

JOURNAL OF THE HOUSE.

Thursday, December 29, 2005.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Driscoll of Braintree 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, as we acknowledge Your presence in our midst, we also seek Your always-available guidance and direction in both personal and legislative matters. The occasion and celebrations at the beginning of a new year offer us opportunities to give thanks for our blessings, both material and spiritual. A new year is a time for a new vision and new hopes for the future, new enthusiasm and energy to address current, often complex, legislative and policy issues and to renew our appreciation for our families, friends and colleagues. In the new year, may we be guided in our decision-making activities by solid philosophical principles, personal religious values and the spirit of our constitutions, federal and state. In this era of world-wide violence, may we still continue to respect the dignity and rights of each individual person whom You have created.

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

At the request of the Chair (Mr. Driscoll), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Appointments of the Minority Leader.

The Minority Leader announced appointments, as follows:

That Representative Pope of Wayland had been appointed as his designee to the special commission established (under section 12 of chapter 130 of the Acts of 2005) to make an investigation and study of tuition and fee waiver programs for veterans; and

That Representative Perry of Sandwich had been appointed to the Department of Corrections Advisory Council established (under Executive Order 461) to study ways to improve the safety and efficiency of the correctional system in the Commonwealth.

Resolutions.

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

Resolutions (filed by Mr. Turkington of Falmouth) on the retirement of Peter O. Bettencourt;

Resolutions (filed by Mr. Vallee of Franklin) congratulating Tiler Robert Balboni on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Vallee of Franklin) congratulating Daniel F.G. Blanchard on receiving the Eagle Award of the Boy Scouts of America;

Joseph
Peter
Kozachek.

Resolutions (filed by Mr. Vallee of Franklin) congratulating Joseph Peter Kozachek on receiving the Eagle Award of the Boy Scouts of America;

Timothy
Nathan
Bolton.

Resolutions (filed by Mrs. Walrath of Stow) congratulating Timothy Nathan Bolton on receiving the Eagle Award of the Boy Scouts of America; and

Brian
Edward
Dienst.

Resolutions (filed by Mrs. Walrath of Stow) congratulating Brian Edward Dienst on receiving the Eagle Award of the Boy Scouts of America;

Mrs. Parente of Milford, 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. Peterson of Grafton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Bill of
Rights
Day.

A petition (accompanied by bill, House, No. 4600) of Geoffrey D. Hall and others for the issuance of an annual proclamation by the Governor establishing December fifteenth as Bill of Rights Day, having been deposited in the office of the Clerk previously to five o'clock in the afternoon on Wednesday, December 1, 2004, was referred, under Rule 24 and Joint Rule 13, to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Needham,
sewer
construction.

Mrs. Harkins of Needham presented a petition (accompanied by bill, House, No. 4601) of Lida E. Harkins and Scott P. Brown (by vote of the town) that the town of Needham be authorized to construct and maintain a common sewer through certain land acquired for conservation purposes; and the same was referred to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

Residential
sprinkler
systems.

Mrs. Harkins of Needham presented a petition (subject to Joint Rule 12) of Lida E. Harkins relative to the installation of residential sprinkler systems; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

Seniors,
drug
coverage.

The Senate Bill providing emergency prescription drug coverage for seniors and the disabled (Senate, No. 2310, amended) came from the Senate with the endorsement that said branch had receded from its non-concurrence with the House in its amendments in section 2, in line 5, and also in section 3, in line 5, striking out the following: "December 31, 2006" and inserting in place thereof, in each instance, the following: "March 31, 2006" and concurred therein with further amendments in section 2, in line 5, and also in section 3, in line 5, striking out the following: "March 31, 2006" (inserted by amendment by the House) and inserting in place thereof, in each instance, the following: "June 30, 2006".

Under suspension of Rule 35, on motion of Mr. Peterson of Grafton, the further amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

The House petition of Salvatore F. DiMasi and Robert E. Travaglini that the Division of Capital Asset Management and Maintenance be authorized to convey certain land in the city of Boston to the Greater Boston Food Bank, Inc., came from the Senate with the endorsement that said branch had concurred with the House in the suspension of Joint Rule 12; and non-concurred with the House in its reference to the committee on Bonding, Capital Expenditures and State Assets. The petition bore the further endorsement that it had been referred, in non-concurrence, to the committee on State Administration and Regulatory Oversight.

Greater Boston
Food Bank.

On motion of Mr. Driscoll of Braintree, the House then receded from its reference to the committee on Bonding, Capital Expenditures and State Assets; and the petition (accompanied by bill, House, No. 4602) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

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 petition of Patricia D. Jehlen for adoption of resolutions by the General Court relative to the indictment, trial and imprisonment of Louis M. Greco for first degree murder and conspiracy to murder in the year nineteen hundred and sixty-eight. Under suspension of the rules, on motion of Mrs. Teahan of Whitman, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by resolutions) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Louis M.
Greco,
exonerated.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill relative to enhancing the health of school children (House, No. 3637) be scheduled for consideration by the House.

School
children,
health.

Under suspension of Rule 7A, on motion of Mr. Driscoll of Braintree, 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 House Bill authorizing the application of Benjamin Jores for a civil service examination for police officer notwithstanding the minimum age requirement (House, No. 4352) be scheduled for consideration by the House.

Benjamin
Jores,
civil
service.

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

Peabody,
municipal
light plant.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the city of Peabody Municipal Light Plant (House, No. 4462) be scheduled for consideration by the House.

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

Recess.

Recess.

At twenty-five minutes after eleven o'clock A.M., on motion of Mrs. Teahan of Whitman (Mr. Driscoll of Braintree 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 Mrs. Harkins of Needham in the Chair.

Emergency Measure.

Emergency
drug
coverage.

The engrossed Bill providing emergency prescription drug coverage for seniors and the disabled (see Senate, No. 2310, amended), 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 6 to 0. Sent to the Senate for concurrence.

Bill
enacted.

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

Engrossed Bills.

Bills
enacted.

Engrossed bills
Establishing a department of public works in the town of East Bridgewater (see House, No. 4547); and

Relative to town meetings in the town of North Reading (see House, No. 4573);

(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.

Energy
management
contracts.

The engrossed Bill relative to contracts for energy management (see House, No. 4530), being the text contained in section 7 of the engrossed Bill relative to heating energy assistance and tax relief (see House, No. 4473, amended), which had been returned by His Excellency the Governor with recommendation of amendment (for message see House, No. 4529), was considered.

The amendment recommended by the Governor then was adopted in the following form (as approved by the committee on Bills in the Third Reading):

By striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4603.

Sent to the Senate for concurrence.

The Senate Bill authorizing the late filing of certain application for classification of land in the town of Wendell (Senate, No. 2155), 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. Third
reading
bill.

House bills

Authorizing the town of Stoughton to establish a Massachusetts Water Resources Authority capital infrastructure fund (House, No. 4255, changed) (its title having been changed by the committee on Bills in the Third Reading); and Third
reading
bills.

Establishing a sick leave bank for Barry Conway, an employee of the Department of Correction (House, No. 4475) (its title having been changed by the committee on Bills in the Third Reading);

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

Order.

On motion of Mr. DiMasi of Boston,—

Ordered. That when the House adjourns today, it adjourn to meet on Tuesday next at eleven o'clock A.M. Next
sitting.

At four minutes after one o'clock P.M., on motion of Mrs. Paulsen of Belmont (Mrs. Harkins of Needham being in the Chair), the House adjourned, to meet on Tuesday next at eleven o'clock A.M., in an Informal Session.