

**JOURNAL OF THE HOUSE.**

Thursday, June 20, 2002.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Spellane of Worcester 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:

Lord God, upon Whom we depend for the intellectual and moral courage to make rational and ethical decisions, inspire us to select those personal and legislative options which are in accord with right reason, our own personal high standards and Your precepts. Help us to utilize the talents and the gifts which You bestow upon us as we struggle each day to carry out our many responsibilities. Our primary daily intention and desire is to remain faithful to You and Your ways. When we fail in this endeavor, we believe that Your assistance and forgiveness are always available for the asking.

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

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

#### *Resolutions.*

Resolutions (filed with the Clerk by Representatives Wolf of Cambridge, Barrios of Cambridge, Demakis of Boston and Toomey of Cambridge) congratulating Len Solo on the occasion of his retirement, were referred, under Rule 85, to the committee on Rules.

Mr. Scaccia 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. 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.

#### *Petitions.*

Petitions severally were presented and referred as follows:

By Mr. Connolly of Everett, petition (accompanied by bill, House, No. 5162) of Edward G. Connolly (with the approval of the mayor and city council) relative to establishing a four-year term for the office of mayor of the city of Everett;

By Mr. Miceli of Wilmington, petition (accompanied by bill, House, No. 5163) of James R. Miceli and Susan C. Tucker (by vote of the town) relative to the compensation of assessors in the town of Tewksbury; and

By Ms. Spilka of Ashland, petition (accompanied by bill, House, No. 5164) of Karen Spilka, Deborah D. Blummer and David P. Magnani (by vote of the town) relative to the attendance and the filling of vacancies of town meeting members in the town of Framingham;

Severally to the committee on Local Affairs.

By Mr. Locke of Wellesley, petition (accompanied by bill, House, No. 5165) of John A. Locke, Cynthia S. Creem and others (by vote of the town) that the retirement board be authorized to make a certain payment to the Carol Calder, widow of George Calder;

To the committee on Public Service.

By the same member, petition (accompanied by bill, House, No. 5166) of John A. Locke and Cynthia S. Creem (by vote of the town) relative to the interest rate and the gross receipts of those taxpayers granted an exemption on taxes on real estate in the town of Wellesley. To the committee on Taxation.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Bunker of Rutland, petition (subject to Joint Rule 12) of David C. Bunker and Harriette L. Chandler (by vote of the town ) for legislation to authorize the town of Holden to purchase water from the city of Worcester.

By Mr. Galvin of Canton, petition (subject to Joint Rule 12) of William C. Galvin for legislation to prohibit insurance surcharges for operating a motor vehicle without a valid inspection certificate.

By Mr. Marzilli of Arlington, petition (subject to Joint Rule 12) of J. James Marzilli, Jr., and other members of the House for legislation to abolish the Emergency Finance Board.

By Mr. Miceli of Wilmington, petition (subject to Joint Rule 12) of James R. Miceli and Susan C. Tucker (by vote of the town) relative to placing the name of Paul Thomas on the civil service list for police officer in the town of Tewksbury.

By Mr. Murphy of Weymouth (by request), petition (subject to Joint Rule 12) of Irving Murstein relative to eliminating severance packages to certain, state, city or town employees.

By the same member (by request), petition (subject to Joint Rule 12) of Irving Murstein relative to the posting of bonds by title insurance companies.

By the same member (by request), petition (subject to Joint Rule 12) of Irving Murstein relative to motor vehicle insurance premiums.

By the same member (by request), petition (subject to Joint Rule 12) of Irving Murstein relative to the licensing of street railway operators and subway motormen by the Registry of Motor Vehicles.

By the same member (by request), petition (subject to Joint Rule 12) of Irving Murstein relative to the MassHealth Program eligibility requirements.

By the same member (by request), petition (subject to Joint Rule 12) of Irving Murstein relative to transferring the Transportation Division of the Department of Telecommunications and Energy to the Registry of Motor Vehicles.

By the same member (by request), petition (subject to Joint Rule 12) of Irving Murstein relative to lists used for mailing by governmental agencies.

