

JOURNAL OF THE HOUSE.

Monday, July 25, 2005.

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:

Almighty God, we are grateful for the material and spiritual gifts which You bestow upon us daily and we often take for granted. Our hearts and minds are filled with thanks as we reflect, especially during the summer season, on our country's great resources, from our beautiful seashores to our majestic mountain peaks. Inspire us to use all of our nations's material, as well as our human resources, wisely, thoughtfully and responsibly. We depend upon Your guidance as we respond to each day's challenges and opportunities in this changing world. Grant us the courage to remain faithful to our own philosophical, political and religious goals, values and principles in addressing issues and policies.

Prayer.

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.

Pledge of allegiance.

Messages from the Governor.

A message from His Excellency the Governor submitting requests for making appropriations for the fiscal year 2006 to provide for higher education capital projects and transportation improvements (House, No. 4291) was filed in the office of the Clerk on Friday, July 22.

Higher education, capital projects.

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.

A message from His Excellency the Governor (under the provisions of Section 7 of Chapter 150E of the General Laws) submitting requests for making appropriations to fund collective bargaining agreements between the Commonwealth and the Service Employees International Union, Local 509, between the Commonwealth and the various registries of deeds, and between the Franklin Sheriff's Department and the General Teamsters, Local 404 (House, No. 4292) was filed in the office of the Clerk on Friday, July 22.

Collective bargaining.

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.

Don and
Sally
Mack.

Resolutions (filed with the Clerk by Mrs. Gomes of Harwich) congratulating Don and Sally Mack, were referred, under Rule 85, to the committee on Rules.

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

Papers from the Senate.

Adult
offender
supervision.

The House Bill establishing the interstate compact for adult offender supervision (House, No. 4192, amended) came from the Senate with the endorsement that said branch had insisted on its amendments (in which the House had non-concurred).

Committee of
conference.

The bill bore the further endorsement that the Senate had concurred with the House in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Panagiotakos, O'Leary and Brown had been joined as the committee on the part of the Senate.

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

Adopted
child,
rights.

Petition (accompanied by bill, Senate, No. 2167) of Thomas M. McGee, Steven M. Walsh and Robert F. Fennell for legislation to further regulate the rights of an adopted child. To the committee on Children and Families.

Armed
services,
workers
compensation.

Petition (accompanied by bill, Senate, No. 2168) of Michael W. Morrissey, Brian A. Joyce and William T. Salisbury for legislation relative to worker's compensation as it relates to employees who are members of the armed services or national guard. To the committee on Labor and Workforce Development.

Firearm
license
applications,
receipt.

Petition (accompanied by bill, Senate, No. 2169) of Michael W. Morrissey for legislation to require a firearms licensing authority to provide a receipt for firearm license applications. To the committee on Public Safety and Homeland Security.

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:

Hatfield,
preservation
restriction.

Petition (accompanied by bill) of Peter V. Kocot and Stanley C. Rosenberg that the Division of Capital Asset Management and Maintenance be authorized to provide for a partial release of certain land in the town of Hatfield from the operation of an agricultural preservation restriction. To the committee on Bonding, Capital Expenditures and State Assets.

Facsimile
solicitations,
consumers.

Petition (accompanied by bill) of Marie J. Parente relative to facsimile solicitations in the definition of "consumer" under the law regulating telemarketing solicitations. To the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill) of Joanne Wheeler relative to joint bank accounts. To the committee on Financial Services.

Joint bank accounts.

Petition (accompanied by bill) of Eugene L. O'Flaherty for legislation to establish a bail lien and restitution process for certain defendants in the court system of the Commonwealth;

Bail, liens and restitution.

Petition (accompanied by bill) of Marie J. Parente relative to the crime of malicious damage or injuries to personal property; and

Property damages, penalty.

Petition (accompanied by bill) of Joseph F. Wagner relative to the establishment of a sick leave bank for Kathleen A. Sammataro, an employee of the District Court of Chicopee;

Kathleen A. Sammataro, sick leave.

