

JOURNAL OF THE HOUSE.

Monday, June 11, 2001.

Met according to adjournment, at eleven o'clock AM. in an Informal Session, with Mr. Casey of Winchester 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:

Eternal God, the Creator of the Universe, we pause for a moment of prayerful reflection, to focus our attention on Your presence in our midst and to run through our personal priorities for this day. During this and everyday's journey through life, we believe that we need Your always available assistance in our efforts to make right and honorable decisions, both personal and legislative. In Your kindness, teach us to be fully aware of, and alert to, the vast changes which are taking place in society and the culture. Grant us the knowledge, wisdom and self-confidence to make thoughtful, fair and just evaluation of all the proposals which come before us and the courage to remain faithful to our own high ideals and standards, principles and values.

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

At the request of the Chair (Mr. Casey), 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 tax relief on college education savings (House, No. 4217) was filed in the office of the Clerk on Friday, June 8.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Taxation. 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 Representatives Barrios of Cambridge, Toomey of Cambridge, Wolf of Cambridge, and Demakis of Boston) congratulating Carol Lee Siriani on being named a

2002 Massachusetts Teacher of the Year semi-finalist;

Resolutions (filed by Mr. Coppola of Foxborough) congratulating Scott Acito on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Cresta of Wakefield) congratulating Peter J. Townsend on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Donnelly of Boston) congratulating Patrick A. Huether on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Donnelly of Boston) congratulating Kevin J. Toomey on receiving the Eagle Award of the Boy Scouts of America;

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

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

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

Resolutions (filed by Ms. Lewis of Dedham) congratulating Joseph E. Previtera, Jr., on receiving the Eagle Award of the Boy Scouts of America;

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

Resolutions (filed by Mr. Nyman of Hanover) congratulating Florence Brokaw on the occasion of her one hundredth birthday;

Resolutions (filed by Mr. Petersen of Marblehead) congratulating Samuel Lurie on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Kenneth Pickering on the occasion of his retirement from the North Attleborough school system;

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Wilson Whitty on the occasion of his retirement from the North Attleborough school system;

Resolutions (filed by Mr. Rogers of Norwood and other members of the House) congratulating Wilfrid J. Savoie on the occasion of his retirement from the Blue Hills Regional Technical School;

Resolutions (filed by Representatives Rushing of Boston, Fox of Boston, Owens-Hicks of Boston, Swan of Springfield, Barrios of Cambridge and St. Fleur of Boston) honoring Frieda Garcia upon the occasion of her retirement as President of the United South End

Settlements;

Resolutions (filed by Mr. Scaccia of Boston) congratulating Dennis J. Campbell on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Vallee of Franklin) honoring Diane Vigue Scheinman for her 14 years of dedication to the United Chamber of Commerce;

Resolutions (filed by Ms. Wolf of Cambridge) honoring Jean M. Entine; and

Resolutions (filed by Ms. Wolf of Cambridge) congratulating Roselyn Gray on the occasion of her retirement;

Mr. Scaccia, 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. Donato of Medford, 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 Special Reports.

Annual report of the Massachusetts Commission on the Status of Women (under the provisions of Section 1 of Chapter 138 of the Acts of 1998) of its findings and activities for the fiscal year 2001, was placed on file.

Bi-monthly report of the Executive Office of Transportation and Construction (under the provisions of Section 178 of Chapter 653 of the Acts of 1989) submitting an account of the cost incurred in connection with the depression of the Central Artery and construction of the Ted Williams Tunnel, was sent to the Senate for its information.

Communications.

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From the Economic Development Initiative submitting a report on the Massachusetts Property and Casualty Insurance Company Community and Economic Development Initiative for the period ending December 31, 2000;

From Wonderland Greyhound Park, Inc. (under the provisions of Paragraph 7 of Section 2 of Chapter 128C of the General Laws) submitting copies of contracts for the simulcasting of dog races; and

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of Chapter 128C of the General Laws) submitting copies of contracts for the simulcasting of dog races;

Severally placed on file.

Reports of Committees.

