

JOURNAL OF THE HOUSE.

Monday, March 27, 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:

God of Goodness and Truth, in Whom we place our hope and trust, we depend upon You and Your assistance as we face and address, to the best of our ability, our daily tasks and responsibilities. Inspire us to select the right personal and legislative options in dealing with issues, constituents and colleagues. In coping with the day's many legislative proposals and related information, teach us to keep our goals and commitments in clear focus. In our decision-making process, may we be guided by traditional principles, human and spiritual values and the spirit of our Constitution. Teach us to be aware of and open to the past legislative successes and failures as we plan for the future.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

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.

Message from the Governor.

A message from His Excellency the Governor submitting requests for making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4796) was filed in the office of the Clerk on Thursday, March 23.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Resolutions.

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

Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) recognizing Audrey Seyffert on the occasion of her retirement from the Natick Public Schools; and

Resolutions (filed by Mr. Spellane of Worcester) congratulating the Health Foundation of Central Massachusetts upon its fifth anniversary of grant making;

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. Wallace of Boston, the resolutions (reported by the committee on Bills in the

Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petition.

Cohasset Library Trust.

Mr. Bradley of Hingham presented a petition (subject to Joint Rules 12 and 9) of Garrett J. Bradley and Robert L. Hedlund (by vote of the town) for legislation to establish the Cohasset Library Trust, Inc., for the town of Cohasset; and the same was referred, under Rule 24, to the committee on Rules.

Paper from the Senate.

Taunton, municipal fees.

A Bill providing enforcement of delinquent municipal sewer fees in the city of Taunton (Senate, No. 2112, changed in line 7 by inserting after the word "owner" the words "and occupant") (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Reports of Committees.

Fire safety, fines.

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 petition of Marie J. Parente and others relative to the use of proceeds from certain fines for training and education of fire prevention personnel and the payment of stipends to hearing officers in cities and towns. Under suspension of the rules, on motion of Mr. Wallace of Boston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Safety and Homeland Security. Sent to the Senate for concurrence.

Affordable housing, study.

By Mr. Honan of Boston, for the committee on Housing, on Senate, Nos. 150, 151, 786, 787, 788, 789, 790, 794, 795, 796, 797, 798, 799, 803, 807, 810, 812, 813, 819, 820, 821, 822, 824 and 2341 and House, Nos. 1453, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 3140, 3144, 3151, 3153, 3154, 3156, 3157, 3158, 3160, 3162, 3163, 3164, 3166, 3169, 3170, 3171, 3175, 3176, 3178, 3179, 3180, 3181, 3182, 3183, 3187, 3188, 3193, 3195, 3196, 3198, 3199, 3201, 3202, 3203, 3205, 3206, 3207, 3208, 3209, 3210, 3211, 3212, 3213, 3215, 3216, 3217, 3548, 3746, 3914, 3919, 3920, 4127, 4234, 4303, 4377 and 4457, an Order relative to authorizing the committee on Housing to make an investigation and study of certain Senate and House documents concerning affordable housing in the Commonwealth (House, No. 4791). 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, asking to be discharged from further consideration of the order; 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.

By Mr. Kaufman of Lexington, for the committee on Public Service, that the recommitted Bill to ensure quality appointments (House, No. 282) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Commissions, appointments.

By Mr. Petrucci of Boston, for the committee on Election Laws, on a petition, a Bill relative to allowing unsigned circulars and posters (House, No. 126).

Unsigned circulars and posters.

By the same member, for the same committee, on a petition, a Bill relative to independent voters (House, No. 3885, changed in section 1, in line 2, and also in section 2, in line 2 by striking out the word "independent" and inserting in place thereof, in each instance, the word "unaffiliated").

Independent voters.

By the same member, for the same committee, on a petition, a Bill relative to recall of elected officials in the town of Framingham (House, No. 4694) [Local Approval Received].

Framingham, recall elections.

By Mr. Mariano of Quincy, for the committee on Financial Services, on a petition, a Bill relative to credit unions in the Commonwealth (House, No. 3029).

Credit unions.

By the same member, for the same committee, on a petition, a Bill relative to liquor legal liability insurance (House, No. 3033).

Liquor legal liability insurance.

By the same member, for the same committee, on House, No. 4073, a Bill relative to the establishment of a limited purpose trust company subject to the supervision of the Commissioner of Banks (House, No. 4792).

