

**JOURNAL OF THE HOUSE.**

Monday, June 4, 2001

Met at thirteen 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 Very Reverend James G. Munroe, Dean of the Christ Church Cathedral in Springfield, as follows:

Almighty God, we commend into Your care these legislators, these women and men who will think and talk and act on our behalf today.

You know, Dear God, what their schedules are like. You know all the conflicting demands on their time and attention. You know the needs in the communities they serve. You know the cries they hear from the people they serve. You know the concerns they have at home, as well as in this chamber. You know how much they want to make a difference, and how much energy it takes, and how tiring it gets.

Have mercy on them, Dear God. Let them know that we are thanking You for them. And at the center of their deliberations, bind them together and hold them up with our strength and Your wisdom and Your peace.

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

Mrs. Hahn of Westfield moved that the prayer be spread upon the records of the House; and the motion prevailed.

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.

*Messages from the Acting Governor.*

A message from Her Honor the Lieutenant-Governor, Acting Governor, submitting requests for appropriations (under Section 7 of Chapter 150E of the General Laws) for the purpose of funding certain collective bargaining agreements (House, No. 4195) was filed in the office of the Clerk on Tuesday, May 29.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

A message from Her Honor the Lieutenant-Governor, Acting Governor, submitting recommendations for making appropriations for the fiscal year 2001 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4196) was filed in the office of the Clerk on Thursday, May 31.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

### *Resolutions.*

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

Resolutions (filed by Mr. Brown of Wrentham) congratulating Thomas Brown on the occasion of his retirement;

Resolutions (filed by Mr. Brown of Wrentham) congratulating Albert Gibbons on the occasion of his retirement;

Resolutions (filed by Mr. Brown of Wrentham) congratulating Michael Kelly on the occasion of his retirement;

Resolutions (filed by Mr. Brown of Wrentham) congratulating Grace Rocco on the occasion of her retirement;

Resolutions (filed by Representatives Coppola of Foxborough and Poirier of North Attleborough) congratulating Jonathan Howard Cuneo on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Messrs. Frost of Auburn and Carron of Southbridge) congratulating the Oxford High School Naval Junior ROTC Drill Team on winning the 2001 American Legion Grand Championship;

Resolutions (filed by Mr. Kaufman of Lexington) congratulating Suzanne Kern on earning the prestigious Gold Award;

Resolutions (filed by Ms. Lewis of Dedham) congratulating Michael Anderson on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Representatives Marzilli of Arlington and Paulsen of Belmont) congratulating William A. Carey, Jr., on the occasion of his retirement from the Arlington School Committee; and

Resolutions (filed by Mr. Rodrigues of Westport) congratulating Superintendent Margot desJardins on the occasion of her retirement from the Westport Community School System;

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

### *Annual and Quarterly Reports.*

Annual report of the Massachusetts Life Insurance Community Investment Initiative (under the provisions of Section 2G of Chapter 259 of the Acts of 1998) for the year 2000; and

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

Severally were spread upon the records of the House; and placed on file.

*Petitions.*

The following petition (having been deposited in the office of the Clerk previously to five o'clock in the afternoon on Wednesday, December 6, 2000) was presented and it was referred, under Rule 24 and Joint Rule 13, as follows:

By Mr. Patrick of Falmouth, petition (accompanied by bill, House, No. 4194) of Matthew C. Patrick (by vote of the town) for legislation to authorize the town of Mashpee to classify the position of animal control officer in said town under Group 4 of the contributory retirement system. To the committee on Public Service. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. George of Yarmouth, petition (accompanied by bill, House, No. 4188) of Thomas N. George and Robert A. O'Leary (by vote of the town) for legislation to authorize the conservation commission of the town of Dennis to establish fees for the employment of consultants;

By Mr. Hall of Westford, petition (accompanied by bill, House, No. 4189) of Geoffrey D. Hall and Pamela P. Resor (by vote of the town) relative to authorizing the conservation commission of the town of Littleton to transfer a certain parcel of land to the water department of said town; and

By Mr. Linsky of Natick, petition (accompanied by bill, House, No. 4191) of David P. Linsky (by vote of the town) that the town of Sherborn be authorized to convey a certain parcel of forest land to Judith Hershey and Mark D. Hershey;

Severally to the committee on Local Affairs.

By Mr. Keenan of Southwick, petition (accompanied by bill, House, No. 4190) of Daniel F. Keenan (with the approval of the mayor and town council) relative to the appointment of special police officers in the city known as the town of Agawam. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Hall of Westford, petition (subject to Joint Rule 12) of Geoffrey D. Hall and Pamela P. Resor relative to the unreasonable discharge from employment of volunteer fire fighters.

By the same member, petition (subject to Joint Rule 12) of Geoffrey D. Hall relative to

certificates of registration for motor vehicles.

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

*Papers from the Senate.*

The following order came from the Senate with the endorsement that it had been adopted by said branch:

*Ordered*, That notwithstanding the provisions of an order previously adopted, the Joint Rules of the previous General Court shall remain in effect until [A] Tuesday, July 31, 2001, as the temporary Joint Rules of the present General Court.

