

JOURNAL OF THE HOUSE.

Monday, March 19, 2001.

Met according to adjournment, at eleven o'clock A.M., with Mr. Nagle of Northampton 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:

God, Our Creator, we pray for Your spiritual gift of wisdom and we acknowledge our dependence upon You for guidance in our efforts to make thoughtful legislative decisions. In this era of unprecedented technological advances and of immediate access to useful and accurate information, help us to address fairly and intelligently the issues of the day. Teach us to focus our attention on the importance of both human and spiritual values in meeting the needs of people and our communities. May we have the patience, the integrity and good sense to be good listeners and thoughtful leaders.

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

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

Messages from the Governor.

A message from His Excellency the Governor recommending legislation relative to ensuring violence free schools in the Commonwealth (House, No. 4038) was filed in the office of the Clerk on Thursday, March 15.

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.

A message from His Excellency the Governor recommending legislation relative to the doubling of mandatory minimum penalties for illegal gun possession on school grounds (House, No. 4039) was filed in the office of the Clerk on Thursday, March 15.

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.

A message from His Excellency the Governor recommending legislation relative to more secure schools (House, No. 4040) was filed in the office of the Clerk on Thursday, March 15.

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.

A message from His Excellency the Governor recommending legislation relative to the doubling of mandatory minimum penalties for drug distribution to or involving minors (House, No. 4041) was filed in the office of the Clerk on Thursday, March 15.

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.

A message from His Excellency the Governor recommending legislation relative to requiring the reporting to police and parents of serious crimes occurring on school premises (House, No. 4042) was filed in the office of the Clerk on Thursday, March 15.

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

A message from His Excellency the Governor recommending legislation relative to ensuring gun-free schools in the Commonwealth (House, No. 4043) was filed in the office of the Clerk on Thursday, March 15.

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

A message from His Excellency the Governor recommending legislation relative to enhancing accountability for safety in public schools (House, No. 4044) was filed in the office of the Clerk on Thursday, March 15.

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

Resolutions.

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

Resolutions (filed by Mr. Brown of Wrentham) congratulating Lorraine H. Foley on the occasion of her retirement;

Resolutions (filed by Mr. Hart of Boston) commemorating the fiftieth anniversary of the relocation of Boston College High School to Columbia Point;

Resolutions (filed by Mr. Kafka of Sharon) congratulating Matthew Apone on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Messrs. Stanley of Waltham and Brown of Wrentham) congratulating George Benjamin on the occasion of his retirement; and

Resolutions (filed by Mr. Vallee of Franklin) honoring Henri Masson;

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. Honan of Boston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Mr. Fennell of Lynn presented a petition (subject to Joint Rule 12) of William Francis Galvin, Robert F. Fennell and Stephen F. Lynch relative to funding collective bargaining agreements between the Commonwealth and employees in certain registries of deeds in the Commonwealth; 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. Pedone of Worcester, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Ways and Means. Sent to the Senate for concurrence in the suspension of Joint Rule 12.

Petitions severally were presented and referred as follows:

By Mr. George of Yarmouth, petition (subject to Joint Rule 12) of Thomas N. George, Robert O'Leary and Shirley Gomes for legislation to designate the Cape Playhouse in the town of Dennis as the official summer theatre of the Commonwealth.

By the same member, petition (subject to Joint Rule 12) of Thomas N. George, Demetrius J. Atsalis and Robert O'Leary for legislation to provide for two additional assistant clerks for the First District Court of Barnstable.

By Ms. Kaprielian of Watertown, petition (subject to Joint Rule 12) of Rachel Kaprielian and Steven A. Tolman that the Teachers' Retirement Board be directed to grant creditable service to Jeanne Wilson for service in an overseas school.

By Mrs. Simmons of Leominster (by request), petition (subject to Joint Rule 12) of Doris Matte for legislation to require the installation of adequate lighting and surveillance cameras in convenience store parking areas.

By Mr. Vallee of Franklin (by request), petition (subject to Joint Rule 12) of Laurence Brown relative to the payment of legal expenses of defendants in cases involving restraining orders obtained by fabricated evidence.

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

Papers from the Senate.

A Bill authorizing the town of Tewksbury to convey certain conservation land (Senate, No. 1047) (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.

