

JOURNAL OF THE HOUSE.

Monday, April 2, 2001.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, 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:

Holy Spirit of God, we begin this legislative workweek by recognizing Your presence in our midst and by asking for Your assistance as we carry out our responsibilities. In addressing the concerns of people and the current needs of our neighborhoods and communities, inspire us to legislate with wisdom, consideration and common sense. As legislators, bless our efforts to unite people in pursuing realistic legislative goals which serve the best interests of people in these complex times. In our diverse society and during this era of profound cultural and political changes, help us to be guided by solid human and spiritual values and basic human principles. May we always respond to the challenges of the times in a thoughtful and not an emotional manner.

Grant Your blessings to 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.

Message from the Governor.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to elections for town meeting member in Milford (House, No. 4069) was filed this day in the office of the Clerk.

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

Guest of the House.

During the session, the Chair (Mr. Nagle of Northampton) declared a recess subject to the call of the Chair, there being no objection; and introduced Mr. John "The Quiet Man" Ruiz of Chelsea. Mr. Ruiz recently became the first Hispanic to hold the title of Heavyweight Champion of the World Boxing Association and is the first Massachusetts resident to hold

said title since Rocky Marciano. Mr. Ruiz, the guest of Representative O'Flaherty of Chelsea, then addressed the House briefly.

Resolutions.

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

Resolutions (filed by Mr. Cresta of Wakefield) congratulating Brian E. Fox on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. O'Flaherty of Chelsea) congratulating John "the Quiet Man" Ruiz;

Resolutions (filed by Messrs. O'Brien of Kingston and deMacedo of Plymouth) congratulating Steven J. Fitzgerald on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mr. O'Brien of Kingston) congratulating Ellen O. Grant;

Mrs. Harkins of Needham, 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. Bradley of Hingham, 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.

Reports

Of the committee on State Administration, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 1558) of Brian P. Lees, Richard R. Tisei, Bruce E. Tarr and Jo Ann Sprague for legislation to require callers to public agencies the option of speaking with a live operator; and

Of the petition (accompanied by bill, Senate, No. 1580) of Richard T. Moore, Pamela P. Resor, Anthony J. Verga, Douglas W. Petersen and other members of the General Court for legislation to increase the entry fees to state parks;

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

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence, insomuch as relates to the discharge of the committee.

The following petition (having been returned to the Clerk of the Senate by the State Secretary, under the provisions of Chapter 3 of the General Laws, with memorandum relative thereto) was referred, in concurrence, there being no objection, as follows:

Petition (accompanied by bill, Senate, No. 1834) of Pamela P. Resor, David P. Magnani, Paul J. P. Loscocco and Karyn E. Polito (by vote of the towns) for legislation to establish the boundary line between the town of Southborough and the town of Westborough. To the committee on Local Affairs.

Reports of Committees.

Mr. Rogers of Norwood, for the committee on Ways and Means, on House No. 3024, reported, in part, a Bill making appropriations for the fiscal year 2001 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4070) [Direct Appropriations: \$332,662,861.00 — Retained Revenues: \$78,000.00 — Revenue Offsets: \$131,500,025.00 — Net Costs: \$201,162,836.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kujawski of Webster, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Flynn of Bridgewater, the bill was read a second time forthwith.

Pending the question on ordering the bill to a third reading, Mr. Jones of North Reading moved that it be amended by inserting after section 14 the following section:

“SECTION 14A. Chapter 271 of the acts of 1998 is hereby amended by striking out the first sentence of Section 8 and inserting in place thereof the following:—

The amount of consideration for the sales, lease, sublease, granting of easements or other conveyances authorized by the provisions of this act shall be at least equal to the fair market value as determined by an independent appraiser selected by the Commissioner through the competitive bidding process and with a methodology approved by the Inspector General. The consideration for said parcels should take into account the obligations placed upon the developer, including, without limitation, environmental remediation and below market use, as well as the benefits of the project to the surrounding communities.”.

The amendment was adopted; and the bill (House, No. 4070, printed as amended) was ordered to a third reading.

By Mr. Binienda of Worcester, for the committee on Energy, on Senate, Nos. 360 and 361 and House, Nos. 2147, 2148, 2152, 3526 and 3918, an Order relative to authorizing the committee on Energy to make an investigation and study of certain Senate and House documents concerning energy efficiency and renewable energy (House, No. 4064).

By Mr. Bosley of North Adams, for the committee on Government Regulations, on House, No. 802, an Order relative to authorizing the committee on Government Regulations to make an investigation and study of a certain House document concerning the practice of engineering and surveying (House, No. 4065).

By Mrs. Parente of Milford, for the committee on Local Affairs, on Senate, No. 1043 and House, Nos. 487, 3769, 3880 and 3961, an Order relative to authorizing the committee on Local Affairs to make an investigation and study of certain Senate and House documents concerning zoning, wireless communication facilities and records of local regulatory bodies (House, No. 4066).

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. Binienda of Worcester, for the committee on Energy, on a petition, a Bill providing access to renewable energy resources (printed as Senate, No. 358).

