

JOURNAL OF THE HOUSE.

Wednesday, March 27, 2002.

Met at nine minutes after eleven o'clock A.M., in an Informal Session, with Mr. Bosley of North Adams in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Bosley), 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 designating the renovated Old Suffolk County Courthouse as the John Adams Courthouse (House, No. 4984) was filed in the office of the Clerk on Tuesday, March 26.

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. Fagan of Taunton) congratulating Maria Do Carmo Botelho on the occasion of her 90th birthday;

Resolutions (filed by Representatives Finegold of Andover, Golden of Boston, Blumer of Framingham and Rushing of Boston) congratulating Iranian-Americans on the occasion of Nowruz;

Resolutions (filed by Mr. Pedone of Worcester) congratulating Tom Poti for his accomplishments in the Winter Olympics; and

Resolutions (filed by Ms. Polito of Shrewsbury) congratulating Bob Bonin on the occasion of being named Restaurateur of the Year;

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

Resolutions (filed with the Clerk by Representatives Rogers of New Bedford, Kennedy of Brockton, Connolly of Everett and Paulsen of Belmont) condemning the systematic and brutal persecution of Falun Gong in China, 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 Ms. Jehlen of Somerville, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered

forthwith; and they were adopted.

Communication.

A communication from the Department of Transitional Assistance (under item 4408-1000 of Section 2 of Chapter 177 of the Acts of 2001) submitting a determination by the Secretary of Health and Human Services that available appropriations for certain programs administered by said department will be insufficient to meet projected expenses,— was placed on file.

Quarterly and Special Reports.

A quarterly report of the Massachusetts Convention Center Authority (under the provisions of Section 5L of Chapter 152 of the Acts of 1997) relative to contracts regarding the Boston Convention and Exhibition Center project entered into by said authority; and

A report of the Department of Revenue (under Section 38 of Chapter 63 of the General Laws) relative to the utilization of the single sales factor by the defense industry;

Severally were placed on file.

Papers from the Senate.

A Bill clarifying the prohibition against disseminating child pornography (Senate, No. 2297) (on Senate bill No. 192, amended), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33B, to the committee on Science and Technology.

Bills

Relative to complaints of sexual harassment and other forms of discrimination (Senate, No. 915) (on Senate, No. 1003); and

Authorizing access by the Commissioner of Veterans' Services to the central registry of voters (Senate, No. 2084) (on Senate, No. 354);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A report of the committee on the Judiciary, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 670) of Susan C. Fargo, John A. Lepper, Charles E. Shannon, Kevin W. Fitzgerald and other members of the General Court for legislation relative to the disclosure of vital statistics, and recommending that the same be referred to the committee on Health Care,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

A report of the committee on Natural Resources and Agriculture, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 2283) of Harriette L. Chandler and John P. Fresolo for legislation relative to certain sewer lines in the city of Worcester, and recommending that the same be referred to the Senate committee on Ways and

Means,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, insomuch as relates to the discharge of the committee.

Reports of Committees.

By Mrs. Simmons of Leominster, for the committee on Local Affairs, on House, No. 4917, an Order relative to authorizing the committee on Local Affairs to make an investigation and study of a certain House document concerning the establishment of the Plymouth Development Corporation (House, No. 4983). 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 asking to be discharged from further consideration of said order; and recommending that the same be referred to the House committee on Rules. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mrs. Simmons of Leominster, for the committee on Local Affairs, on Senate, No. 2277 and House, No. 4939, a Bill authorizing the city of Worcester to place a conservation restriction on Green Hill Park (House, No. 4939) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the town of Shrewsbury to establish certain special funds (House, No. 4940) [Local Approval Received].

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

Engrossed Bills.

The engrossed Bill validating certain actions and authorizing certain reimbursements by the town of Oak Bluffs (see House bill printed in House, No. 4906) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill establishing a special police force in the town of Agawam (see House, No. 4190) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

House bills

Providing for the establishment and administration of rent regulations and the control of evictions in manufactured housing communities in the town of Kingston (House, No. 4845);

Relative to the financial conditions in the town of Swansea (House, No. 4935); and

Relative to the annual observance of April as Autistic Awareness Month (House, No. 4942) (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.

The Senate Bill designating a certain bridge in the town of Sharon as the Lance Corporal Daniel J. Dabreu Memorial Bridge (Senate, No. 2190), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Kafka of Sharon moved that it be amended by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to designate forthwith a certain bridge in the town of Sharon, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendment was adopted; and the bill (Senate, No. 2190, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House.

The House Bill relative to funding for certain telecommunications programs within the Commonwealth (House, No. 1751) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Marini of Hanson and other members of the House moved that it be amended in section 1, in line 6, by inserting after the word “be” the following: “, until December 31, 2007”, and by adding at the end of said section the following sentence: “The Department of Telecommunications and Energy shall annually report to the General Court concerning the financial condition of the fund and shall address in the report the reasonableness of the capital expenditures and related expenses of the Statewide Emergency Telecommunications Board incurred in complying with chapter 166, sections 14A and 15E.”; and by adding at the end of the bill the following section:

“SECTION 3. The department of telecommunications and energy shall develop a long term plan for funding enhanced 911 services; the department shall consider, among any and all the issues affecting the enhanced 911 system, (1) equitable payment of the costs of the system by all its beneficiaries and, (2) the changes and projected changes in technology comprising the enhanced 911 system. The department shall submit its recommendations and assessments to the committee on government regulations no later than December 31, 2006”.

The amendment was adopted; and the bill (House, No. 1751, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to liquor liability insurance (House, No. 1787), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Marini of Hanson and other

members of the House moved that it be amended by adding at the end thereof the following two sections:

“SECTION 2. Section 12 of chapter 138 of the General Laws is hereby amended by inserting at the end: Prior to any common victualler receiving or renewing a liquor license to sell or purchase alcohol, liability insurance must be obtained with the term of the insurance to be at a minimum the same as the length of a license. Any common victualler must present proof of liquor liability insurance to the issuing authority prior to the issuance of the license.

SECTION 3. Section 15 of chapter 138 of the General Laws is hereby amended by inserting at the end: Prior to any licensee receiving or renewing a liquor license to sell or purchase alcohol, liability insurance must be obtained with the term of the insurance to be at a minimum the same as the length of the license. Any licensee must present proof of liquor liability insurance to the issuing authority prior to the issuance of the license.”.

The amendment was adopted; and the bill (House, No. 1787, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. Turkington of Falmouth,—

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

