

JOURNAL OF THE HOUSE.

Monday, April 9, 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:

God of Compassion and Forgiveness, we believe that we live every moment of the day in Your eternal presence. As elected officials, we depend upon Your assistance and inspiration as we strive to recognize, protect and promote the best interests of the people, our communities and the Commonwealth. In Your goodness, help us to think through and to evaluate correctly the many legislative issues which come before us in this historic Chamber. Inspire us to be guided in our decision-making capacity by sound human, spiritual and ethical principles. By our commitment to excellence in all areas of government, may we continue to build trust and confidence in each other and our institutions.

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 of Northampton), 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 requiring repeat offenders to serve sentences for every crime (House, No. 4081) was filed in the office of the Clerk on Thursday, April 5.

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 punishment of habitual offenders (House, No. 4082) was filed in the office of the Clerk on Thursday, April 5.

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.

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 Robert F. Danner;

Resolutions (filed by Mr. O'Flaherty of Chelsea) congratulating Edward Joseph McCarthy on the occasion of his one hundred and eighth birthday; and

Resolutions (filed by Ms. Story of Amherst) commending Bryan C. Harvey;

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. Blumer of Framingham, 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. Donato of Medford, petition (accompanied by bill, House, No. 4080) of Paul J. Donato, Charles E. Shannon, Vincent P. Ciampa, J. James Marzilli, Jr., and others (with the approval of the mayor and city council) that the city of Medford be authorized to issue additional licenses for the sale of wine and malt beverages to be drunk on the premises. To the committee on Government Regulations.

By Mr. Binienda of Worcester, petition (accompanied by bill, House, No. 4079) of Raymond V. Mariano (mayor), Thomas R. Hoover (city manager), John J. Binienda, John P. Fresolo, Guy W. Glodis, James B. Leary, Harriette L. Chandler and Robert Spellane (with the approval of the city council) relative to street betterment assessments in the city of Worcester. To the committee on Taxation.

Severally sent to the Senate for concurrence.

Papers from the Senate.

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, as follows:

Of the Bay State Correctional Center, in the town of Norfolk;

Of the Essex County Correctional Alternative Center, in the city of Lawrence;

Of the North Central Correctional Institution, in the city of Gardner; and

Of the Plymouth County Correctional Facility, in the town of Plymouth; and

A report of the Bureau of Special Investigations (under the provisions of Section 11(8) of Chapter 14 of the General Laws) of its activities for the month of February, 2001;

Severally were read for the information of the House; and returned to the Senate.

Reports of Committees.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill making a technical change regarding the Office of the Inspector General (House, No. 110),— and recommending that the same be referred to the committee on Rules. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mrs. Owens-Hicks of Boston, for the committee on Federal Financial Assistance, asking to be discharged from further consideration of the petition (accompanied by resolutions, House, No. 248) of Rosaire J. Rajotte relative to the adoption of resolutions by the General Court requesting the construction of a veterans' rehabilitation hospital in Worcester County,— and recommending that the same be referred to the committee on Health Care. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Mr. Dempsey of Haverhill, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for an employee of the Juvenile Court Department (House, No. 4049). 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 Ms. Wolf of Cambridge, the bill was read a second time forthwith; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Kane of Holyoke, the bill (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, its title having been changed by said committee to read: "An Act establishing a sick leave bank for Michael Sylvia, an employee of the Juvenile Court Department". Sent to the Senate for concurrence.

By Mr. Donnelly of Boston, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Rena C. Pelletier, an employee of the Trial Court of the Commonwealth (House, No. 3760). 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. Kane of Holyoke, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Public Service, on House, Nos. 323, 334, 511, 522, 534, 685, 693, 708, 893, 1113, 1296, 1300, 1662, 1663, 1679, 2046, 2241, 2408, 2413, 2417, 2611, 2973, 2975, 2976, 2979, 2981, 3604, 3605, 3609, 3821, 3887 and 3977, an Order relative to authorizing the committee on Public Service to make an investigation and study of certain House documents concerning active and retired public employees (House, No. 4083). 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 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. Toomey of Cambridge, for the committee on Public Safety, on a petition, a Bill relative to the regulation of cell size in county correctional facilities (House, No. 2029).

By Mr. Dempsey of Haverhill, for the committee on Public Service, on House, Nos. 125, 129, 684 and 2603, a Bill relative to the election of survivor benefits (House, No. 4084).

Severally read; and referred, under Rule 33, to the committee on Counties on the part of the House.

By Mr. Toomey of Cambridge, for the committee on Public Safety, on a petition, a Bill relative to the educational services of the Department of Correction (House, No. 661,

changed in lines 9 and 10, by striking out, the words “and institutional school teacher positions to be filled with the persons currently holding the 03 positions”).

By the same member, for the same committee, on a petition, a Bill relative to the dissemination of criminal record information to private detectives (House, No. 2956).

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

By Mr. Greene of Billerica, for the committee on Commerce and Labor, on a petition, a Bill amending the uniform commercial code covering provisions dealing with secured transactions (House, No. 2111). Read; and referred, under Rule 33B, to the committee on Science and Technology.

By Mr. Toomey of Cambridge, for the committee on Public Safety, on a petition, a Bill relative to day care providers notifying their local fire department (House, No. 662).

By the same member, for the same committee, on a petition, a Bill relative to the sale of gas heating equipment (House, No. 2575).

By the same member, for the same committee, on a petition, a Bill prohibiting tethering, leashing, and other restraints of prisoners in work release programs (House, No. 2597).

By the same member, for the same committee, on a petition, a Bill relative to the dissemination of information to private detectives (House, No. 2957).

By the same member, for the same committee, on a petition, a Bill relative to the inspection of certain elevators (House, No. 2958).

By Mr. Dempsey of Haverhill, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Elizabeth Menslage, an employee of the Department of Mental Health (House, No. 4037).

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

Orders of the Day.

The House Bill authorizing the town of Mansfield to use certain conservation land for road and bridge purposes (printed in House, No. 4002), 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.

Guests of the House.

Ms. Flavin of Easthampton then took the Chair and introduced the South Hadley High School boys basketball team, Western Massachusetts Division II Champions, accompanied by their coach, Jeff Guiel. Ms. Flavin presented resolutions previously adopted by the House to Coach Guiel and Co-captain David Dubuc, who addressed the House briefly. They were the guests of Ms. Flavin.

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.

At half past eleven o'clock A.M., on motion of Mr. Ruane of Salem (Ms. Flavin of Easthampton being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.