

JOURNAL OF THE HOUSE.

Thursday, February 1, 2001.

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

Gracious God, we believe in You and in Your reality. We also believe that You are present in our midst and that we have been created in Your image with both a temporal and eternal destiny. Guided by Your assistance and Your inspirations, help us to reach our human and spiritual fulfillment. Teach us to see in the face of any person Your image as well as the spiritual and human dignity with which we have all been endowed by You. In this vast and unusual country with our longstanding religious, cultural and political diversity, grant us the wisdom and the good sense to respect the values of others, but to remain faithful and committed to our own principles, values and ideals.

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

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

Appointment of Majority Leaders.

Under the provisions of Rule 18, the Speaker announced that the Majority Party Caucus had ratified the following appointments:

Representative Nagle of Northampton, Majority Floor Leader; Representative DiMasi of Boston, Assistant Majority Floor Leader; and Representative Harkins of Needham, Second Assistant Majority Floor Leader.

House Standing Committees.

House standing committees were appointed as follows:—

Rules. — Scaccia of Boston, Honan of Boston, Correia of Fall River, DiMasi of Boston, Speliotis of Danvers, Binienda of Worcester, Ciampa of Somerville, Harkins of Needham, Turkington of Falmouth, Connolly of Everett, Lewis of Dedham, Fallon of Malden, Kelly of

Dalton, Cleven of Chelmsford and Poirier of North Attleborough.

Ways and Means. — Rogers of Norwood, Ruane of Salem, Flavin of Easthampton, Flynn of Bridgewater, Rogers of New Bedford, Speliotis of Danvers, Parente of Milford, Kennedy of Brockton, Rushing of Boston, Travis of Rehoboth, Fox of Boston, Ciampa of Somerville, Turkington of Falmouth, Connolly of Everett, Galvin of Canton, Goguen of Fitchburg, Kafka of Sharon, Pedone of Worcester, Swan of Springfield, Creedon of Brockton, Fennell of Lynn, Keenan of Southwick, Merrigan of Greenfield, Naughton of Clinton, Rodrigues of Westport, Fallon of Malden, Lepper of Attleboro, Hargraves of Groton, Frost of Auburn, George of Yarmouth, Pope of Wayland and Tuttle of Barre.

Bills in the Third Reading. — DeLeo of Winthrop, Hart of Boston and George of Yarmouth.

Ethics. — Garry of Dracut, DiMasi of Boston, Tobin of Quincy, DeLeo of Winthrop, Fagan of Taunton, Rogers of Norwood, Lewis of Dedham, Rogeness of Longmeadow, Pope of Wayland, Brown of Wrentham and Hillman of Sturbridge.

Long-Term Debt and Capital Expenditures. — Walrath of Stow, Hynes of Marshfield, Flynn of Bridgewater, Marzilli of Arlington, Kaufman of Lexington, Knuuttila of Gardner, Rivera of Springfield, Bunker of Rutland, Stanley of Waltham, Hahn of Westfield and Hargraves of Groton.

Personnel and Administration. — Miceli of Wilmington, Fox of Boston, Donovan of Woburn, McGee of Lynn, Balser of Newton, Carron of Southbridge, Blumer of Framingham, Patrick of Falmouth, Smizik of Brookline, Peterson of Grafton, Rogeness of Longmeadow, Kelly of Dalton and Loscocco of Holliston.

Post Audit and Oversight. — Fagan of Taunton, Vallee of Franklin, Hynes of Marshfield, Kafka of Sharon, Stefanini of Framingham, Creedon of Brockton, LeDuc of Marlborough, Falzone of Saugus, Stanley of Waltham, Hargraves of Groton and Locke of Wellesley.

Science and Technology. — Broadhurst of Methuen, LeDuc of Marlborough, Slattery of Peabody, Sullivan of Fall River, Atkins of Concord, Asselin of Springfield, Falzone of Saugus, Leary of Worcester, Tirone of Amesbury, Loscocco of Holliston and Polito of Shrewsbury.

Steering, Policy and Scheduling. — Kujawski of Webster, Walsh of Boston, Galvin of Canton, Kafka of Sharon, Canavan of Brockton, O'Brien of Kingston, Barrios of Cambridge, Golden of Boston, Petruccelli of Boston, Hill of Ipswich and Poirier of North Attleborough.