Reports

Of the committee on Education, Arts and Humanities, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 238) of Harriette L. Chandler for legislation relative to the disposition of museum property; and

Of the petition (accompanied by bill, Senate, No. 279) of Stephen F. Lynch, Martin J. Walsh and John A. Hart, Jr., for legislation to require school districts to provide a safe and secure learning environment for students;

And recommending that the same severally be referred to the committee on the Judiciary;

Of the petition (accompanied by bill, Senate, No. 273) of Brian P. Lees, Bruce E. Tarr and Jo Ann Sprague for legislation relative to local school committee authorization for the sale of advertising space on school buses,— and recommending that the same be referred to the committee on Public Safety;

Of the committee on Government Regulations, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 438) of Andrea F. Nuciforo, Jr., and Daniel E. Bosley for legislation relative to the fee charged for a license of a specially trained dog for disabled persons,— and recommending that the same be referred to the committee on Counties; and

Of the committee on Natural Resources and Agriculture, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 1107) of Steven C. Panagiotakos, David M. Nangle, Thomas A. Golden, Jr., and Kevin J. Murphy for legislation to establish a clean environment fund in order to promote recycling and protect the environment in the Commonwealth; and

Of the petition (accompanied by bill, Senate, No. 1108) of Steven C. Panagiotakos for legislation to establish a separate fund known as the clean environment fund to expand recycling programs;

And recommending that the same severally be referred to the committee on Energy.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were 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 inspections of certain correctional facilities in the Commonwealth, severally were read for the information of the House, as follows:

Of the Franklin County Jail and House of Correction, in the town of Greenfield; and

Of the Middlesex Jail, in the city of Cambridge;

Severally returned to the Senate to be placed on file.

A petition of Marian Walsh, Stephen F. Lynch, Stephen J. Murphy, James M. Kelly and Francis M. Roche for legislation relative to the appointment of firefighters and police officers, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1829) was referred, in concurrence, to the committee on Public Service.

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 Kevin G. Honan for legislation to require school superintendents to publish policies on the conduct of teachers and students. To the committee on Education, Arts and Humanities.

Petition (accompanied by resolve) of Christine E. Canavan and Robert S. Creedon, Jr., relative to extending the time within which the special commission (including members of the General Court) established to make an investigation and study on the practice of nursing and the delivery of health care services by nurses shall make its final report. To the committee on Health Care.

Petition (accompanied by bill) of Shirley Gomes and Robert O'Leary (by vote of the town) relative to authorizing the town of Truro to convey certain conservation land located in said town to Albert R. Silva and Nancy B. Silva. To the committee on Local Affairs.

Petition (accompanied by bill) of John A. Hart, Jr., relative to the appointment of fire fighters and police officers. To the committee on Public Service.

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

By Mr. Verga of Gloucester, for the committee on Local Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3956) of Brian S. Dempsey and other members of the General Court relative to the creation of technical assistance centers for the delivery of coordinated, comprehensive and continuing services to local governments,— and recommending that the same be referred to the committee on Science and Technology; and

By Mr. Hall of Westford, for the committee on State Administration, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 355) of Barbara Gray that newly constructed public buildings contain certain toilet facilities accessible to handicapped persons; and

Of the petition (accompanied by bill, House, No. 2788) of Carol A. Donovan, Cynthia S. Creem, Susan C. Fargo, Carol C. Cleven, Christopher G. Fallon and Kay Khan for legislation to provide for unisex toilets in public buildings;

And recommending that the same severally be referred to the committee on Ways and Means.

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

By Mr. Larkin of Pittsfield, for the committee on Education, Arts and Humanities, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 796) of Martin J. Walsh, Eugene L. O'Flaherty and Elizabeth A. Malia for legislation to require monitors on school buses;

Of the petition (accompanied by bill, House, No. 1551) of Francis L. Marini and other members of the House relative to assisting school districts in providing educational materials through the sale of advertising on school buses; and

Of the petition (accompanied by resolve, House, No. 3914) of Paul E. Caron for an investigation by a special commission (including members of the General Court) relative to cardiopulmonary resuscitation and first aid training for school bus drivers;

By Mr. Bosley of North Adams, for the committee on Government Regulations, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3094) of William M. Straus and Marc R. Pacheco relative to the licensing and certification of stationary gas turbine operators;

And recommending that the same severally be referred to the committee on Public Safety.

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

By Mr. Verga of Gloucester, for the committee on Local Affairs, on House, No. 1442, an Order relative to authorizing the committee on Local Affairs to make an investigation and study of a certain House document concerning the John F. Parker Municipal Golf Course in the city of Taunton (House, No. 4045).

By Mr. Dempsey of Haverhill, for the committee on Public Service, on House, Nos. 125, 127, 128, 209, 211, 218, 510, 523 and 1672, an Order relative to authorizing the committee on Public Service to make an investigation and study of certain House documents concerning public employee retirement (House, No. 4046).

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.

By Mr. Dempsey of Haverhill, for the committee on Public Service, on House, Nos. 125 and 126, a Bill relative to the Public Employee Retirement Administration Commission (House, No. 126). Read; and referred, under Rule 33, to the committee on Counties on the part of the House.