Limited purpose trust company.

By Mr. Honan of Boston, for the committee on Housing, on House, No. 3150, a Bill regarding municipal affordable housing trust funds (House, No. 4793).

Housing trust funds.

By Mr. Rodrigues of Westport, for the committee on Labor and Workforce Development, on House, No. 3767, a Bill concerning manufacturing operations in the Commonwealth (House, No. 4794).

Manufacturing operations.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a message from His Excellency the Governor, a Bill validating the actions taken by the town of Webster open town meeting (printed in House, No. 2608).

Webster, validate acts.

By the same member, for the same committee, on a petition, a Bill to clarify the scope and authority of ordinances and by-laws adopted by municipalities (House, No. 3571, changed in section 1, in line 18, by striking out the words "five hundred" and inserting in place thereof the words "one thousand"; and by adding at the end thereof the following section:

Municipal ordinances and by-laws.

"SECTION 2. Section 21D of chapter 40 of the General Laws, as appearing in the Official Edition, is hereby amended by striking out the words 'three hundred dollars' in lines 44-45 and inserting in place thereof the words:— one thousand dollars."

By the same member, for the same committee, on a petition, a Bill relative to vicious dogs (House, No. 3591).

Vicious dogs.

By the same member, for the same committee, on a petition, a Bill clarifying district improvement financing (House, No. 3601).

District improvement financing.

By the same member, for the same committee, on a petition, a Bill providing a simplified procedure for municipal acceptance of subdivision roads (House, No. 3797, changed in line 3, by striking out the

Subdivision procedures.

words “within a subdivision”, in line 8, by striking out the word “subdivision”, and in line 26 by striking out the following: “thirty (30)” and inserting in place thereof the following: “sixty (60)”.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Boylston to convey certain open space land (House, No. 4105) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the town of Oxford to make loans to private home owners to replace shallow water supply wells made dry the drawdown of Sacarrappa Pond (House, No. 4238) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the town of Medfield to lease a certain parcel of land for the construction of a sports and recreation center (House, No. 4254) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill further regulating the number of selectmen in towns (House, No. 4675).

By the same member, for the same committee, on House, No. 3583, a Bill to protect the public from condemned, vicious dogs (House, No. 4795).

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

By Mrs. Haddad of Somerset, for the committee on Education, on Senate, No. 85 and House, No. 1460, Resolutions relative to physical education and nutrition improvements for middle school students (House, No. 1460, changed in line 24 and also in line 32 by striking out the word “shall” and inserting in place thereof, in each instance, the word “should”) ought to be adopted. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling the question, being on adoption.

Emergency Measures.

The engrossed Bill modifying the schedule for deposits of revenue for the service of civil process by constables (see House, No. 3576), 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 5 to 0. Sent to the Senate for concurrence.

The engrossed Bill establishing a sick leave bank for Ellen E. Briggs, an employee of the Trial Court (see House, No. 4634), 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.

Engrossed bills

Relative to the membership of the Hampshire County Housing Authority (see Senate, No. 2283) (which originated in the Senate); and

Addressing the special education needs of children with autism spectrum disorder (see House, No. 1123) (which 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.

Recess.

At eleven minutes after eleven o'clock A.M., on motion of Mr. Wallace of Boston (Mr. Petrolati of Ludlow being in the Chair), the House recessed until two o'clock P.M.; and at fourteen minutes after two o'clock the House was called to order with Ms. Candaras of Wilbraham in the Chair.

Report of a Committee.

Mr. Scaccia of Boston, for the committee on Rules, to whom was referred the residue of Senate, No. 2227, reported, in part, a Bill extending simulcasting for the horse and greyhound racing industry in the Commonwealth (House, No. 4804), which was read.

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

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 seventeen minutes after two o'clock P.M., on motion of Ms. Rogeness of Longmeadow (Ms. Candaras of Wilbraham being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M., in an Informal Session.

Boylston,
open space
land.

Oxford,
private
loans.

Medfield,
land lease.

Selectmen,
regulating.

Vicious
dogs.

Middle
school,
physical
education.

Civil
process,
report
revenue.

Ellen
Briggs,
sick
leave.

Bills
enacted.

Recess.

Simulcasting,
extend.

Next
sitting.