By the same member, for the same committee, on a petition, a Bill to limit outdoor night lighting, conserve energy and reduce light pollution (House, No. 3528).

By Mr. Bosley of North Adams, for the committee on Government Regulations, on House, Nos. 8 and 62, a Bill simplifying the registration of interstate carriers by implementing the single state registration system (House, No. 62).

By the same member, for the same committee, on a petition, a Bill relative to livestock auction licensing (House, No. 3922).

By the same member, for the same committee, on House, No. 607, a Bill relative to the licensing of sign installers (House, No. 4067).

By Mr. Cabral of New Bedford, for the committee on Human Services and Elderly Affairs, on a petition, a Bill creating assignment levels in the Office of Child Care Services (House, No. 3544).

By the same member, for the same committee, on House, No. 3334, a Bill regarding eligibility for child care subsidies (House, No. 4068).

By Mrs. Parente of Milford, for the committee on Local Affairs, on a petition, a Bill relative to local notification and regulatory requirements for providers of commercial mobile radio services (House, No. 1622).

By Mr. Hall of Westford, for the committee on State Administration, on a petition, a Bill authorizing the Division of Capital Planning and Operations and the Metropolitan District Commission to convey a certain parcel of land in the city of Boston (House, No. 934).

By the same member, for the same committee, on a petition, a Bill relative to a water supply easement held by the Massachusetts Water Resources Authority in the town of Southborough (House, No. 1503).

By the same member, for the same committee, on a petition, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain easements in the towns of Groton and Pepperell (House, No. 1879).

By the same member, for the same committee, on a petition, a Bill relative to further regulating the conveyance of certain easements on state property in the city of Boston to Emerson College (House, No. 2074).

By the same member, for the same committee, on a petition, a Bill authorizing the Division of Capital Asset Management and Maintenance to conduct a certain study relative to the armory in the city of Westfield (House, No. 2256).

By the same member, for the same committee, on a petition, a Bill relative to site remediation at the Belchertown State School (House, No. 3198).

By the same member, for the same committee, on a petition, a Bill relative to site remediation at the Belchertown State School (House, No. 3199).

By Mr. Swan of Springfield, for the same committee, on a petition, a Bill to authorize the acquisition of land, the development and construction of an underground railroad, civil rights, and black heritage museum and cultural center in Springfield (House, No. 2618).

By the same member, for the same committee, on a petition, a Bill relative to repairs to historic buildings at Springfield Technical Community College (House, No. 3197).

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

By Mr. Binienda of Worcester, for the committee on Energy, on a petition, a Bill relative to energy conservation measures (House, No. 3919).

By the same member, for the same committee, on House, Nos. 3926 and 4006, a Bill promoting energy efficiency and conservation (House, No. 4006).

By Mr. Bosley of North Adams, for the committee on Government Regulations, on House, Nos. 8 and 57, a Bill exempting intrastate bus fares from regulation by the Department of Telecommunications and Energy (House, No. 57).

By the same member, for the same committee, on a petition, a Bill relative to the regulation of hours of operation for common victualler licenses (House, No. 1754).

By the same member, for the same committee, on a petition, a Bill establishing legislation to further regulate the issuance of entertainment licenses (House, No. 3284).

By Mrs. Parente of Milford, for the committee on Local Affairs, on a petition, a Bill relative to the leasing of municipal property (House, No. 1621, changed by striking out, in lines 6 and 7, the words “it ceases to be used for such public purpose” and inserting in place thereof the words “the lessee ceases to continuously use and occupy the premises solely for the purposes stated in the lease”).

By Mr. Toomey of Cambridge, for the committee on Public Safety, on House, Nos. 136 and 144, a Bill relative to name changes by inmates (House, No. 144).

By the same member, for the same committee, on House, Nos. 136 and 154, a Bill relative to the enhancement of laws relative to fire protection and safety and the Department of Fire Services (House, No. 154).

By the same member, for the same committee, on House, Nos. 136 and 161, a Bill relative to the Massachusetts Medal of Merit (House, No. 161).

By the same member, for the same committee, on House, Nos. 136 and 170, a Bill relative to reporting of fatal accidents (House, No. 170).

By the same member, for the same committee, on House, Nos. 173 and 179, a Bill replacing the definition of farmer and farming (House, No. 179).

By the same member, for the same committee, on House, Nos. 173 and 180, a Bill relative to emergency safety (House, No. 180).

By the same member, for the same committee, on a petition, a Bill concerning the disclosure of records involving citizen complaints and the discipline of public safety officers (House, No. 309).

By the same member, for the same committee, on a petition, a Bill to enhance pedestrian safety at pedestrian crosswalks (House, No. 1088).

By the same member, for the same committee, on a petition, a Bill relative to dangerous buildings (House, No. 1259).

By the same member, for the same committee, on a petition, a Bill relative to police mutual aid agreements (House, No. 1269).

By Mr. Hall of Westford, for the committee on State Administration, on a petition, a Bill designating the National Guard Armory in the town of Braintree as the Sergeant Charles MacGillivray Memorial Building (House, No. 2616).

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

Order.

On motion of Mr. Finneran of Boston,—

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