

JOURNAL OF THE HOUSE.

Wednesday, April 3, 2002.

Met according to adjournment, at eleven o'clock A.M., with Mr. Wagner of Chicopee 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 recognize Your presence in our midst and depend upon Your spiritual gifts and available guidance as we address both our personal and legislative concerns on this and everyday. During these often stressful and uncertain times, inspire us to make thoughtful, not merely emotional, prudent and ethical legislative decisions. Teach us to select those personal and legislative options which enhance human dignity, promote peace in our communities, deepen respect for our basic institutions and acknowledge the reality of personal responsibility. Grant us the capacity to plan for a safe and prosperous future for our children as we try to meet the reasonable expectations of the people. Help us to remain faithful to You and our religious beliefs and principles.

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

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

Annual Reports.

Annual reports

Of the Commission on Indian Affairs (under Section 8A of Chapter 6A of the General Laws) of its activities for the year ending December 31, 2000; and

Of the State Lottery Commission (under Section 38 of Chapter 10 of the General Laws) of its Charitable Gaming Division for the year ending December 31, 2001;

Severally were placed on file.

Petitions.

Ms. Flavin of Easthampton presented a petition (accompanied by bill, House, No. 4995) of Nancy Flavin and Stanley C. Rosenberg (by vote of the town) for legislation to authorize the town of South Hadley to convey certain conservation land; and the same was referred to the committee on State Administration. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Greene of Billerica, petition (subject to Joint Rule 12) of William G. Greene, Jr., and

Robert A. Havern relative to certain exemptions to municipalities which do not accept the Community Preservation Act.

By the same member, petition (subject to Joint Rule 12) of William G. Greene, Jr., and Robert A. Havern relative to designating a certain bridge in the town of Billerica as the Gordon C. Brainerd Bridge.

By Ms. Lewis of Dedham, petition (subject to Joint Rule 12) of Maryanne Lewis, Marc R. Pacheco and another relative to displaced janitors or building maintenance personnel of certain contractors or subcontractors.

By Mr. McGee of Lynn (by request), petition (subject to Joint Rule 12) of David D. Mahar relative to the tax status of pension plans.

By Mr. Murphy of Weymouth (by request), petition (subject to Joint Rule 12) of Susan Gallagher relative to the painting of traffic control devices.

By Mr. Petersen of Marblehead, petition (subject to Joint Rule 12) of Douglas W. Petersen relative to providing creditable service for retirement purposes for employment as a kindergarten teacher.

By Mrs. Pope of Wayland, petition (subject to Joint Rule 12) of Susan W. Pope relative to certain school construction projects in the towns of Lincoln, Maynard, Sudbury and Wayland.

By Mr. Torrisi of North Andover, petition (subject to Joint Rule 12) of David M. Torrisi relative to including certain public health employees in cities and towns in Group 2 of the contributory retirement system for public employees.

By Mr. Vallee of Franklin, petition (subject to Joint Rule 12) of James E. Vallee for legislation to grant certain public employees creditable retirement service for having served in the armed forces.

By Mr. Walsh of Boston, petition (subject to Joint Rule 12) of Martin J. Walsh relative to including John Comerford in the early retirement incentive program for employees of the Commonwealth.

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

Reports of Committees.

By Mr. Dempsey of Haverhill, for the committee on Public Service, on Senate, Nos. 1345, 1378, 2247, 2248, 2249, 2250, 2252, 2253 and 2254 and House, Nos. 875, 1107, 1290, 4626, 4656, 4724, 4744, 4774, 4848, 4862, 4863, 4933, 4941 and 4950, an Order relative to authorizing the committee on Public Service to make an investigation and study of certain Senate and House documents concerning active and retired public employees (House, No. 4000). 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 the 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 Mr. Binienda of Worcester, for the committee on Energy, on a petition, a Bill relative to energy efficient appliances (House, No. 4956).

By Mr. Donnelly of Boston, for the committee on the Judiciary, on a petition, a Bill providing for an assistant clerk in the Milford District Court (House, No. 4972).

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

By Mr. Rodrigues of Westport, for the committee on Commerce and Labor, on Senate, No. 87, a Bill further regulating business practices between motor vehicle manufacturers, distributors and dealers (House, No. 4997). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Recess.

At four minutes after eleven o'clock A.M., on motion of Mr. Finneran of Boston (Mr. Wagner of Chicopee being in the Chair), the House recessed until a quarter after two o'clock P.M.; and at twenty-three minutes after two o'clock the House was called to order with Mr. Scaccia of Boston in the Chair.

Message from the Acting Governor.

A message from Her Honor the Lieutenant-Governor, Acting Governor, recommending legislation relative to improving management and security at Logan Airport (House, No. 4996) was filed in the office of the Clerk on Tuesday, April 2.

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

Guests of the House.

During the session, the Chair (Mr. Scaccia of Boston) declared a recess subject to the call of the Chair, there being no objection; and introduced the 2001-2002 Division I State Champion Waltham High School hockey team. The team, accompanied by Head Coach John MaGuire and staff, Athletic Director Bill Foley, Principal John Graceffa, School Superintendent Dr. Susan Parella, former State Representative and current Mayor David F. Gately and Mayor Gately's former intern Brian Dudley, were the guests of Representatives Stanley of Waltham and Koutoujian of Newton as well as Senators Fargo and Tollman.

During the session, Mr. Lepper of Attleboro took the Chair and declared a recess subject to the call of the Chair, there being no objection; and introduced the Attleboro High School boys gymnastics team, State Champions for the second year in a row. The team, accompanied by Head Coach Mike Martin and Assistant Coach Rich Butler, were the guests of Representative

Lepper.

Resolutions.

Resolutions (filed with the Clerk by Mr. Correia of Fall River) honoring Comendador Heitor Miguel De Medeiros Sousa, were referred, under Rule 85, to the committee on Rules.

Mr. DiMasi 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. Cabral of New Bedford, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Paper from the Senate.

The House Bill relative to the Korean War Veterans Memorial Highway (House, No. 4577) came from the Senate passed to be engrossed, in concurrence, with an amendment in line 3 inserting after the word "Holyoke" the following: ", excluding the bridge previously designated as the Vietnam Veterans Memorial Bridge by chapter 26 of the acts of 1982,".

Under suspension of Rule 35, on motion of Mr. Wagner of Chicopee (Mr. Scaccia of Boston having returned to the Chair), the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Emergency Measure.

The engrossed Bill designating a certain bridge in the town of Sharon as the Lance Corporal Daniel J. Dabreu Memorial Bridge (see Senate, No. 2190, amended), 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 9 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Establishing a limited access deposit account (see House, No. 4633, amended);

Authorizing the appointment of certain persons as firefighters in the town of Ipswich notwithstanding the maximum age requirement (see House, No. 4852);

Authorizing certain persons to take a civil service examination for firefighter in the town of Ipswich notwithstanding the maximum age requirement (see House, No. 4854); and

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

(Which severally 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.

Orders of the Day.

The House Bill relative to a voting precinct in the town of Dracut (printed in House, No. 4954), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. Finneran of Boston,—

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