Floor Division Committees. — First Division Chairperson, Representative Lewis of Dedham; Second Division Chairperson, Representative Petrolati of Ludlow; Third Division Chairperson, Representative Correia of Fall River; Fourth Division Chairperson, Representative Fitzgerald of Boston.

Joint Standing Committees.

Joint standing committees were appointed as follows:—

Banks and Banking. — Senators Nuciforo of Berkshire, Hampden, Hampshire and Franklin, Joyce of Suffolk and Norfolk, Creedon of Plymouth and Bristol, Tolman of Middlesex and Suffolk, O’Leary of Cape and Islands and Tarr of Essex and Middlesex; Representatives Quinn of Dartmouth, O’Flaherty of Chelsea, Travis of Rehoboth, Connolly of Everett, Donovan of Woburn, Golden of Lowell, Atsalis of Barnstable, Barrios of Cambridge, Nyman of Hanover, Hahn of Westfield and Kelly of Dalton.

Commerce and Labor. — Senators Lynch of Suffolk, Magnani of Middlesex, Norfolk and Worcester, Wilkerson of Suffolk, Pacheco of Plymouth and Bristol, Tucker of Essex and Middlesex and Hedlund of Plymouth and Norfolk; Representatives Greene of Billerica, Rodrigues of Westport, Garry of Dracut, Knuuttila of Gardner, LeDuc of Marlborough, Atsalis of Barnstable, Bunker of Rutland, Asselin of Springfield, Spellane of Worcester, deMacedo of Plymouth and Loscocco of Holliston.

Counties. — Senators O’Leary of Cape and Islands, Moore of Worcester and Norfolk, Berry of Essex, Panagiotakos of Middlesex, Chandler of Worcester and Tisei of Middlesex; Representatives Simmons of Leominster, St. Fleur of Boston, Hodgkins of Lee, Kennedy of Brockton, Jehlen of Somerville, McGee of Lynn, O’Brien of Kingston, Carron of Southbridge, Smizik of Brookline, Gomes of Harwich and Coppola of Foxborough.

Criminal Justice. — Senators Creem of Middlesex and Norfolk, Shannon of Middlesex, Antonioni of Worcester and Middlesex, Creedon of Plymouth and Bristol, Morrissey of Norfolk and Plymouth and Hedlund of Plymouth and Norfolk; Representatives Tobin of Quincy, Murphy of Burlington, Paulsen of Belmont, Garry of Dracut, Festa of Melrose, Linsky of Natick, Timilty of Milton, Buoniconti of West Springfield, Leary of Worcester, Hillman of Sturbridge and Locke of Wellesley.

Education, Arts and Humanities. — Senators Antonioni of Worcester and Middlesex, Clancy of Essex, Walsh of Norfolk and Suffolk, Jajuga of Essex, Lynch of Suffolk and Sprague of Norfolk, Bristol and Plymouth; Representatives Larkin of Pittsfield, Golden of Boston, Murphy of Lowell, O’Flaherty of Chelsea, Wolf of Cambridge, Santiago of Lawrence, St. Fleur of Boston, Torrasi of North Andover, Bunker of Rutland, Cresta of Wakefield and Polito of Shrewsbury.

Election Laws. — Senators Glodis of Worcester, Menard of Bristol, Shannon of Middlesex, Creem of Middlesex and Norfolk, Wilkerson of Suffolk and Knapik of Hampden and Hampshire; Representatives Wagner of Chicopee, Atkins of Concord, Fagan of Taunton, Flavin of Easthampton, Kujawski of Webster, Murphy of Lowell, Provost of Sandwich, Petruccelli of Boston, Bradley of Hingham, Tuttle of Barre and George of Yarmouth.

Energy. — Senators Fargo of Middlesex, Glodis of Worcester, Brewer of Worcester, Hampden, Hampshire and Franklin, Berry of Essex, Joyce of Suffolk and Norfolk and Hedlund of Plymouth and Norfolk; Representatives Binienda of Worcester, Speliotis of

Danvers, Hodgkins of Lee, Donovan of Woburn, Pedone of Worcester, Koutoujian of Newton, Rivera of Springfield, Donato of Medford, Patrick of Falmouth, Coppola of Foxborough and Polito of Shrewsbury.

