

## JOURNAL OF THE HOUSE.

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Thursday, January 6, 2005.

Met at twenty-one minutes before twelve o'clock noon.

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Eternal God, we look to You for direction and assistance as we begin the first formal session of the new General Court. In the weeks and months ahead, with our crowded schedules, help us to keep our priorities, principles and goals in clear focus and perspective. May the need, concerns and love of our own families remain our top priority. In addressing this year's ordinary, complex and perhaps emotional issues, teach us to evaluate accurately the data and information in all proposed legislative items and programs. If and when we disagree, let it be on the merit of the issues and principles. Inspire us to accept all legislative challenges and opportunities with enthusiasm as we work together as a family for the benefit of the people who depend upon our good and thoughtful decisions.

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

At the request of the Speaker the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

### *Resolutions.*

Resolutions (filed with the Clerk) were considered, under suspension of the rules, in each instance, on motion of Mr. Cabral of New Bedford, and they were adopted, as follows:

Resolutions (filed by Mr. Rush of Boston) congratulating Alexander J. Bisaga on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Rush of Boston) congratulating Dennis Durant on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Rush of Boston) congratulating Thomas E. Flanagan on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Rush of Boston) congratulating John F. Holbrook on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Vallee of Franklin) congratulating Drew Davis Hutchinson on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mr. Vallee of Franklin) congratulating Brendan C. Kirby on receiving the Eagle Award of the Boy Scouts of America.

### *Orders.*

The following order (filed this day with the Clerk by Mr. Donato of Medford) was considered forthwith, under suspension of the rules, on motion of Mr. Flynn of Bridgewater, as follows:

*Ordered*, That the precept to be issued by the Speaker, under the provisions of Section 141 of Chapter 54 of the General Laws, appointing a time for the election to fill the vacancy existing in the

Twelfth Suffolk Representative District, time for election to fill vacancy.

office of Representative in the General Court from the Twelfth Suffolk District shall designate, Tuesday, April 12, 2005, as the time ordered by the House of Representatives for said election.

The following order (filed this day with the Clerk by Mr. Donato of Medford) was considered forthwith, under suspension of the rules, on motion of Mr. Flynn of Bridgewater, as follows:

Eighteenth Suffolk Representative District, time for election to fill vacancy.

*Ordered*, That the precept to be issued by the Speaker, under the provisions of Section 141 of Chapter 54 of the General Laws, appointing a time for the election to fill the vacancy existing in the office of Representative in the General Court from the Eighteenth Suffolk District shall designate, Tuesday, April 12, 2005, as the time ordered by the House of Representatives for said election.

*Papers from the Senate.*

Councillors-elect.

A communication from the Secretary of the Commonwealth notifying the Senate and the House of Representatives of the election of the Councillors in the several districts and the schedule of votes for the Councillors-elect, was read for the information of the House, and returned to the Senate.

The following order then was adopted, in concurrence:

Returns of votes for Councillors.

*Ordered*, That a joint special committee to consist of members of the Senate and House of Representatives be appointed for the purpose of canvassing the votes for Councillors in the several districts.

Senators Tolman, Fargo and Brown having been appointed by the Senate, Representatives Smizik of Brookline, Donato of Medford and Peterson of Grafton were joined on the part of the House.

Subsequently a report of said committee, having been noted in the Journal of the Senate, was read for the information of the House; and returned to the Senate to be placed on file.

Joint Session.

Pursuant to assignment, at seven minutes before twelve o'clock noon, the two branches met in

CONVENTION

in the Chamber of the House of Representatives, for the purpose of administering the oath of office to the several Councillors-elect, and were called to order by the Honorable Robert E. Travaglini, President of the Senate.

*Order Adopted.*

On motion of Mr. McGee,—

Notify Councillors-elect.

*Ordered*, That a committee be appointed to consist of members of the Senate and the House of Representatives to wait upon the several Councillors-elect and inform them that the two branches of the General Court are now in convention for the purpose of administering oaths required to qualify them for the discharge of their duties of their offices.

Senators Fargo of Middlesex and Brown of Norfolk, Bristol and Middlesex were appointed the committee on the part of the Senate; Representatives Wolf of Cambridge, Smizik of Brookline were appointed the committee on the part of the House.

At four minutes past twelve o'clock noon, Her Honor, the Lieutenant-Governor, and the Councillors-elect entered the Chamber, under the escort of the Sergeant-at-Arms.

Before the President of the Senate and the Speaker of the House of Representatives, and in the presence of the two Houses of Assembly, the oaths and affirmations of office were then administered to, and subscribed by, Carole A. Fiola of Fall River, Kelly A. Timilty of Boston, Marilyn M. Petitto-Devaney of Watertown, Christopher A. Iannella, Jr., of Boston, Mary-Ellen Manning of Salem, Michael J. Callahan of Medford, Dennis P. McManus of Worcester and Peter Vickery of Amherst, at six minutes past twelve o'clock noon, as Councillors.

Her Honor the Lieutenant-Governor, the Constitutional Officers and the Honorable Council then withdrew from the Chamber, under the escort of the Sergeant-at-Arms.

*Orders.*

On motion of Mr. Kaufman of Lexington,—

*Ordered*, That the Secretary of the Commonwealth give notice to His Excellency the Governor that Carole A. Fiola of Fall River, Kelly A. Timilty of Boston, Marilyn M. Petitto Devaney of Watertown, Christopher A. Iannella, Jr., of Boston, Mary-Ellen Manning of Peabody, Michael J. Callahan of Medford, Dennis P. McManus of Worcester and Peter Vickery of Amherst have been duly elected and qualified as Councillors to advise him in the Executive part of the government.

Secretary to notify Governor of qualification of Councillors.

On motion of Mr. Rushing of Boston,—

*Ordered*, That the Clerks of the two branches give notice to Kevin W. Fitzgerald of Boston that he has been elected Sergeant-at-Arms of the General Court.

Sergeant-at-Arms notified of election.

On motion of Mr. Fennell of Lynn,—

*Ordered*, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next sitting.

At seventeen minutes before two o'clock P.M., on motion of Ms. St. Fleur of Boston, the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.