

JOURNAL OF THE HOUSE.

Monday, November 28, 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:

Prayer. Eternal God, Our Creator, we pause for a moment of prayerful reflection and to focus our attention on You and spiritual values. Your spiritual gift of wisdom enables us to keep legislative issues and personal concerns in perspective. Inspire us to be patient, good but critical listeners to the various suggestions and insights of others to meet the needs of the times and of the people in these changing times. In making decisions and choices, help us to select the most reasonable, fair, just and ethical options which are open to us.

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

Pledge of allegiance. 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.

Resolutions.

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

Patricia Maley. Resolutions (filed by Representatives Nyman of Hanover, Teahan of Whitman and Webster of Hanson) congratulating Patricia Maley on the occasion of her retirement from the North River Collaborative;

Kathy Staska. Resolutions (filed by Representatives Nyman of Hanover, Teahan of Whitman and Webster of Hanson) congratulating Kathy Staska on the occasion of her retirement from the North River Collaborative; and

Phillip F. Bannan. Resolutions (filed by Mr. Ross of Wrentham) congratulating Philip F. Bannan of Plainville on receiving the Eagle Award of the Boy Scouts of America;

Mrs. Harkins of Needham, 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.

Petitions.

Petitions severally were presented and referred as follows:

Milford, liquor license. By Mrs. Parente of Milford, petition (accompanied by bill, House, No. 4535) of Marie J. Parente (by vote of the town) that the town of Milford be authorized to issue an additional license for the sale of wine and malt beverages not to be drunk on the premises to

Jose and Theresa Cerqueira. To the committee on Consumer Protection and Professional Licensure.

Lee, voting districts. By Mr. Pignatelli of Lenox, petition (accompanied by bill, House, No. 4536) of William Smitty Pignatelli and Andrea F. Nuciforo, Jr. (by vote of the town) relative to designating districts for voting purposes in the town of Lee. To the committee on Election Laws.

Easthampton, deputy fire chief. By Mr. Scibak of South Hadley, petition (accompanied by bill, House, No. 4537) of John W. Scibak and Michael R. Knapik (with the approval of the mayor and city council) that the position of deputy chief of the fire department of the city of Easthampton be exempt from the provisions of civil service law. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Cherry Valley and Rochdale. By Mr. Binienda of Worcester, petition (subject to Joint Rule 12) of John J. Binienda and Edward M. Augustus, Jr., relative to the boundaries of the Cherry Valley and Rochdale Water District.

Prisoners, income. By Mr. Casey of Winchester, petition (subject to Joint Rule 12) of Paul C. Casey relative to income received by prisoners during incarceration.

Capital gains tax. By Mrs. Harkins of Needham, petition (subject to Joint Rule 12) of Lida E. Harkins relative to retroactive payments of capital gains taxes.

Notaries public, fees. By Mr. Jones of North Reading (by request), petition (subject to Joint Rule 12) of Sally M. Hoyt relative to fees charged by notaries public.

Crime, profits. By Mr. Koutoujian of Waltham, petition (subject to Joint Rule 12) of Peter J. Koutoujian relative to proceeds resulting from criminal activities.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Supplemental appropriations. The House Bill making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4443) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2291.

Under suspension of the rules, on motion of Mr. Kulik of Worthington, the amendment was considered forthwith.

Committee of conference. The House then non-concurred with the Senate in its amendment; and, on motion of Mr. Donato of Medford, asked for a committee of conference on the disagreeing votes of the two branches. Representatives DeLeo of Winthrop, St. Fleur of Boston and deMacedo of Plymouth were appointed as the committee on the part of the House. Sent to the Senate to be joined.

Disabled adults, housing. A Resolve relative to establishing a commission to set guidelines for development costs for housing for disabled adults (Senate, No. 1139) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Reports of Committees.

Recycling,
increase.

Report of the committee on Steering, Policy and Scheduling, that the House Bill to increase recycling (House, No. 3239) be scheduled for consideration by the House, the time within which said committee was required to report having expired.

Under suspension of the rules, on motion of Mr. Donato of Medford, the bill was read a second time forthwith.

Pending the question on ordering the bill to a third reading, it was recommitted, on further motion of the same member, to the committee on Environment, Natural Resources and Agriculture.

Public
safety
agencies,
study.

By Ms. Rivera of Springfield, for the committee on Public Safety and Homeland Security, on House, Nos. 1897 and 1925, an Order relative to authorizing the committee on Public Safety and Homeland Security to make an investigation and study of certain House documents concerning agency legislation (House, No. 4532).

Safety
inspections,
study.

By the same member, for the same committee, on House, Nos. 1928 and 3970, an Order relative to authorizing the committee on Public Safety and Homeland Security to make an investigation and study of certain House documents concerning safety inspections (House, No. 4533).

Fire safety
issues,
study.

By the same member, for the same committee, on House, Nos. 1936, 1947, 1948, 1952 and 1959, an Order relative to authorizing the committee on Public Safety and Homeland Security to make an investigation and study of certain House documents concerning fire safety issues (House, No. 4534).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Scaccia of Boston, for said committees, reported, in each instance, asking to be discharged from further consideration of said orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

School bus
operators,
C.P.R.

By Mr. Wagner of Chicopee, for the committee on Transportation, on a petition, a Bill relative to the license of school bus operators (House, No. 2025).

Drunk driving,
victims fund.

By the same member, for the same committee, on Senate, Nos. 1888 and 1892 and House, No. 2043, a Bill relative to the victims of drunk driving trust fund (House, No. 2043).

Windshield
wipers,
use.

By the same member, for the same committee, on House, Nos. 1998, 2002, 2032, 2084 and 2122, a Bill to require the use of lights on motor vehicles during any period in which windshield wipers are also in use (House, No. 2084).

Vehicles,
recording
devices.

By the same member, for the same committee, on House, Nos. 1973 and 2092, a Bill regulating the use of recording devices in motor vehicles (House, No. 2092).

Recreational
vehicles,
drunk driving.

By the same member, for the same committee, on a petition, a Bill prohibiting driving under the influence while operating snowmobiles, all terrain vehicles, and other recreational vehicles (House, No. 2241).

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

Engrossed Bills.

Engrossed bills

Authorizing certain appropriations from the capital projects fund in the town of Bridgewater (see House, No. 4095); Bills enacted.

Authorizing the town of Mansfield to establish an affordable housing trust fund (see House, No. 4197); and

Establishing a housing corporation in the town of Mansfield (see House, No. 4334);

(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.

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 a quarter after eleven o'clock A.M., on motion of Ms. Wolf of Cambridge (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.