By Mr. Bosley of North Adams, for the committee on Government Regulations, on House, Nos. 8 and 58, a Bill relative to state compliance with amendments to the Federal Natural Gas Pipeline Safety Act (House, No. 58).

By the same member, for the same committee, on House, Nos. 805 and 1744, a Bill relative to public utilities companies (House, No. 1744).

By the same member, for the same committee, on House, Nos. 1748 and 3534, a Bill relative to Sunday sales of alcohol (House, No. 1748).

By Mr. Dempsey of Haverhill, for the committee on Public Service, on House, Nos. 209, 217 and 2604, a Bill relative to the calculation of certain retirement contributions and benefits (House, No. 2604).

By Mr. Hall of Westford, for the committee on State Administration, on House, Nos. 103 and 111, a Bill requiring the open and accountable acquisition and disposition of real property by state authorities (House, No. 111).

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

By Mr. Hall of Westford, for the committee on State Administration, on a petition, a Bill to provide minimum ventilation in state leased and newly constructed state buildings (House, No. 361).

By the same member, for the same committee, on a petition, a Bill to regulate public buildings to meet certain air quality ventilation standards (House, No. 362).

Severally read; and referred, under Rule 33B, to the committee on Science and Technology.

By Mr. Bosley of North Adams, for the committee on Government Regulations, on a petition, a Bill providing additional authority for issuance of revenue bonds by the cities and towns having a municipal gas or electric department (House, No. 1367).

By the same member, for the same committee, on a petition, a Bill authorizing the public works commissioner of the city of Newton to act upon certain petitions for alterations of location of existing utilities (House, No. 1375).

By Mr. Caron of Springfield, for the same committee, on a petition, a Bill relative to street light poles (House, No. 3530).

By Mr. Verga of Gloucester, for the committee on Local Affairs, on a petition, a Bill relative to town meetings in the town of Burlington (House, No. 1446) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the Silver Lake Regional School District to grant an easement (House, No. 3960).

By the same member, for the same committee, on a petition, a Bill authorizing the town of Groveland to establish an administering authority (House, No. 3962) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the town of Chilmark to erect a radio tower on certain conservation land (House, No. 3963) [Local Approval Received].

By Mr. Dempsey of Haverhill, for the committee on Public Service, on House, Nos. 136 and 164, a Bill relative to initial enlistment in the Department of State Police (House, No. 164).

By the same member, for the same committee, on House, No. 3420, a Bill regarding pension benefits for Robert Rogers (House, No. 4047) [Local Approval Received].

By the same member, for the same committee, on House, No. 3421, a Bill regarding pension benefits for Thomas J. Gomperts (House, No. 4048) [Local Approval Received].

By Mr. Hall of Westford, for the committee on State Administration, on a petition, a Bill relative to the leasing of real property to civic or social organizations by municipalities (House, No. 1685).

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

Orders of the Day.

House bills

Authorizing the town of Manchester-by-the-Sea to convey a certain parcel of land held for conservation purposes (House, No. 1239);

Relative to a boundary change between the towns of Georgetown and Boxford (House, No. 2760); and

To amend the special act establishing a department of municipal finance for the town of Georgetown (House, No. 2761);

Severally were read a second time; and they were ordered to a third reading.

Recess.

At fourteen minutes after eleven o'clock A.M., on motion of Mrs. Walrath of Stow (Mr. Nagle of Northampton being in the Chair), the House recessed until the hour of one o'clock P.M.; and at twenty-five minutes after one o'clock the House was called to order with the Speaker in the Chair.

Distinguished Guests of the House.

During the session, the Speaker declared a recess subject to the call of the Chair; and introduced Monica McWilliams, a founding member and representative of the Northern Ireland Women's Coalition. Ms. McWilliams addressed the House as the first participant in the "Lyceum Lecture Series" of the 2001-2002 Session.

The Speaker then introduced Robert H. Quinn, former Speaker of the House and former Attorney General; Charles F. Flaherty, former Speaker of the House; William M. Bulger, President of the University of Massachusetts and former President of the Senate; Margaret H. Marshall, Chief Justice of the Supreme Judicial Court; Sean M. Dunphy, Chief Justice of the Probate and Family Court Department of the Trial Court; Martha P. Grace, Chief Justice of the Juvenile Court Department; Dorothy A. Kelly Gay, Mayor of the city of Somerville; Patrick King, President of the Irish Charitable Society; presidents and other officials from the higher education community; distinguished members of the Irish community; and several other esteemed citizens of the Commonwealth.

Order.

On motion of Mr. Nagle of Northampton,—

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

At ten minutes after two o'clock P.M., on motion of Mr. Peterson of Grafton (the Speaker being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.