

JOURNAL OF THE HOUSE.

Thursday, January 26, 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).

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

Gracious God, we begin today and every day with the intention of serving You, Our Creator, and the people who depend upon our thoughtful and reasoned legislative actions. As legislators, we look to You for direction in our search for the most fair, mature and best available legislative options which are open to us. Grant us the patience to be good listeners, to see the good intentions of others in our dialogues and to comprehend the consequences — both good and not so good — of our personal decisions. May the best interests of the people, our communities and the culture unite us in a common effort to make our Commonwealth a great place to live, to rear children, work and to utilize wisely our gifts and talents.

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

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.

Resolutions (filed with the Clerk by Representatives Fagan of Taunton, Canessa of New Bedford and Haddad of Somerset) congratulating Joseph M. Martin on the occasion of his retirement, were referred, under Rule 85, to the committee on Rules.

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

Petitions.

Petitions severally were presented and referred as follows:

By Mr. DeLeo of Winthrop, petition (subject to Joint Rule 12) of Robert A. DeLeo that the Division of Capital Asset Management and Maintenance be directed to convey a certain parcel of land located in the town of Winthrop to Forty-Five Grovers Avenue LLC for open space purposes.

By Mr. Goguen of Fitchburg, petition (subject to Joint Rule 12) of Emile J. Goguen and others for legislation to regulate antibody or antigen testing for human T-cell lymphotropic virus type III (HTLV-III test).

Medical examiners, body parts.

Ellen E. Briggs, sick leave bank.

Parking restrictions, postings.

Phone records, fraudulent use.

Boston, Reverend Paul A. Phinn Way.

Reciprocal beneficiary contracts.

Cape Cod Mosquito Commissioners. Dukes county, advisory board.

Learning grant program.

Campaign contributions.

Regional planning.

Child witnesses.

Elderly, proposition 2%.

By Mr. Koutoujian of Waltham, petition (subject to Joint Rule 12) of Peter J. Koutoujian and others for legislation to require medical examiners to disclose the retention of body parts..

By the same member, petition (subject to Joint Rule 12) of Peter J. Koutoujian and others for legislation to establish a sick leave bank for Ellen E. Briggs, an employee of the Trial Court.

By Ms. Atkins of Concord (by request), petition (subject to Joint Rule 12) of Gary R. McCann relative to the posting of parking restrictions for motor vehicles in cities and towns and the issuance of notices for violations of such regulations.

By Mr. Quinn of Dartmouth, petition (subject to Joint Rule 12) of John F. Quinn and others relative to the imposition of penalties for the fraudulent or unauthorized procurement, sale or receipt of phone records of customers.

By Mr. Rush of Boston, petition (subject to Joint Rule 12) of Michael F. Rush for legislation to designate a certain street in the West Roxbury district of the city of Boston as the Reverend Paul A. Phinn Way.

By Mr. Travis of Rehoboth, petition (subject to Joint Rule 12) of Philip Travis and others relative to reciprocal beneficiary contracts.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Bills

Increasing the term of office of the Cape Cod Mosquito Control Commissioners (Senate, No. 2099) (on a petition);

Authorizing the boards of selectmen of Dukes County to designate members of the advisory board (Senate, No. 2110) (on a petition);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2339) of Robert A. Antonioni for legislation to establish a grant program for the purpose of expanding learning time and improving student success. To the committee on Education.

Petition (accompanied by bill, Senate, No. 2340) of Richard R. Tisei for legislation to authorize campaign contributions by debit card. To the committee on Election Laws.

Petition (accompanied by bill, Senate, No. 2341) of Richard T. Moore, Jennifer M. Callahan, Edward M. Augustus, Jr., James E. Timilty and other members of the General Court for legislation relative to reforming Chapter 40B. To the committee on Housing.

Petition (accompanied by bill, Senate, No. 2342) of John A. Hart, Jr., for legislation relative to the protection of child witnesses.

To the committee on the Judiciary.

Petition (accompanied by bill, Senate, No. 2343) of Steven A. Baddour for legislation to establish an exemption for seniors from proposition 2½ overrides. To the committee on Revenue.

