, August 31, 2006.

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).

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.

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 release of a conservation restriction in the town of Bedford [see House, No. 4317, amended] (for message, see House, No. 5148) was filed in the office of the Clerk on Wednesday, August 30.

Bedford,  
conservation  
restriction.

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. Murphy of Burlington, to the committee on Bills in the Third Reading.

### *Message from the Governor — Veto.*

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill authorizing written majority authorization cards as evidence of collective bargaining results [see House, No. 429] (for message, see House, No. 5149) was filed in the Office of the Clerk on Wednesday, August 30.

Collective  
bargaining.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next sitting, the question being on passing the bill, notwithstanding the said objections.

### *Resolutions.*

Resolutions (filed with the Clerk by Mrs. Walrath of Stow) congratulating Andrew James Hall Cefalu on receiving the Eagle Award of the Boy Scouts of America, were referred, under Rule 85, to the committee on Rules.

Andrew  
James Hall  
Cefalu.

Mr. Rogers of Norwood, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Carron of Southbridge, 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.*Economic  
development.

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 5278) with a still further amendment striking out section 14 (as printed in said House, No. 5278) and inserting in place thereof the following section:

“SECTION 14. Notwithstanding any general or special law to the contrary, the state secretary shall cause a nonbinding question relative to the permanent government structure for the ongoing operation and administration of the Devens Regional Enterprise Zone to be placed on the official ballots to be used in the towns of Ayer, Harvard and Shirley at the state general election to be held on November 7, 2006. The question shall be included on the official ballots in those towns only if the form of the question has been agreed upon in writing by the board of selectmen in the town of Ayer, the board of selectmen in the town of Harvard and the board of selectmen in the town of Shirley and submitted to the state secretary not later than 5:00 p.m. on September 8, 2006.”

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; and it was adopted, in concurrence.

Petitions were referred, in concurrence, as follows:

Taunton,  
economic  
development  
fund.

Petition (accompanied by bill, Senate, No. 2714) of Marc R. Pacheco, Patricia A. Haddad, James H. Fagan and Stephen R. Canessa (with approval of mayor and city council) for legislation to create the city of Taunton's Economic Development Fund. To the committee on Municipalities and Regional Government.

Easton,  
elected  
officials  
insurance.

Petition (accompanied by bill, Senate, No. 2713) of Brian A. Joyce (by vote of the town) for legislation to regulate certain insurance benefits for elected officials of the town of Easton. To the committee on Public Service.

*Reports of Committees.*Taunton,  
land  
transfer.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing the transfer of certain parcels of land in the city of Taunton (Senate, No. 2666) be scheduled for consideration by the House.

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

Worcester,  
Christina M.  
Orzyck.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill regarding the police department of the city of Worcester (House, No. 4865) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Ms. Wolf of Cambridge, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Hopkinton to acquire certain real property in the towns of Upton and Milford (House, No. 4867) be scheduled for consideration by the House.

Hopkinton,  
Upton and  
Milford.

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

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the date for the installation of carbon monoxide alarms and smoke detectors in residential buildings (House, No. 5139) be scheduled for consideration by the House.

Carbon  
monoxide  
detectors.

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.

By Mrs. Haddad of Somerset, for the committee on Education, on House, No. 5088, an Order relative to authorizing the committee on Education to make an investigation and study of a certain House document concerning the awarding of high school diplomas (House, No. 5279).

High school  
diplomas,  
study.

By Mr. Mariano of Quincy, for the committee on Financial Services, on Senate, No. 2618, an Order relative to authorizing the committee on Financial Services to make an investigation and study of a certain Senate document concerning overdraft notification (House, No. 5280).

Overdrafts,  
study.

By the same member, for the same committee, on House, No. 1517, an Order relative to authorizing the committee on Financial Services to make an investigation and study of a certain House document concerning bodily injury insurance requirements for commercial vehicles (House, No. 5281).

Bodily injury  
insurance,  
study.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, on House, Nos. 4853 and 4913, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of certain House documents concerning public funding and physician services (House, No. 5282).

Health Care  
Financing,  
study.

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 severally were considered forthwith; and they were accepted.

*Emergency Measure.*Economic  
development.

The engrossed Bill relative to the economic development of the Commonwealth (see House, No. 5253, amended), 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 11 to 0. Sent to the Senate for concurrence.

Bill  
enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Motion to Reconsider.*Walpole,  
charter.

Mr. Rogers of Norwood moved that the vote be reconsidered by which the House, on Thursday last, passed to be enacted the engrossed Bill relative to the charter of the town of Walpole (see Senate, No. 2581) and the motion to reconsider was considered forthwith; and it prevailed.

Pending the recurring question on passing the bill to be enacted, the same member moved that Rule 40 be suspended; and the motion prevailed.

Mr. Rogers then moved that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5283; and the amendment was adopted.

Sent to the Senate for concurrence.

*Order.*Next  
sitting.

On motion of Mr. DiMasi of Boston,—  
*Ordered*, That when the House adjourns today, it adjourn to meet on Tuesday next at eleven o'clock A.M.

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At a quarter before twelve o'clock noon, on motion of Ms. Khan of Newton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Tuesday next at eleven o'clock A.M., in an Informal Session.