Federal Financial Assistance. — Senators Chandler of Worcester, Panagiotakos of Middlesex, Menard of Bristol, Creem of Middlesex and Norfolk, Tolman of Middlesex and Suffolk and Knapik of Hampden and Hampshire; Representatives Owens-Hicks of Boston, Goguen of Fitchburg, Jehlen of Somerville, Marzilli of Arlington, Story of Amherst, Kaufman of Lexington, Khan of Newton, Slattery of Peabody, Kane of Holyoke, Cresta of Wakefield and Kelly of Dalton.

Government Regulations. — Senators Morrissey of Norfolk and Plymouth, Jajuga of Essex, Pacheco of Plymouth and Bristol, Joyce of Suffolk and Norfolk, Clancy of Essex and Hedlund of Plymouth and Norfolk; Representatives Bosley of North Adams, Ciampa of Somerville, Caron of Springfield, Candaras of Wilbraham, Murphy of Burlington, Festa of Melrose, Nangle of Lowell, Rivera of Springfield, Bradley of Hingham, Brown of Wrentham and Loscocco of Holliston.

Health Care. — Senators Moore of Worcester and Norfolk, Pacheco of Plymouth and Bristol, Murray of Plymouth and Barnstable, Fargo of Middlesex, Chandler of Worcester and Tarr of Essex and Middlesex; Representatives Stanley of West Newbury, Koutoujian of Newton, Canavan of Brockton, Straus of Mattapoisett, Vallee of Franklin, Kaprielian of Watertown, Hart of Boston, Teahan of Whitman, Walsh of Boston, Gomes of Harwich and Cleven of Chelmsford.

Housing and Urban Development. — Senators Panagiotakos of Middlesex, Chandler of Worcester, Berry of Essex, Walsh of Norfolk and Suffolk, Tucker of Essex and Middlesex and Tarr of Essex and Middlesex; Representatives Cahill of Beverly, Fennell of Lynn, Pedone of Worcester, Merrigan of Greenfield, Wolf of Cambridge, Barrios of Cambridge, St. Fleur of Boston, Asselin of Springfield, Spellane of Worcester, Polito of Shrewsbury and Gomes of Harwich.

Human Services and Elderly Affairs. — Senators Tucker of Essex and Middlesex, O’Leary of Cape and Islands, Murray of Plymouth and Barnstable, Magnani of Middlesex, Norfolk and Worcester, Nuciforo of Berkshire, Hampden, Hampshire and Franklin and Tisei of Middlesex; Representatives Cabral of New Bedford, Canavan of Brockton, Story of Amherst, Paulsen of Belmont, Creedon of Brockton, Khan of Newton, Sullivan of Fall River, Ayers of Quincy, Haddad of Somerset, Cleven of Chelmsford and Gomes of Harwich.

Insurance. — Senators Murray of Plymouth and Barnstable, Wilkerson of Suffolk, Berry of Essex, Moore of Worcester and Norfolk, Shannon of Middlesex and Lees of Hampden and Hampshire; Representatives Mariano of Quincy, Keenan of Southwick, Galvin of Canton, Finegold of Andover, Ayers of Quincy, Fresolo of Worcester, Reinstein of Revere, Santiago of Lawrence, Buoniconti of West Springfield, George of Yarmouth and Hahn of Westfield.

The Judiciary. — Senators Creedon of Plymouth and Bristol, Antonioni of Worcester and Middlesex, Walsh of Norfolk and Suffolk, Clancy of Essex, Jacques of Norfolk, Bristol and

Middlesex and Lees of Hampden and Hampshire; Representatives Donnelly of Boston, Fallon of Malden, Naughton of Clinton, Candaras of Wilbraham, Walsh of Boston, Atsalis of Barnstable, Golden of Boston, Linsky of Natick, Torrisi of North Andover, Locke of Wellesley and Brown of Wrentham.

