

JOURNAL OF THE HOUSE.

Wednesday, May 14, 2008.

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:

God of Goodness and Truth, we begin the day with a prayer of thanksgiving for our material and spiritual blessings. We also pray for Your assistance and guidance which, we believe, empower us to address correctly and ethically the legislative and administrative matters which come before us. As elected leaders, inspire us to develop our listening and intellectual skills as we sort out and evaluate the legislative suggestions and proposals of constituents and colleagues. Grant us the gifts of wisdom, discernment and courage to make the right choices in achieving the purpose for which You have created us.

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.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to financing an accelerated structurally-deficient bridge improvement program (House, No. 4743) was filed in the office of the Clerk on Tuesday, May 13.

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

Resolutions.

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

Resolutions (filed by Mr. McMurtry of Dedham) congratulating James Delisle on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Aaron Derderian on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Ramzi Shuhaibar on receiving the Eagle Award of the Boy Scouts of America;

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. Smizik of

Prayer.

Pledge of
allegiance.

Bridges, repair.

James
Delisle.

Aaron
Derderian.

Ramzi
Shuhaibar.

Brookline, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Order.

The following order (filed by Mrs. Walrath of Stow) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Health Care Financing committee, extension of time for reporting.

Ordered. That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing be grant until Thursday, June 5, 2008, within which time to make its final report on House number 925.

Mr. Scaccia of Boston, for the committees on Rules, then reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Mariano of Quincy, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Papers from the Senate.

Juveniles, mental health.

A report of the committee on Health Care Financing, asking to be discharged from further consideration of the Senate Bill relative to juvenile mental health (Senate, No. 2407), and recommending that the same be referred to the House committee on Ways and Means,—accepted by the Senate, in so much as relates to the discharge of the committee, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Leicester, land.

Petitions were referred, in concurrence, as follows: Petition (accompanied by bill, Senate, No. 2689) of Edward M. Augustus, Jr., and John J. Binienda (by vote of the town) for legislation relative to the use of certain land in the town of Leicester;

Kingston, budget.

Petition (accompanied by bill, Senate, No. 2690) of Therese Murray and Thomas J. Calter III (by vote of the town) for legislation relative to the town of Kingston; and

Kingston, wind facilities.

Petition (accompanied by bill, Senate, No. 2691) of Therese Murray and Thomas J. Calter III (by vote of the town) for legislation to authorize the town of Kingston to install finance and operate wind energy facilities;

Severally to the committee on Municipalities and Regional Government.

Fitchburg, public parking.

A petition of Robert A. Antonioni and Stephen L. DiNatale for legislation relative to public parking in the city of Fitchburg, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Judiciary.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2702) was referred, in concurrence, to the committee on Judiciary.

Charlestown Navy Yard, expansion.

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 Rules 12 and 9 be suspended on the petition of Eugene L. O’Flaherty for legislation to extend the harbor lines for the building of certain structures over navigable waters of the Charlestown Navy Yard located in the city of Boston. Under suspension of the rules, on motion of Mr. Scaccia, the report was considered forthwith. Joint Rules 12 and 9 were suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

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:

Vacant lot zoning.

Petition (accompanied by bill) of Robert F. Fennell relative to the zoning of certain vacant lots. To the committee on Municipalities and Regional Government.

Matthew Dicicco, sick leave.

Joint petition (accompanied by bill) of F. Jay Barrows and others for legislation to establish a sick leave bank for Matthew Dicicco, an employee of the Department of Correction. To the committee on Public Service.

Francis R. Powers Memorial Bridge.

Joint petition (accompanied by bill) of Frank M. Hynes and Robert L. Hedlund for legislation to designate a certain bridge in the towns of Marshfield and Scituate as the Francis R. Powers Memorial Bridge. To the committee on Transportation.

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

By Mrs. Walrath of Stow, for the committee on Health Care Financing, asking to be discharged from further consideration

Guardians, real estate.

Of the Bill removing the requirement to provide notice to the Department of Mental Health of a license granted to a guardian to sell real estate (House, No. 312);

Nurse practitioners.

Of the Bill to insure consumer choice of nurse practitioner services (House, No. 921, changed);

Youth Alcohol Program.