Severally to the committee on the Judiciary.

Petition (accompanied by bill) of John J. Binienda relative to the investment of public employee funds in deferred compensation programs. To the committee on Public Service.

Deferred compensation program.

Petition (accompanied by bill) of Sean Curran and others relative to the granting of real estate tax exemptions to surviving spouses of members of the armed forces who lost their lives in the current military conflicts in Iraq and Afghanistan; and

War widows, tax exemption.

Petition (accompanied by bill) of Marie J. Parente that veterans organizations be exempt from the tax imposed on the sale and use of gas, electricity and heating oil;

Veterans organizations, sales tax.

Severally to the committee on Revenue.

Petition (accompanied by bill) of Marie J. Parente relative to information provided by applicants for governmental programs and benefits. To the committee on State Administration and Regulatory Oversight.

Governmental programs.

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

By Mrs. Owens-Hicks of Boston, for the committee on Children and Families, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 126) of Charles E. Shannon, Kevin Hall, Kathi-Anne Reinstein, Richard R. Tisei and other members of the General Court for legislation to ensure parents of children prescribed psychotropic drugs receive adequate information; and

Psychotropic drugs, information.

Of the petition (accompanied by bill, Senate, No. 127) of Charles E. Shannon, Susan C. Fargo, Rachel Kaprielian, Timothy J. Toomey, Jr. and other members of the General Court for legislation to protect juveniles and parental rights in juvenile alcohol and drug rehabilitation;

Drug/alcohol rehabilitation, juvenile rights.

And recommending that the same severally be referred to the committee on Mental Health and Substance Abuse.

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

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a message from His Excellency the Governor, a Bill authorizing indemnification for actions taken pursuant to Chapter 169 of

the Acts of 2004 (printed in House, No. 4185). Read; and referred, under Rule 33, to the committee on Ways and Means.

Springfield
Finance
Control
Board.

Mr. DeLeo of Winthrop, for said committee, then reported recommending that the bill ought to pass. 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.

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

Subsequently, under suspension of the rules, on motion of Ms. Rivera of Springfield, the bill (having been reported by the committee on Bills in the Third Reading to be correctly) was read a third time; and it was passed to be engrossed, its title having been changed by said committee to read: "An Act relative to the Springfield Finance Control Board.". Sent to the Senate for concurrence.

Human
services,
privatization.

By Mrs. Owens-Hicks of Boston, for the committee on Children and Families, on the petition,, a Resolve providing for an investigation by a special commission relative to the effect of privatization on the delivery of human services (House, No. 4288). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Engrossed Bills.

Bill
enacted.

The engrossed Bill relative to claims trusts funds (see House, No. 3835, changed) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bills
enacted.

Engrossed bills
Relative to the charter of the town of Rockland (see House, No. 4107);
Relative to the charter of the town of Rockland (see House, No. 4108);
Relative to the charter of the town of Rockland (see House, No. 4109); and
Relative to the charter of the town of Rockland (see House, No. 4110);
(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 Senate Bill designating the Massachusetts National Guard way in the city of Westfield (Senate, No. 1915), 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, in concurrence.

House bills

Relative to the reporting of revenue for the service of civil process by constables (House, No. 3576); and
Authorizing the town of North Andover to grant a certain utility easement (House, No. 4116);

Third reading bills.

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Recess.

At twenty-five minutes after eleven o'clock A.M., on motion of Ms. Wolf of Cambridge (Mr. Donato of Medford being in the Chair), the House recessed until twelve o'clock noon; and at eight minutes after twelve o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Reports of a Committee.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill exempting certain positions in the fire department in the city of Northampton from the civil service law (Senate, No. 2069) be scheduled for consideration by the House.

Northampton, fire department.

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill exempting certain positions in the police department in the city of Northampton from the civil service law (Senate, No. 2074) be scheduled for consideration by the House.

Northampton, police department.

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, 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 on Thursday next at eleven o'clock A.M.

Next sitting.

At thirteen minutes after twelve o'clock noon, on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.