Local Affairs. — Senators Tolman of Middlesex and Suffolk, Wilkerson of Suffolk, Brewer of Worcester, Hampden, Hampshire and Franklin, Nuciforo of Berkshire, Hampden, Hampshire and Franklin, Creem of Middlesex and Norfolk and Sprague of Norfolk, Bristol and Plymouth; Representatives Parente of Milford, Verga of Gloucester, Goguen of Fitchburg, Marzilli of Arlington, Stefanini of Framingham, Balser of Newton, Blumer of Framingham, Donato of Medford, Kane of Holyoke, Pope of Wayland and Poirier of North Attleborough.

Natural Resources and Agriculture. — Senators Pacheco of Plymouth and Bristol, Resor of Middlesex and Worcester, Fargo of Middlesex, Tucker of Essex and Middlesex, O'Leary of Cape and Islands and Tarr of Essex and Middlesex; Representatives Koczera of New Bedford, Turkington of Falmouth, Kulik of Worthington, Straus of Mattapoisett, Verga of Gloucester, Rodrigues of Westport, Festa of Melrose, Linsky of Natick, Haddad of Somerset, Tuttle of Barre and Hill of Ipswich.

Public Safety. — Senators Jajuga of Essex, Brewer of Worcester, Hampden, Hampshire and Franklin, Havern of Middlesex, Jacques of Norfolk, Bristol and Middlesex, Glodis of Worcester and Sprague of Norfolk, Bristol and Plymouth; Representatives Toomey of Cambridge, Murphy of Lowell, Sullivan of Fall River, Malia of Boston, Ayers of Quincy, Nangle of Lowell, Nyman of Hanover, Reinstein of Revere, Timilty of Milton, Hill of Ipswich and Hillman of Sturbridge.

Public Service. — Senators Joyce of Suffolk and Norfolk, Havern of Middlesex, Lynch of Suffolk, Panagiotakos of Middlesex, Fargo of Middlesex and Sprague of Norfolk, Bristol and Plymouth; Representatives Dempsey of Haverhill, Candaras of Wilbraham, Demakis of Boston, Kaprielian of Watertown, Finegold of Andover, Golden of Boston, Nangle of Lowell, Timilty of Milton, Torrisi of North Andover, Frost of Auburn and Hillman of Sturbridge.

State Administration. — Senators Wilkerson of Suffolk, Shannon of Middlesex, Berry of Essex, Glodis of Worcester, Tolman of Middlesex and Suffolk and Knapik of Hampden and Hampshire; Representatives Hall of Westford, Golden of Lowell, Jehlen of Somerville, Swan of Springfield, Provost of Sandwich, Teahan of Whitman, Kane of Holyoke, Tirone of Amesbury, _____ of _____, Frost of Auburn and Cresta of Wakefield.

Taxation. — Senators Walsh of Norfolk and Suffolk, Magnani of Middlesex, Norfolk and Worcester, Antonioni of Worcester and Middlesex, Clancy of Essex, Joyce of Suffolk and Norfolk and Sprague of Norfolk, Bristol and Plymouth; Representatives Casey of Winchester, Petersen of Marblehead, Travis of Rehoboth, Vallee of Franklin, Golden of Lowell, Kaprielian of Watertown, Keenan of Southwick, Finegold of Andover, Murphy of Burlington, deMacedo of Plymouth and Coppola of Foxborough.

Transportation. — Senators Havern of Middlesex, Murray of Plymouth and Barnstable, Pacheco of Plymouth and Bristol, Moore of Worcester and Norfolk, Fargo of Middlesex, Resor of Middlesex and Worcester and Hedlund of Plymouth and Norfolk; Representatives Sullivan of Braintree, Straus of Mattapoisett, Caron of Springfield, Turkington of Falmouth, Kulik of Worthington, Paulsen of Belmont, Demakis of Boston, Hart of Boston, Knuuttila of Gardner, Malia of Boston, Petruccelli of Boston, Poirier of North Attleborough and deMacedo of Plymouth.

Guests of the House.

Ms. Rogeness of Longmeadow then took the Chair and introduced Ashley Adams and Mindy Arnold of Monson High School, with their chaperone, Elaine Devine; and Nick Blei, Lauren Collins and Tim Wallace of Belchertown High School, with their chaperone, Loretta Dansereau. The students were visiting the State House as participants in “Shadow Your Representative Day”. The students from Monson High School were shadowing Representative Rogeness, and the students from Belchertown High School were shadowing Representative Hillman of Sturbridge.