Of the Bill relative to the Youth Alcohol Education Program to reduce underage drinking and promote healthy choices (House, No. 1884, changed);

Community hospitals.

Of the Bill establishing a special commission to determine the capital needs of community hospitals (House, No. 2066);

Public buildings, disinfect.

Of the Bill to provide for the development of minimum disinfecting, cleaning, and maintenance requirements for schools, day care centers, and public buildings by the Department of Public Health (House, No. 2094);

Internet prescriptions.

Of the Bill to create the Massachusetts Internet prescription consumer protection act (House, No. 2160);

Healthy schools.

Of the Bill relative to healthy schools and public buildings (House, No. 2181);

Particulates, health effects.

Of the Bill relative to reporting on health effects of particulate matter (House, No. 2227);

Food handling.

Of the Bill prohibiting the use of latex gloves and products by persons who handle food (House, No. 2238);

Health Service Corps.

Of the Bill to ensure quality, affordability and access to primary and preventive health care, to eliminate health disparities, and to enhance economic growth throughout the Commonwealth (House, No. 2255);

Social
Services.

Of the Bill relative to the Department of Social Services (House, No. 2259);

Protection.
End of Life.
National
Guard.

Of the Bill relative to protective custody (House, No. 2304);

Of the Bill to improve end of life care (House, No. 3800); and

Of the Bill relative to exposures to hazardous materials by certain members of the National Guard (House, No. 4694);

And recommending that the same severally be referred to the House committee on Ways and Means.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence in the discharge of the committee.

Tobacco,
student
use.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, asking to be discharged from further consideration of the Bill relative to student use of tobacco products (House, No. 2080),— and recommending that the same be referred to the committee on Education; and

Immigrants,
public
benefits.

By Mr. Kaufman of Lexington, for the committee on Public Service, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3803) of Jeffrey Davis Perry and others for legislation to require compliance with federal immigration laws for public benefits,— and recommending that the same be referred to the committee on Veterans and Federal Affairs.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

Overdoses,
reporting.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, that the Bill relative to mandatory reporting of overdoses (House, No. 4563) ought to pass [Estimated cost: More than \$100,000.00]. Read and referred, under Rule 33, to the committee on Ways and Means.

Kayak
safety.

Mr. Scaccia of Boston, for the committee on Rules, on House order No. 4681, reported, in part, a Bill relative to kayak safety (House, No. 2382).

Industrial
Accident
Board.

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to public records (House, No. 3225).

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

Bonding,
Capital
Expenditures and
State Assets,
extension of
time for
reporting.

Reconsideration.

Mr. Flynn of Bridgewater moved that the vote be reconsidered by which the House, at the preceding sitting, adopted, in concurrence (as amended), an order relative to granting the committee on Bonding, Capital Expenditures and State Assets until June 18, 2008, notwithstanding the provisions of Joint Rule 10, the time within

which to make its final report on certain current House documents numbered 4311, 4455, 4506, 4538 and 4561, relative to bonding, capital expenditures and state assets; and the motion to reconsider was considered forthwith; and it prevailed.

The same member then moved that the vote be reconsidered by which the House, at said sitting, adopted amendments (offered by him) striking out the date “June 18” and inserting in place thereof the date “May 21” and striking out the figures “4311,” and by inserting after the figures “4455” the figures “, 4478”; and the motion to reconsider was considered forthwith; and it also prevailed.

Pending the recurring question on adoption of the amendments, Mr. Flynn moved to amend them by striking out the date “May 21” and inserting in place thereof the date “June 12”; and the further amendment was adopted.

The amendment, as amended, then was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Relative to incurring indebtedness in the town of Ipswich (see Senate, No. 2445, changed); and

Relative to the certification of the inspector of buildings and building commissioner in the city of Brockton (see Senate, No. 2458);

(Which severally originated in the Senate);

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.

Bills
enacted.

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.

Next
sitting.

Mr. Murphy of Weymouth then moved that as a mark of respect to the memory of William A. Connell, Jr., a member of the House from Weymouth from 1955 to 1976, inclusive, the House adjourn; and the motion prevailed.

At twenty-five 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 tomorrow at eleven o'clock A.M., in an Informal Session.