By Mr. Greene of Billerica, for the committee on Commerce and Labor, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1162) of William Francis Galvin and Byron Rushing relative to ballot question expenditures of non-profit health care service corporations,— and recommending that the same be referred to the committee on Election Laws. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Mr. Cabral of New Bedford, for the committee on Human Services and Elderly Affairs, on a petition, a Resolve providing for an investigation and study by a special commission relative to the workforce in those agencies serving persons with mental retardation (House, No. 2531). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Larkin of Pittsfield, for the committee on Education, Arts and Humanities, on a petition, a Bill facilitating low interest financing for Massachusetts charitable institutions (House, No. 2298). Read; and referred, under Rule 32A, to the committee on Long-Term Debt and Capital Expenditures.

By Mr. Larkin of Pittsfield, for the committee on Education, Arts and Humanities, on a petition, a Bill establishing the position of apicultur specialist at the University of Massachusetts (House, No. 592).

By the same member, for the same committee, on a petition, a Bill establishing a working capital loan program for higher education and cultural institutions in the Commonwealth (House, No. 2299).

By the same member, for the same committee, on a petition, a Bill concerning high school diplomas and veterans of World War II and the Korean War (House, No. 2874, changed in line 6 by striking out the words “or Korean War veteran” and inserting in place thereof the words “, Korean War veteran or Vietnam War veteran”).

By the same member, for the same committee, on House, No. 790, a Bill relative to

agricultural land at the University of Massachusetts (House, No. 4219).

By Mr. Bunker of Rutland, for the same committee, on a petition, a Bill relative to the net school spending of the Southern Worcester County Regional Vocational School District (printed as Senate, No. 1864).

By the same member, for the same committee, on a petition, a Bill regulating credit card company access to college campuses (House, No. 2866).

By Mr. Cabral of New Bedford, for the committee on Human Services and Elderly Affairs, on a petition, a Bill relative to providing services to those persons graduating from high school or turning twenty-two (House, No. 274).

By the same member, for the same committee, on a petition, a Bill relative to services for older persons who are mentally retarded (House, No. 276).

By the same member, for the same committee, on a petition, a Bill providing services for persons with autism by the Department of Mental Retardation (House, No. 451).

By the same member, for the same committee, on a petition, a Bill establishing an independent office of quality assurance for mentally retarded persons (House, No. 1410).

By the same member, for the same committee, on a petition, a Bill to support citizens with disabilities and their families (House, No. 3118).

By Mrs. Parente of Milford, for the committee on Local Affairs, on a petition, a Bill establishing an affordable housing trust fund in the town of Provincetown (House, No. 4145) [Local Approval Received].

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

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Senate bills

Removing residency requirements for a fortune teller's license (Senate, No. 443);

Designating the Boston Cream Donut as the official donut of the Commonwealth (Senate, No. 1606);

Designating February 14 as congenital heart defect awareness day (Senate, No. 1618);

Designating the intersection of state highway routes 3A and 53 in the city of Quincy as the William P. Draicchio Square (Senate, No. 1777, changed);

Validating actions taken at the annual town election of the town of Longmeadow on May 23,

2000 (Senate, No. 1817) [Local Approval Received]; and

Authorizing the city of Revere to pay a certain sum of money to Noelle Pitten and Virginia Odoardi (Senate, No. 1853) [Local Approval Received]; and

House bills

Relative to condominium by-laws (printed as Senate, No. 641);

Relative to zoning protection of lawful, nonconforming single-family and two-family residences (House, No. 1063);

Further regulating the use of funds received as restitution for damage to trees in a municipality (House, No. 1835);

Relative to operating an uninsured motor vehicle (House, No. 2017);

Relative to the town of Nantucket (House, No. 3525) [Local Approval Received];

Relative to the granting of licenses for the sale of alcoholic beverages in the town of Sharon (House, No. 3701) [Local Approval Received];

Authorizing the city of Lowell to convey a certain parcel of public water supply land (House, No. 4054) [Local Approval Received];

Authorizing the town of Norwood to use certain conservation land for roadway and bridge purposes (House, No. 4091) [Local Approval Received]; and

Validating action taken at the special town meeting held by the town of Seekonk on October 23, 2000 (printed in House, No. 4134);

Severally placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Larkin of Pittsfield, for the committee on Education, Arts and Humanities, on House, Nos. 1927, 2670 and 4060, a Bill relative to dress codes in public schools (House, No. 2670).