Petition (accompanied by bill, Senate, No. 2344) of John A. Hart, Jr., for legislation relative to the South Boston power station; and

Petition (accompanied by bill, Senate, No. 2345) of Michael W. Morrissey, Jay R. Kaufman and Antonio F. D. Cabral for legislation relative to TDD TTY telephone service;

Severally to the committee on Telecommunications, Utilities and Energy.

Petition (accompanied by bill, Senate, No. 2346) of Steven A. Baddour and Brian S. Dempsey for legislation relative to the operation of motor vehicles in the course of a funeral procession. To the committee on Transportation.

Reports of Committees.

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 following petitions:

Petition (accompanied by bill) of Harold P. Naughton, Jr., relative to concurrent jurisdiction of certain properties by the towns of Harvard and Ayer at the former Devens Army Base; and

Petition (accompanied by bill) of Bruce E. Tarr that the Department of Conservation and Recreation be authorized to exchange certain land in the town of Rowley for certain other land located in said town;

Severally to the committee on Bonding, Capital Expenditures and State Assets.

Petition (accompanied by bill) of Arthur J. Broadhurst and Steven A. Baddour relative to the illegal sale of drugs in the vicinity of public parks and playgrounds in the Commonwealth; and

Petition (accompanied by bill) of Anne M. Gobi and others relative to advertising by justices of the peace for the solemnization of marriages;

Severally to the committee on the Judiciary.

Petition (accompanied by bill) of Joseph R. Driscoll and others for legislation to designate a certain crossing on Route 37 in the town of Braintree as the Meghan Flaherty Memorial Crossing. To the committee on Transportation.

Under suspension of the rules, on motion of Mrs. Walrath of Stow, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Rodrigues of Westport, for the committee on Labor and Workforce Development, on House, Nos. 2244, 3121, 3122, 3631, 3755, 3764, 3765, 3771, 3772, 3784, 3786, 3793, 3799 and 3944, an Order relative to authorizing the committee on Labor and Workforce Development to make an investigation and study of certain House documents concerning minimum wage, workforce training and other related matters (House, No. 4651).

By Mr. Wagner of Chicopee, for the committee on Transportation, on House, Nos. 1963, 2000, 2044, 2097, 2098, 2128, 2165, 2174, 2176 and 2219, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain

South Boston, power station.

TTY TDD telephone service.

Funeral processions.

Devens Army Base.

Rowley, land disposition.

Drug sales, public parks.

Justices of the peace.

Braintree, Meghan Flaherty Crossing.

Labor and Workforce, study.

Transportation system, study.

Transportation
system,
study.

House documents concerning tolls, public ways and the public transportation system (House, No. 4652).

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 the 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.

Barry
Conway,
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Barry Conway, an employee of the Department of Correction (see House, No. 4475, 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 3 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Bills
enacted.

Engrossed bills
Establishing an affordable housing trust fund in the town of Wellfleet (see House, No. 4094);

Increasing the term of the moderator of the town of Eastham (see House, No. 4103);

Authorizing the town of Brewster to establish an affordable housing fund (see House, No. 4130); and

Revising the procedure for appointing members of the finance committee of the town of Arlington (see House, No. 4269);

(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 House Bill relative to community preservation funds (House, No. 1680), 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.

Firearms
licenses,
law
enforcement
officers.

The House Bill relative to issuing a license to carry firearms to law enforcement officers (House, No. 1875) was read a second time.

Pending the question on ordering the bill to a third reading, it was recommitted to the committee on Public Safety and Homeland Security, on motion of Ms. Rivera of Springfield.

House reports

Of the committee on Transportation, ought NOT to pass, on the petition (accompanied by bill, House, No. 1967) of Kathi-Anne Reinstein and Robert A. DeLeo for legislation to limit the tolls charged residents of the city of Revere at the Sumner Tunnel for use of private passenger vehicles; and

Sumner
Tunnel,
tolls.

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1968) of Kathi-Anne Reinstein and Robert A. DeLeo relative to toll charges on the Tobin Bridge for residents of the city of Revere and the town of Saugus;

Mystic River
Bridge,
tolls.

Pending the question on acceptance of the reports, the petitions were recommitted, in each instance, on motion of Mr. Wagner of Chicopee, to the committee on Transportation.

Order.

On motion of Mr. DiMasi of Boston,—

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

Next
sitting.

At twenty-two minutes after eleven o'clock A.M., on motion of Ms. Rogeness of Longmeadow (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.