Pending the question on adoption of the order, in concurrence, Mr. Scaccia of Boston moved that it be amended [at "A"] by striking out the date: "Tuesday, July 31" and inserting in place thereof the date: "Friday, June 29".

The amendment was adopted. The order, as amended, then also was adopted, in concurrence. Sent to the Senate for concurrence in the amendment.

A Bill authorizing the city of Revere to pay a certain sum of money to Noelle Pitten and Virginia Odoardi (Senate, No. 1853) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

**Reports**

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

Of the petition (accompanied by bill, Senate, No. 1587) of Andrea F. Nuciforo, Jr., and Peter J. Larkin for legislation to include employees of the Berkshire Regional Planning Commission in the state retirement system;

Of the petition (accompanied by bill, Senate, No. 1591) of Marc R. Pacheco, James H. Fagan and Patricia A. Haddad for legislation to authorize the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the Taunton Development Corporation; and

Of the petition (accompanied by bill, Senate, No. 1598) of the National Association of Governmental Employees, by Kenneth T. Lyons, president, Steven C. Panagiotakos and David M. Nangle for legislation to authorize and direct the Treasurer of the Commonwealth to reimburse the National Association of Governmental Employees for certain expenses;

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.

A report of the Bureau of Special Investigations (under the provisions of Section 11(8) of Chapter 14 of the General Laws) for the month of April, 2001, was spread upon the records of the House; and returned to 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 in the Commonwealth, severally were spread upon the records of the House, as follows:

Of the Berkshire County House of Correction and Jail, in the city of Pittsfield;

Of the David R. Nelson Correctional Addiction Center, in the city of New Bedford;

Of the Massachusetts Correctional Institution, Cedar Junction, in the town of Walpole;

Of the Massachusetts Correctional Institution, Lancaster, in the town of Lancaster;

Of the Massachusetts Correctional Institution, Shirley Medium Security Facility, in the town of Shirley; and

Of the Suffolk County House of Correction, in the city of Boston;

Severally returned to the Senate to be placed on file.

A petition (accompanied by bill, Senate, No. 1876) of Pamela P. Resor and Stephen P. LeDuc (with the approval of the mayor and city council) for legislation to authorize the city of Marlborough to convey a certain parcel of recreation land to Louis Seymour, was referred, in concurrence, to the committee on Local Affairs.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 1878) of Stephen M. Brewer and David H. Tuttle for legislation to authorize the Division of Capital Asset Management and Maintenance to sell water to the town of New Braintree; and

Petition (accompanied by bill, Senate, No. 1879) of Steven A. Tolman, Thomas M. Stanley and Peter J. Koutoujian for legislation to authorize the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Waltham;

Severally to the committee on State Administration.

Petition (accompanied by bill, Senate, No. 1880) of Brian A. Joyce, Paul C. Demakis, George Rogers, Bruce E. Tarr and other members of the General Court for legislation to amend the renewable energy tax credit. To the committee on Taxation.

#### *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 following petitions:

Petition (accompanied by bill) of Nancy Flavin relative to directing the Department of Telecommunications and Energy to establish a list of consumers choosing not to receive unsolicited telephone sales calls. To the committee on Government Regulations.

Petition (accompanied by bill) of William C. Galvin relative to the appointment of certain town officials by a two-thirds vote at annual or special town meetings. To the committee on Local Affairs.

Petition (accompanied by bill) of George Rogers and another relative to establishing safety equipment standards for school buses in the Commonwealth. To the committee on Public Safety.

Petition (accompanied by bill) of Ronald Mariano and another for legislation to authorize the Department of Transitional Assistance to establish a sick leave bank for Judy Christensen, an employee of said department. To the committee on Public Service.

Petition (accompanied by bill) of Paul C. Casey and Charles E. Shannon (by vote of the town) that certain school construction projects in the town of Winchester be exempt from provisions of the competitive bidding laws; and

Petition (accompanied by bill) of William C. Galvin, Brian A. Joyce and others for legislation to designate the book "Make Way For Ducklings" by Robert McClosky as the official book of the Commonwealth;

Severally to the committee on State Administration.

Under suspension of the rules, on motion of Mr. Casey of Winchester, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

#### *Emergency Measure.*

The engrossed Bill further regulating the licensing of certain home inspectors (see Senate, No. 1856, 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 11 to 0. Sent to the Senate for concurrence.

#### *Engrossed Bill.*

The engrossed Bill designating the Paine Building at Westborough State Hospital as the Joseph Allen Hall (see House, No. 4120) (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

Relative to production of records for review by the State Auditor (House, No. 3);

Establishing the office of treasurer-collector in the town of Carlisle (House, No. 645);

Authorizing and directing the Superintendent of State Office Buildings to accept and place a mural of the 9/4th Infantry Division in the State House (House, No. 1125);

Authorizing the town of Walpole to use certain forest land for school purposes (House, No. 4055); and

Relative to the membership of the conservation commission of the town of Swansea (House, No. 4058);

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-seven minutes before two 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.



