

JOURNAL OF THE HOUSE.

Tuesday, September 6, 2005.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Petrolati of Ludlow 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:

Eternal God, in Whose image we have been created, we pray for Your assistance and guidance as we focus our attention on the new and current legislative and policy issues of this post Labor Day season. In Your goodness, help us to make right choices in selecting our options. The month of September also ushers in a new academic year for all students. Inspire us, legislators, parents and educators, to offer all students an education which proposes and encourages excellence, high ethical and moral standards, responsible citizenship and the ability to reason clearly in resolving intellectual challenges. If we fail to achieve our educational goals, we will be a nation left behind in a competitive world. 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. Petrolati), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag. Pledge of allegiance.

Resolutions.

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

Resolutions (filed by Mr. Galvin of Canton) honoring Thomas P. Lyman on the occasion of his retirement; Thomas P. Lyman.

Resolutions (filed by Mr. Greene of Billerica) congratulating Barbara A. Flaherty on her many years of continuing service to the town of Billerica; and Barbara A. Flaherty.

Resolutions (filed by Mr. Turkington of Falmouth) congratulating the Friends of Dennis Senior Citizens, Inc. on the occasion of its twenty-fifth anniversary; Friends of Dennis Senior Citizens, Inc.

Mr. Petrolati of Ludlow, 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. Kulik of Worthington, 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.

A Bill eliminating maintenance and capital investment funds in the city of Newburyport (Senate, No. 2135) (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. Newburyport, investment funds.

Reports

Correctional facilities, inspection reports.

Of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspections of certain correctional facilities in the Commonwealth, severally were spread upon the records of the House, as follows:

Of the Bristol County Jail and House of Correction, in the town of Dartmouth;

Of the Dartmouth Women's Center (formerly the Bristol County Pre-Release Center, in the town of Dartmouth; and

Of Women in Transition of the Essex County Sheriff's Department, in the town of Salisbury;

Severally were spread upon the records of the House; and returned to the Senate.

Reports of Committees.

Somerville, affordable housing.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill establishing a project mitigation contribution or linkage program for affordable housing in the city of Somerville (Senate, No. 2044),— and recommending that the same be recommitted to the committee on Housing. Under Rule 42, the report was considered forthwith; and it was accepted.

Labor relations.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill relative to labor relations (House, No. 178),— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted.

By Ms. Balser of Newton, for the committee on Mental Health and Substance Abuse, asking to be discharged from further consideration

Templeton, DMR land.

Of the petition (accompanied by bill, Senate, No. 1138) of Stephen M. Brewer, Brian Knuuttila and Anne M. Gobi for legislation relative to certain land in Templeton under the control of the Department of Mental Retardation;

DMR, client rights.

Of the petition (accompanied by bill, Senate, No. 1152) of Charles E. Shannon, Susan C. Fargo and Barbara A. L'Italien for legislation to protect DMR clients;

Direct care workers, wage disparity.

Of the petition (accompanied by bill, Senate, No. 1154) of Susan C. Tucker, Michael R. Knapik, Brian A. Joyce, Robert A. Antonioni and other members of the General Court for legislation to eliminate wage disparity among direct care workers for the mentally retarded;

National CORI checks.

Of the petition (accompanied by bill, House, No. 2858) of Martin J. Walsh and James E. Vallee relative to national criminal offender record information checks for persons working with individuals served by the Department of Mental Retardation;

Mentally retarded, study abuse.

Of the petition (accompanied by bill, House, No. 2860) of Barbara A. L'Italien for legislation to provide for independent investigations by the Disabled Persons Protection Commission of abuse and neglect of mentally retarded persons;

Of the petition (accompanied by bill, House, No. 2861) of Angelo M. Scaccia for legislation to establish an independent office of quality assurance for mentally retarded persons;

Mental health, quality assurance.

Of the petition (accompanied by bill, House, No. 2864) of Angelo M. Scaccia and John W. Scibak relative to services administered by the Department of Mental Retardation for elderly mentally retarded persons;

Elderly mentally retarded, services.

Of the petition (accompanied by bill, House, No. 2866) of James H. Fagan for legislation to provide for random reviews of abuse investigations conducted by the Department of Mental Retardation;

Mental Retardation, abuse investigations.

Of the petition (accompanied by bill, House, No. 2867) of James H. Fagan relative to the reporting of the abuse of mentally retarded persons;

Mentally retarded, abuse.

Of the petition (accompanied by bill, House, No. 2868) of Peter J. Koutoujian and others relative to wage disparity among direct care workers for the mentally retarded;

Mentally retarded, direct care workers.

Of the petition (accompanied by bill, House, No. 2869) of Peter J. Koutoujian and others relative to waiting lists for services of the Department of Mental Retardation;

Mental Retardation, services.

Of the petition (accompanied by bill, House, No. 2870) of Michael A. Costello and others for legislation to change the name of the Department of Mental Retardation to the department of developmental services; and

Department of Retardation, title.

Of the petition (accompanied by bill, House, No. 2930) of Frank I. Smizik and others relative to wage parity for direct care employees of providers of services to the Department of Mental Retardation;

Mentally retarded, community workers.

And recommending that the same severally be referred to the committee on Children and Families.

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

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the financial conditions in the Chesterfield Goshen Regional School District (House, No. 2603, changed) be scheduled for consideration by the House.

Chesterfield School District.

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

Engrossed Bill.

The engrossed Bill establishing the Westford town center sewer district (see House, No. 4188) (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.

Bill enacted.

Recess.

At a quarter after eleven o'clock A.M., on motion of Mr. Donato of Medford (Mr. Petrolati of Ludlow being in the Chair), the House

Recess.

recessed until twelve o'clock noon; and at twelve minutes after twelve o'clock the House was called to order with Mr. Petrolati in the Chair.

Message from the Governor.

Supplemental
appropriations,
Hurricane
Katrina.

A message from His Excellency the Governor submitting requests for making appropriations for the fiscal year 2005 to provide funding for certain activities and projects associated with the Commonwealth's efforts to help the victims of Hurricane Katrina (House, No. 4356) was filed this day in the office of the Clerk.

The message was read; and it was referred, under Rule 33, with the accompanying draft of a bill, to the committee on Ways and Means.

Mr. DeLeo of Winthrop, for said committee, then reported on the foregoing message, a Bill making appropriations for the fiscal year 2005 to provide funding for certain activities and projects associated with the Commonwealth's efforts to help the victims of Hurricane Katrina (printed in House, No. 4356) [Cost: \$25,000,000.00]. Read; and 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. Jones of North Reading, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of Mr. Jones, the bill (having been 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, its title having been changed by said committee to read: "An Act making appropriations to provide funding for certain activities and projects associated with the Commonwealth's efforts to help the victims of Hurricane Katrina.". Sent to the Senate for concurrence.

Recess.

Recess.

At twenty-eight minutes before one o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Petrolati of Ludlow being in the Chair), the House recessed until one o'clock; and at twenty-five minutes after one o'clock the House was called to order with Mr. Petrolati in the Chair.

Emergency Measure.

Supplemental
appropriations,
Hurricane
Katrina.

The engrossed Bill making appropriations to provide funding for certain activities and projects associated with the Commonwealth's efforts to help the victims of Hurricane Katrina (see House, No. 4356), 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 4 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate. Bill enacted.

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 twenty-three minutes before two o'clock P.M., on motion of Mr. Lepper of Attleboro (Mr. Petrolati of Ludlow being in the Chair) the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.