By Mr. Bunker of Rutland, for the same committee, on House, Nos. 66, 70 and 3071, a Bill relative to the finances of regional school committees (House, No. 3071).

By Mrs. Parente of Milford, for the committee on Local Affairs, on a petition, a Bill increasing the number of days to appeal the decisions of a zoning variance permitting body in a municipality from twenty (20) to forty (40) (House, No. 3128).

By the same member, for the same committee, on a petition, a Bill relative to assistant town clerks in certain towns (House, No. 3151).

By the same member, for the same committee, on a petition, a Bill to increase the amount that can be appropriated from the balance of a capital project fund (House, No. 3575);

By the same member, for the same committee, on a petition, a Bill relative to municipal bonding for underground utilities (House, No. 3576);

By the same member, for the same committee, on a petition, a Bill relative to establishment of a land acquisition fund (House, No. 3958);

By the same member, for the same committee, on a petition, a Bill establishing the position of town manager in the town of Weston (House, No. 4016) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill regulating eligibility to hold the office of selectman in the town of Westborough (House, No. 4146) [Local Approval Received].

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

By Mr. Larkin of Pittsfield, for the committee on Education, Arts and Humanities, ought NOT to pass, on the petition (accompanied by bill, House, No. 591) of Roy Bercaw for legislation to further regulate experiments on vertebrates and the practice of vivisection and the dissection of animals in certain medical and educational institutions in the Commonwealth.

By Mr. Wagner of Chicopee, for the committee on Election Laws, ought NOT to pass, on the petition (accompanied by bill, House, No. 427) of Colleen M. Garry for legislation to further regulate the campaign finance laws.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 599) of Bruce J. Ayers for legislation to protect the rights of employees who have been appointed to serve as election officers.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2143) of Rachel Kaprielian, Steven A. Tolman and others for legislation to provide for ballots in Braille for blind voters.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2305) of Walter J. Ziobro, Jr., relative to providing for run-off elections for presidential electors.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2500) of Jarrett T. Barrios for legislation to change the date of the biennial state primaries.

By the same member, for the same committee, ought NOT to pass, on the petition

(accompanied by bill, House, No. 3083) of Gloria L. Fox, Shirley Owens-Hicks, Byron Rushing and Benjamin Swan relative to the eligibility of voters when their residence has changed.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3704) of Joseph C. Sullivan relative to radio, print and television advertising during the last two weeks of certain political campaigns.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3864) of Frank M. Hynes, Marie J. Parente, Brian M. Cresta and another for legislation to allow the distribution of unsigned election circulars or posters.

By Mrs. Parente of Milford, for the committee on Local Affairs, ought NOT to pass, on the petition (accompanied by bill, House, No. 2758) of Frank M. Hynes relative to planning boards' approvals of subdivision plans.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2941) of Frank M. Hynes relative to zoning appeals by abutting cities and towns.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3379) of George Foord for legislation to further regulate the height of live fences and the appointment of fence viewers by cities and towns.

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

Mr. Kujawski of Webster, for said committee, reported that the matters be scheduled for consideration by the House; and, under said rule, they were placed in the Orders of the Day for the next sitting, the question, in each instance, being on acceptance.

Engrossed Bill.

The engrossed Bill relative to the practice of public accountancy (see Senate, No. 369) (which originated in the Senate), 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.

Order.

On motion of Mr. Finneran of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at

eleven o'clock A.M.

At twenty-three minutes after eleven o'clock A.M., on motion of Mr. Verga of Gloucester (Mr. Casey of Winchester being in the Chair), the House adjourned, to meet on Wednesday next at eleven o'clock A.M.