

JOURNAL OF THE HOUSE.

Monday, October 30, 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.

Resolutions.

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

Resolutions (filed by Messrs. Atsalis of Barnstable and Turner of Dennis) honoring Robert and Dee Kesten as Member of the Year of the Yarmouth Chamber of Commerce;

Resolutions (filed by Mrs. Canavan of Brockton) congratulating Stephen Cudmore on the occasion of his one hundred and second birthday;

Resolutions (filed by Mr. Evangelidis of Holden) honoring Holden Fire Chief Edward J. Stark, Jr.; and

Resolutions (filed by Ms. Walz of Boston) congratulating Kevin Hagan White on the occasion of the dedication of the statue in his honor at Faneuil Hall;

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. Smizik of Brookline, 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.

Bills

Establishing an advisory committee to investigate the working conditions of resident-physicians (Senate, No. 1263) (on a petition) [Estimated Cost — \$145,000];

Relative to stealing registration plates and the possession of stolen registration plates (Senate, No. 1873) (on a petition); and

Reestablishing a regional office of the Massachusetts Commission Against Discrimination in the city of Worcester (Senate, No. 2674) (on a petition);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Reports of Committees.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill establishing a personal leave bank for Michael LoPriore, an employee of the Massachusetts Trial Court (House, No. 5325, changed by adding at the end thereof the following section:

“SECTION 2. This act shall be effective as of October 13, 2006.”). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Petrucci of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under further suspension of the rules, on motion of Mr. Hynes of Marshfield, 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. Sent to the Senate for concurrence.

By Mr. Petrucci of Boston, for the committee on Election Laws, on a petition, a Bill relative to election laws in the town of Yarmouth (House, No. 5300) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

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

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the rates of interest to be charged upon apportioned betterment assessments for the extension of municipal sewer and water services to Plum Island (House, No. 5305, changed in section 1, in line 1, by striking out the following: “Chapter 106” and inserting in place thereof the following: “Chapter 103”). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Hynes of Marshfield, 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 Senate Bill relative to the taxation of forest, farm, and recreation land (Senate, No. 2683) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mrs. Teahan of Whitman, 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 validating the action taken at the town election held by the town of Lanesborough (printed in House, No. 5121) be scheduled for consideration by the House.

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

Pledge of
allegiance.

Robert
and Dee
Kesten.

Stephen
Cudmore.

Edward J.
Stark, Jr.

Kevin
Hagan
White.

Resident-
physicians.

Stolen
registration
plates.

Worcester,
Commission
Against
Discrimination.

Michael
LoPriore,
personal
leave.

Yarmouth,
ballot
information.

Plum Island,
sewer and
water.

Forest, etc.,
land,
taxation.

Lanesborough,
validate
election.

New Bedford,
Patisteas
Overpass.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill designating an overpass in the city of New Bedford as the George Evangelos Patisteas Memorial Overpass (House, No. 5295) be scheduled for consideration by the House.

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

Military,
service
credit.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a recommitted petition, a Bill for legislation to authorize certain public employees creditable retirement service time for service in the Massachusetts National Guard and Active Reserve (printed as Senate, No. 1415, changed by inserting after the word "Edition", in line 4, the words "and shall include training periods").

Tax
laws.

By Mr. Binienda of Worcester, for the committee on Revenue, on House, No. 2470, a Bill relative to the tax laws of the Commonwealth (House, No. 5328).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Animal
fighting,
peralties.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, that the Recommended Bill relative to penalties for animal fighting (House, No. 1765) ought to pass with an amendment by striking out section 12. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Chatham,
leases.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the town of Chatham to lease certain buildings (House, No. 5313) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency Measure.

Karen Ann
Devine,
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Karen Ann Devine, an employee of the Department of Corrections (see Senate, No. 2728), 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

Authorizing the town of Lincoln to grant a license for the sale of wines and malt beverages to be drunk on the premises (see Senate, No. 2503) (which originated in the Senate);

Authorizing payroll deductions to support higher education (see House, No. 1256); and

Authorizing the town of Topsfield to establish a department of public works (see House, No. 4223);

(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.

Motion to Discharge the Committee on Rules.

Before proceeding to consideration of the Orders of the Day, Ms. Rogeness of Longmeadow asked unanimous consent that the committee on Rules be discharged from further consideration of the House Order relative to the suspension of Joint Rule 12A to permit the General Court to meet in formal sessions for the purpose of considering and taking action on certain matters (House, No. 5322); but objection was made thereto.

General
Court,
formal
sessions.

Orders of the Day.

House bills

Relative to the membership of the Metropolitan Area Planning Council (House, No. 3143) (its title having been changed by the committee on Bills in the Third Reading); and

Third
reading
bills.

Establishing an appointed superintendent of streets in the town of Lakeville (House, No. 4296) (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. Severally sent to the Senate for concurrence.

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.

Mr. Murphy of Lowell then moved that as a mark of respect to the memory of Patrick F. Plunkett, a member of the House from Lowell from 1949 to 1958, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at twenty-three minutes after eleven o'clock A.M., on motion of Mr. Scibak of South Hadley (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.