

**JOURNAL OF THE HOUSE.**  
Tuesday, April 16, 2002.

Met at eight minutes after one o'clock P.M., in an Informal Session, with Mr. DiMasi of Boston 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 depend upon You and Your assistance as we struggle each day of the week to serve You and the people who depend upon our thoughtful judgments and rational decisions. In evaluating legislative and personal matters and options, inspire us to be guided by high lofty principles and sound ethical standards. In a spirit of humility, we ask for Your forgiveness when we fail to live up to our commitments or fulfill our promises. By our dedication to excellence in all areas of governmental administration and creativity in planning for the future, may we continue to be a beacon of hope to the people in these uncertain and difficult times.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. DiMasi), 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 the resale of tickets (House, No. 5014) was filed in the office of the Clerk on Friday, April 12.

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

*Special Report.*

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 as used by mutual fund providers,— was placed on file.

*Petitions.*

Petitions severally were presented and referred as follows:

By Mrs. Simmons of Leominster, petition (accompanied by bill, House, No. 5015) of Mary Jane Simmons and Robert A. Antonioni (with the approval of the mayor and city council) that the city of Leominster be authorized to use retired police officers for paid police details; and

By Mr. Walsh of Boston, petition (accompanied by bill, House, No. 5016) of Martin J. Walsh (with the approval of the mayor and city council) relative to granting civil service preference to Thomas J. Foley, surviving son of Edward P. Foley, for appointment as a police officer in the city of Boston;

Severally to the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. DiMasi of Boston, petition (subject to Joint Rule 12) of Salvatore F. DiMasi relative to directing the State Retirement Board to grant certain creditable service to Kent Stasiowski of the city of Boston.

By Ms. Khan of Newton, petition (subject to Joint Rule 12) of Kay Khan and Cynthia S. Creem that the Teachers' Retirement Board be directed to grant certain creditable service to Sonya McKnight.

By Mr. Murphy of Burlington, petition (subject to Joint Rule 12) of Charles A. Murphy and other members of the General Court relative to batterer's intervention programs.

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

*Papers from the Senate.*

A Bill providing for the preservation and improvement of the environmental assets of the Commonwealth (Senate, No. 2319, printed as amended) (on a part of House bill, No. 4603), passed to be engrossed by the Senate, was read; and it was referred, under Rule 32A, to the committee on Long-Term Debt and Capital Expenditures.

**Bills**

Transferring employees of the Berkshire Regional Planning Commission to the state retirement system (Senate, No. 1587, changed by adding at the end thereof the following section:

“SECTION 2. Notwithstanding any general or special law to the contrary, the accumulated deductions, including interest, credited as of the effective date of this act to the annuity savings accounts of persons employed by the Berkshire Regional Planning Commission shall be transferred from the retirement system of the city of Pittsfield and credited to the state retirement system.”) (its title having been changed by the Senate committee on Bills in the Third Reading) (on a petition);

Relative to the disposition of certain state-owned property in the town of New Salem (Senate, No. 1918, amended in section 2, in line 7, by inserting after the figure “4.” the following sentence: “If the independent appraisals determine that the watershed preservation restriction described in section 4 is of greater value than the parcel described in section 1, the recipients shall not be entitled to any payment from the commonwealth.”; and in section 4, in lines 9, 10 and 11, by striking out the paragraph contained therein and inserting in place thereof the following paragraph:

“The recipients shall assume all costs associated with preparing the plans of land, recording the plans and deed, appraisals, surveys and all other expenses.”, (on a petition); and

Relative to the identification of burial grounds and cemeteries on certain state-owned land (Senate, No. 2315) (on Senate bill, No. 1530);

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 petition (accompanied by bill, Senate, No. 2317) of Robert A. Havern and Carol A. Donovan (with the approval of the mayor and city council) for legislation to provide for the 2002 special election in the city of Woburn, was referred, in concurrence, to the committee on Election Laws.

#### *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 petition of John A. Locke, Cynthia S. Creem and Cheryl A. Jacques that the Division of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land in the town of Wellesley. Under suspension of the rules, on motion of Mr. Ruane of Salem, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration. Sent to the Senate for concurrence.

By Mr. Scaccia of Boston, for the committee on Rules, on the House 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. 4312) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 533) of Philip Travis and Joan M. Menard for legislation to authorize Gerald Furtado to purchase certain creditable service for retirement purposes,— and recommending that the same be recommitted to the committee on Public Service. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill granting the widow and children of Steven F. Greene retirement benefits (House, No. 4625) [Local Approval Received] be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Casey of Winchester, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Shrewsbury to establish certain special funds (House, No. 4940) [Local Approval Received] be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Casey of Winchester, the bill was read a second time forthwith; and it was ordered to a third reading.

#### *Engrossed Bills.*

Engrossed bills

Authorizing the city of Waltham to establish a post employment health insurance trust fund (see House, No. 349);

Relative to elections in the town of Huntington (see House, No. 4741, changed); and

Providing for recall elections in the town of Huntington (see House, No. 4742);

(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.*

House bills

Relative to undistributed ballots (House, No. 994);

Relative to court advisement (House, No. 4413); and

Exempting the position of chief of police in the city of Fitchburg from the provisions of the civil service law (House, No. 4881);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally 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 on Thursday next at eleven o'clock A.M.

At twenty-one minutes after one o'clock P.M., on motion of Mr. Casey of Winchester (Mr. DiMasi of Boston being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.

