

JOURNAL OF THE HOUSE.

Thursday, March 7, 2002.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. O'Flaherty of Chelsea 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, we pause for a moment of prayer to profess our belief in You, Our Creator. We look to You for guidance and direction as we address current difficult and controversial legislative and public policy issues. Let our decisions be thoughtful, not merely emotional, and our commitment to high ideals and principles firm. In these changing times, may there be a sign of stability and confidence to the electorate who depend upon our good judgments and common sense choices.

Bestow Your blessings on the Speaker, the members and the employees of this House and their families. Amen.

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

Message from the Acting Governor.

A message from Her Honor the Lieutenant-Governor, Acting Governor, recommending legislation relative to punishing flights from arrest (House, No. 4944) was filed in the office of the Clerk on Wednesday, March 6.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Criminal Justice. Sent to the Senate for concurrence.

Statement of Representative Blumer of Framingham.

A statement of Ms. Blumer of Framingham was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that Representative Donovan of Woburn and I were unable to be present in the House Chamber for the sitting of Friday, February 15, due to our attendance at a national conference on education in Washington, D.C. Any roll calls that we may have missed that day was due entirely to the reason stated. If we were present on that day, we both would have voted yes on roll call numbers 247, 248, 254, 257 and 259, and we both would have voted no on every other roll call taken on that day.

Resolutions.

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

on Rules:

Resolutions (filed by Mr. Marini of Hanson) congratulating Eric L. Deroche on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Koutoujian of Newton) calling upon the Governor to declare a public health emergency due to the closing of the Deaconess-Waltham Hospital;

Resolutions (filed by Mrs. Paulsen of Belmont) honoring James Thomas Oteri;

Resolutions (filed by Mr. Vallee of Franklin) congratulating David Bruce Dewitte on receiving the Eagle Award of the Boy Scouts of America; and

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

Mr. DiMasi 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. Connolly of Everett, 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:

By Mr. Pedone of Worcester, petition (accompanied by bill, House, No. 4939) of Vincent A. Pedone, John J. Binienda, James B. O'Leary, Robert Spellane and John P. Fresolo (with the approval of the mayor and city council) relative to a conservation restriction on Green Hill Park in the city of Worcester; and

By Ms. Polito of Shrewsbury, petition (accompanied by bill, House, No. 4940) of Karyn E. Polito and Guy W. Glodis (by vote of the town) that the town of Shrewsbury be authorized to establish a special fund for the renovation, construction and equipping of school buildings;

Severally to the committee on Local Affairs.

By Mr. Swan of Springfield, petition (accompanied by bill, House, No. 4941) of Benjamin Swan and other members of the General Court (with the approval of the mayor and city council) relative to municipal employees of the city of Springfield summonsed to active duty in the Armed Forces of the United States. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Mr. Bradley of Hingham presented a petition (subject to Joint Rule 12) of Garrett J. Bradley for legislation to authorize the Trial Court to establish a sick leave bank for Michael J. Linehan, an employee of said court; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two

branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Ruane of Salem, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Mrs. Harkins of Needham presented a petition (subject to Joint Rule 12) of Lida E. Harkins relative to authorizing hospital emergency room nursing staffs to take physical custody of certain infants; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Ruane of Salem, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Human Services and Elderly Affairs. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Donnelly of Boston, petition (subject to Joint Rule 12) of David T. Donnelly relative to contractor and subcontractor liens.

By Mr. Kujawski of Webster, petition (subject to Joint Rule 12) of Paul Kujawski relative to casino gambling.

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

Paper from the Senate.

A Bill relative to the special elections for the First Essex Senatorial District and the First Hampshire Representative District (Senate, No. 2276) (on Senate bill, No. 2264), passed to be engrossed by the Senate, was read.

Under suspension of the rules, on motion of Mr. Casey of Winchester, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Jones of North Reading, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time forthwith; and it was passed to be engrossed, in concurrence.

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 following petitions:

Petition (accompanied by bill) of Arthur J. Broadhurst relative to the charges assessed for unpaid checks. To the committee on Banks and Banking.

Petition (accompanied by bill) of Brian S. Dempsey, other members of the General Court and others relative to the early retirement incentive program for certain employees. To the

committee on Public Service.

Under suspension of the rules, on motion of Mr. Ruane of Salem, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Miss Garry of Dracut, for the committee on Counties on the part of the House, that the Bill relative to infectious diseases under the public employee retirement law (House, No. 4925) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

By Mr. Dempsey of Haverhill, for the committee on Public Service, on a recommitted petition, a Bill relative to vesting and accumulation of creditable service in the state retirement system for part-time faculty teaching in the Commonwealth's institutions of higher education (House, No. 354).

By the same member, for the same committee, on House, No. 4432, a Bill authorizing and directing the reinstatement of Mary A. Ryan as a member in service of the teachers' retirement system (House, No. 4945).

By the same member, for the same committee, on House, No. 4447, a Bill relative to pensions (House, No. 4946).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Emergency Measure.

The engrossed Bill relative to the special elections for the First Essex Senatorial District and the First Hampshire Representative District (see Senate, No. 2276), 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 16 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 Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

Engrossed bills

Relative to the one trial system for civil cases in certain counties (see Senate, No. 1937, amended) (which originated in the Senate); and

Relative to civil service in the city known as the town of Weymouth (see House, No. 4019)

(which 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. Finneran of Boston,—

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