

JOURNAL OF THE HOUSE.

Monday, May 2, 2005.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mrs. Harkins of Needham 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:

Ever-Loving God, as we begin a new legislative workweek with new legislative proposals, challenges and responsibilities, we pray for Your gift of wisdom. Your wisdom enables us to address the issues of the day thoughtfully and logically. In this era of technological and scientific knowledge, help us to be leaders with a clear legislative focus, with traditional principles, with reasoned criteria for decision making and with a concern of the human and spiritual well-being of all people. In coping with the demands and stresses of daily living, may we continue to be sensitive to the needs of others. Guided by Your spirit, may we have the courage, good sense and the integrity to do the right and honorable thing at all times.

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

At the request of the Chair (Mrs. Harkins), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to reinstating capital punishment in the Commonwealth (House, No. 3834) was filed in the office of the Clerk on Thursday, April 28.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on the Judiciary. Sent to the Senate for concurrence.

Papers from the Senate.

The report of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendments (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 2792; striking out the title and inserting in place thereof the following title: "An Act relative to biotechnology."; and striking out the emergency preamble and inserting in place thereof the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith regulate biotechnology in the Commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and

Stem cell research.

convenience.”) of the Senate Bill promoting stem cell research (Senate, No. 2032),— recommending that the Senate recede from its non-concurrence with the House in its amendments, and concur therein with a further amendment by substitution of a Bill relative to enhancing regenerative medicine in the Commonwealth (Senate, No. 2039),— having been accepted by the Senate, was 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; and, under said rule, it was placed in the Orders of the Day for the next sitting, the question, being on acceptance, in concurrence.

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

AIDS and hepatitis, exposure.

Petition (accompanied by bill, Senate, No. 2041) of Michael W. Morrissey for legislation relative to the exposure of public safety officials to the AIDS virus and infectious hepatitis. To the committee on Public Safety and Homeland Security.

Health care access.

Petition (accompanied by bill, Senate, No. 2042) of Robert E. Travaglini, Richard T. Moore, Therese Murray, Harriette L. Chandler and other members of the General Court for legislation to provide health care access, affordability and accountability; and

Supplemental appropriation bill, health care.

Petition (accompanied by bill, Senate, No. 2043) of Robert E. Travaglini, Richard T. Moore, Therese Murray, Harriette L. Chandler and other members of the General Court for legislation to make appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects;

Severally to the committee on Health Care Financing.

Reports of Committees on Proposals for Legislative Amendments to the Constitution.

Initiative process.

By Mr. Petrucci of Boston, for the committee on Election Laws, on the petition (accompanied by proposal, Senate, No. 7) of Robert L. Hedlund and Norman Paley for a legislative amendment to the Constitution relative to laws created by the people using the Initiative process,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 7), ought NOT to pass. (Senator Brown dissenting).

Constitutional officers, vacancy.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 8) of Brian P. Lees, Richard R. Tisei, Bruce E. Tarr, Robert L. Hedlund and other members of the General Court for a legislative amendment to the Constitution relative to Constitutional officers,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 8), ought NOT to pass. (Senator Brown and Representatives Frost of Auburn and Rogeness of Longmeadow dissenting).

Absentee voting.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 9) of Ross J. Rajotte for a legislative amendment to the Constitution to allow absentee voting,— reported, in accordance with a provision of Joint Rule 23, recom-

mending that the amendment proposed by said petition (see Senate, No. 9), ought NOT to pass.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 10) of Ross J. Rajotte for a legislative amendment to the Constitution relative to the method of electing the Lieutenant-Governor and Governor,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 10), ought NOT to pass.

Governor and Lieutenant-Governor, election.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 11) of Richard T. Moore, Scott P. Brown, Edward G. Connolly and Ross Rajotte for a legislative amendment to the Constitution increasing the term of office for the General Court from two to four years,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 11), ought NOT to pass. (Senator Brown and Representatives Turner of Dennis and Rogeness of Longmeadow dissenting).

General Court, terms.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 12) of Richard T. Moore and other members of the General Court for a legislative amendment to the Constitution relative to establishing an independent redistricting commission and criteria for redistricting,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 12), ought NOT to pass. (Senator Brown and Representatives Turner of Dennis, Frost of Auburn and Rogeness of Longmeadow dissenting).

Redistricting commission.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 13) of Stanley C. Rosenberg and Robert Spellane for a legislative amendment to the Constitution promoting the representative character of ballot questions,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 13), ought NOT to pass.

Ballot questions, character.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 14) of Stanley C. Rosenberg for a legislative amendment to the Constitution relative to vacancies in the Governor’s Council,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 14), ought NOT to pass.

Governor’s Council, vacancies.

By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 38) of Jay R. Kaufman for a legislative amendment to the Constitution relative to a vacancy in the office of Governor or Lieutenant-Governor,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 38), ought NOT to pass. (Senator Brown and Representatives Turner of Dennis and Rogeness of Longmeadow dissenting).

Governor and Lieutenant-Governor, vacancies.

By the same member, for the same committee, on the petition (accompanied by bill, House, No. 39) of George N. Peterson, Jr., for a legislative amendment to the Constitution to change the length of term for Representatives and Senators from two years to four years,—

General Court, terms.

reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 39), ought NOT to pass. (Senator Brown and Representatives Turner of Dennis and Rogeness of Longmeadow dissenting).

Redistricting.

By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 40) of Bradley H. Jones, Jr., and others for a legislative amendment to the Constitution relative to redistricting for the House of Representatives, Senate and Governor's Council,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 40), ought NOT to pass. (Senator Brown and Representatives Turner of Dennis, Frost of Auburn and Rogeness of Longmeadow dissenting).

Absentee voting.

By Mr. Petruccelli of Boston, for the committee on Election Laws, on the petition (accompanied by proposal, Senate, No. 2034) of Edward M. Augustus, Jr., Anthony W. Petruccelli, Demetrius J. Atsalis, James B. Leary and other members of the General Court for a legislative amendment to the Constitution to authorize the General Court to provide for absentee voting by any voter,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 2034), ought to pass. (Senator Brown and Representative Rogeness of Longmeadow dissenting).

County government.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on the petition (accompanied by proposal, Senate, No. 16) of Ross J. Rajotte for a legislative amendment to the Constitution relative to establishing county government,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 16), ought NOT to pass.

Elected officials, emergency appointment.

By Ms. Rivera of Springfield, for the committee on Public Safety and Homeland Security, on the petition (accompanied by proposal, Senate, No. 17) of Richard T. Moore, Susan W. Pope, Scott P. Brown, Edward G. Connolly and other members of the General Court for a legislative amendment to the Constitution relative to emergency appointments of elected officials,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 17), ought to pass. (Representatives Murphy of Burlington, Perry of Sandwich and Hill of Ipswich dissenting).

The reports were severally read and placed on file, in accordance with the requirements of said rule.

Proposal for a Legislative Amendment to the Constitution.

Under the provisions of Joint Rule 23, the following proposal was placed on file, the time within which the following committee was required to report having expired,—

Judges, certification.

Of the committee on the Judiciary, ought NOT to pass (under Joint Rule 23) on the petition of Michael R. Knapik, Michael F. Kane, Scott P. Brown, Donald F. Humason, Jr., and other members of the General Court for a legislative amendment to the Constitution relative to the certification of judges.

Order.

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

At nine minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mrs. Harkins of Needham being in the Chair), the House adjourned, to meet on Wednesday next at one o'clock P.M.