

JOURNAL OF THE HOUSE.

Thursday, August 28, 2008.

Met at five minutes after 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, Our Creator, each day we look to You for guidance in our search for truth and direction in reaching our ultimate destiny as we address our daily legislative and personal responsibilities. In Your goodness inspire us to select the right, just and reasonable options which are available to us. As we prepare to celebrate and observe Labor Day on Monday, a national holiday, we take the time to thank all workers for their dedication in making our nation great, prosperous and free by their skills, creativity and work habits. Teach us to continue our concern for the rights, dignity, job-training programs and job opportunities for all workers in this changing world. May the constitutional rights of innocent and vulnerable individuals in our diverse society remain a top priority in this era of worldwide violence and wars.

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.

Special Recognition.

The Chair (Mr. Donato of Medford) then recognized, standing at the back of the Chamber, Charles T. Martel of Melrose, the Clerk of the House committee on Bills in the Third Reading, who is retiring after 45 years of exemplary service to the House of Representatives.

Order.

An Order (filed this day by Mr. Donato of Medford) relative to authorizing the filing of a report of the special commission established (under Chapter 2 of the Resolves of 2007) to make an investigation and study of the hygienic procedures pertaining to band instruments, was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently.

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. Scaccia, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

*Papers from the Senate.*Melrose,
ballot
question.

A Bill authorizing the placement of 2 questions on the ballot at the biennial state election to be held in November 2008, relative to the licensing of sales of wines and malt beverages in the city of Melrose (Senate, No. 2875) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it 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.

Under suspension of the rules, on motion of Ms. Clark of Melrose, the bill was read a second time forthwith; and it was ordered to a third reading.

Concord,
voter
information.

A Bill authorizing the town of Concord to send certain information to registered voters in the town of Concord (Senate, No. 2789) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

The following notice was received from the Clerk of the Senate, to wit:—

August 28, 2008.

Honorable Salvatore F. DiMasi
Speaker of the House of Representatives
Room 356 State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Therese Murray, President of the Senate, has announced the following appointments:

Health Care
disparities.

Dr. Amaro Laria, Massachusetts School of Professional Psychology's Lucero Latino Mental Health Training Program to the Commission (pursuant to Subsection 16O of Section 3 of Chapter 58 of the Acts of 2006) relative to Health Care Disparities;

Grandparents
raising
grandchildren.

Ms. Connie DiLego of Plymouth to the Permanent Commission (pursuant to Chapter 176 of the Acts of 2008) relative to the Status of Grandparents Raising Grandchildren;

Municipal
budgets.

The Honorable Stanley C. Rosenberg to the Special Commission established (pursuant to Section 112 of Chapter 182 of the Acts of 2008) to make an investigation and study of the manner in which municipalities and towns of the Commonwealth balance their fiscal year budgets;

OxyContin and
substance
abuse.

The Honorable Steven A. Tolman and James E. Timilty to the Special Commission established (pursuant to Section 56 of Chapter 302 of the Acts of 2008) to make an investigation and study of the impact of OxyContin and heroin epidemic on the state and municipal government, the substance abuse system and to identify potential strategies to more effectively cope with said epidemic;

The Honorable Marc R. Pacheco to the Special Commission (pursuant to Section 106 of Chapter 182 of the Acts of 2008) on Civic Engagement and Learning;

Engagement
and learning.

The Honorable Stanley C. Rosenberg, Benjamin B. Downing and Michael W. Morrissey to the Special Commission (pursuant to Section 97 of Chapter 173 of the Acts of 2008) on Municipal Relief (Senator Rosenberg shall serve as co-chair);

Municipal
relief.

The Honorable Richard T. Moore to the Special Commission established (pursuant to Section 82 of Chapter 4 of the Acts of 2003) to streamline sales and use tax agreement; and

Sales tax.

The Honorable Frederick E. Berry, Steven C. Panagiotakos and Anthony Petruccelli to the Special Commission established (pursuant to Section 111 of Chapter 182 of the Acts of 2008) to make an investigation and study of the Massachusetts Contributory Retirement Systems.

Retirement
system.

Respectfully submitted,

WILLIAM F. WELCH
Clerk of the Senate.

Reports of Committees.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on House, Nos. 500, 1304, 1308, 1311, 1313, 1317, 1318, 1325, 1331, 1332, 1333, 1334, 1335, 1337, 1383, 1388, 1389, 1470, 1479, 1532, 1547, 1662, 1672, 1688, 1700, 1718, 1720, 1746, 1749, 1912, 3448, 3738, 3865, 3870, 3875, 3876, 3877, 3991, 4643, 4733, 4734, 4735, 4833, 4922, 4946, 4977 and 5019, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning the courts of the Commonwealth and other related matters (House, No. 5085). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Judiciary,
study.

Subsequently Mr. Scaccia of Boston, for said committees, reported, asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules. Under Rule 42, the report was considered forthwith; and it was accepted.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Municipalities and Regional Government to make an investigation and study of certain House documents concerning municipal and regional government and other related matters (House, No. 4667) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1974) of James M. Murphy relative to uniformly located address numbers on all buildings in the Commonwealth, — and recommending that the same be recommitted to the committee on Municipalities and Regional Government. Under Rule 42, the report was considered forthwith; and it was accepted.

Buildings,
address
numbers.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Public Safety and Homeland Security to make an investigation and study of certain House

Floor
finishing
products.

documents concerning public safety and other related matters (House, No. 4681) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2407) of Martin J. Walsh and others for legislation to establish a maximum flammability for floor finishing products, — and recommending that the same be recommitted to the committee on Public Safety and Homeland Security. Under Rule 42, the report was considered forthwith; and it was accepted.

Louis
Cataldo,
retirement.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Public Service to make an investigation and study of certain House documents concerning active and retired public employees (House, No. 4607) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4295) of Demetrius J. Atsalis and Robert A. O'Leary relative to the retirement allowance of Louis Cataldo, a retired employee of the Barnstable County Sheriff's Office and retired chief of the police department of the town of Dennis, — and recommending that the same be recommitted to the committee on Public Service. Under Rule 42, the report was considered forthwith; and it was accepted.

Engrossed Bill.

Bill
enacted.

The engrossed Bill relative to polling places in the city of Boston (see House, No. 4983) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Motion to Discharge a Certain Matter in the
Orders of the Day.*

Boston,
affordable
housing.

Mr. Sánchez of Boston moved that the House Bill relative to certain affordable housing in the city of Boston (House, No. 4710), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill, reported by the committee on Bills in the Third Reading to be correctly drawn, then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Quorum.

Quorum.

Mr. McMurtry of Dedham then asked for a count of the House to ascertain if a quorum was in attendance.

A quorum not being present, under the provisions of Rule 82, the Chair (Mr. Donato of Medford), at twelve minutes after eleven o'clock A.M., declared an adjournment of the House until Tuesday next at eleven o'clock A.M., in an Informal Session.