Mr. Carron of Southbridge then took the Chair and introduced the members of the Bay Path Regional Vocational Technical High School “Minutemen” varsity football team, who were present in the House Chamber. Mr. Carron then congratulated the team on winning the 2000 Western/Central Massachusetts Division 3A Championship. They were the guests of Representatives Carron, Bunker of Rutland, Tuttle of Barre, Frost of Auburn and Kujawski of Webster; and Senators Brewer, Glodis and Moore.

Resolutions.

Resolutions (filed with the Clerk by Messrs. Kujawski of Webster, Frost of Auburn, Carron of Southbridge, Bunker of Rutland and Tuttle of Barre) honoring the Bay Path Regional Vocational Technical High School “Minutemen” Varsity Football Team on winning the 2000 Western/Central Massachusetts Division 3A Championship, 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 Mr. Carron, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

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

Resolutions (filed by Representatives Gomes of Harwich and George of Yarmouth)

honoring Scott Penn;

Resolutions (filed by Mr. Hart of Boston) on the occasion of the sixty-fifth anniversary of the M.B.T.A. Employees Credit Union;

Resolutions (filed by Mr. Kennedy of Brockton) honoring John W. Cruise;

Resolutions (filed by Representatives Lepper of Attleboro and Poirier of North Attleborough) congratulating Emily “Connie” Uriot on receiving the Frederick F. Holmes Award for the year 2000;

Resolutions (filed by Mr. Locke of Wellesley) congratulating Benjamin Scott Brody on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Locke of Wellesley) congratulating Andrew T. Brown on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Locke of Wellesley) congratulating Brooks Whitman Diehl on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Locke of Wellesley) congratulating Andrew W. Eklund on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Locke of Wellesley) congratulating Matthew Evans Kennard on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Locke of Wellesley) congratulating James Watson Sallay on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Locke of Wellesley) congratulating John E. Shellito on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Locke of Wellesley) congratulating Alexander Michael Wolf on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Messrs. Nyman of Hanover and Rogers of Norwood) congratulating Mr. and Mrs. Joseph Curran on the occasion of their fiftieth wedding anniversary; and

Resolutions (filed by Representatives Reinstein of Revere, DeLeo of Winthrop and Petruccelli of Boston) congratulating Father Bill Butler on the occasion of the Fortieth Anniversary of his Ordination into the Priesthood;

Mr. Scaccia of Boston, 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. Verga of Gloucester, 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.

The House Order relative to the appointment of a joint special committee to make an investigation and study of the Joint Rules of the two branches of the General Court (House, No. 2824) came from the Senate adopted, in concurrence, with amendments in line 2 by striking out the word “four” and inserting in place thereof the word “seven”; in line 11 by inserting after the word “them” the words “including matters referred after the initial period”; and in line 12 by inserting after the word “legislation” the following: “and the procedure for filing legislation after the required time; amending Joint Rule 12A to allow additional formal sessions for limited purposes including overriding vetoes”.

Under suspension of the rules, on motion of Mr. O’Brien of Kingston, the amendments were considered forthwith.

Pending the question on concurring with the Senate in its amendments, the subject-matter was referred to the committee on Bills in the Third Reading, on motion of Mr. DeLeo of Winthrop.

A report of the committee on Local Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1817) of Brian P. Lees and Mary S. Rogeness (by vote of the town) for legislation to validate all actions taken at the annual town meeting election of the town of Longmeadow, and recommending that the same be referred to the committee on Election Laws,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Reports

Of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to an inspection of the Braintree Alternative Center; and

Of the Bureau of Special Investigations (under the provisions of Section 15D(6) of Chapter 22 of the General Laws) submitting its report for the month of November, 2000;

Severally were read for the information of the House; and returned to the Senate.

Order.

On motion of Mr. Nagle of Northampton,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven

o'clock A.M.

At eighteen minutes after eleven o'clock A.M., on motion of Mr. Jones of North Reading (Mr. Casey of Winchester being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.