By Mr. Naughton of Clinton, petition (subject to Joint Rule 12) of Harold P. Naughton Jr., that the Teachers' Retirement Board be directed to grant certain creditable service to Ruthanne Adams.

By Mr. Sullivan of Braintree, petition (subject to Joint Rule 12) of Joseph C. Sullivan and other members of the General Court that the Registrar of Motor Vehicles be authorized to issue distinctive United We Stand license plates for the establishment of a fund to enhance the state-wide anti-terrorism unified response network.

By Mrs. Teahan of Whitman, petition (subject to Joint Rule 12) of Kathleen M. Teahan and Robert S. Creedon, Jr., relative to creditable service for retirement purposes for employees of the Massachusetts Bay Transportation Authority.

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

*Papers from the Senate.*

The House Bill authorizing the town of Truro to establish an affordable housing trust fund (House, No. 4477) came from the Senate passed to be engrossed, in concurrence, with an amendment by striking out section 3 and inserting in place thereof the following section:

“SECTION 3. The town may appropriate by a majority vote at any special or annual town meeting such sums as may be available in the Affordable Housing Trust Fund for specific capital purchases of land or buildings, and any acquisition or disposition of real property, for purposes related to affordable housing. The board of selectmen by a majority vote may authorize other expenditures from the Affordable Housing Trust Fund for purposes related to affordable housing.”; and by striking out section 5.

Under suspension of Rule 35, on motion of Mrs. Gomes of Harwich, 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.

**Bills**

Protecting consumers against additional charges resulting from new area codes (Senate, No. 433) (on a petition);

To allow access for people raising or training dogs for the purpose of becoming service dogs to assist people with disabilities (Senate, No. 1585) (on a petition);

Creating the crime of reckless endangerment to children (Senate, No. 2340) (on Senate bill, No.

2266);

Relative to aggravated assault and assault and battery on a child (Senate, No. 2365) (on Senate bill, No. 165);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Petition (accompanied by bill, Senate, No. 2367) of Michael W. Morrissey, A. Stephen Tobin, Ronald Mariano and Bruce J. Ayers (with the approval of the mayor and city council) for legislation relative to the issuance of bonds for Quincy Medical Center, Inc. To the committee on Local Affairs.

Petition (accompanied by bill, Senate, No. 2368) of Stanley C. Rosenberg for legislation to release certain land in Hatfield from the operation of an agricultural preservation restriction. To the committee on State Administration.

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 Bristol County Jail, Ash Street Facility, in the city of New Bedford;

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

Of the Suffolk County Jail, in the city of Boston;

Severally were spread upon the records of the House; and returned to the Senate.

#### *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 and Stanley C. Rosenberg (by vote of the town) that the housing authority of the town of South Hadley be authorized to retain the balance of money from the sale of certain property in said town. To the committee on Housing and Urban Development.

Petition (accompanied by bill) of Paul E. Caron and other members of the General Court relative to the appointment of certain persons as uniformed members of the State Police, notwithstanding the maximum age requirements; and

Petition (accompanied by bill) of Robert A. DeLeo and Robert E. Travaglini that the State Retirement Board be directed to pay certain retirement benefits to the surviving spouse of John Benker;

Severally to the committee on Public Service.

Petition (accompanied by bill) of Paul E. Caron, Daniel F. Keenan, Byron Rushing and Frank I. Smizik for legislation to delay implementation of the Department of Revenue's Directive 02-2, so-called, relative to discounts on retail sales of cigarettes. To the committee on Taxation.

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

By Mr. Cabral of New Bedford, for the committee on Human Services and Elderly Affairs, on House, Nos. 625, 1201, 2188, 3108 and 3113, an Order relative to authorizing the committee on Human Services and Elderly Affairs to make an investigation and study of certain House documents concerning low income family assistance (House, No. 5159).

By Mr. Verga of Gloucester, for the committee on Local Affairs, on House, No. 5092, an Order relative to authorizing the committee on Local Affairs to make an investigation and study of a certain House document concerning the appointment of a treasurer in the town of Boylston (House, No. 5157).

Severally 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, in each instance, asking to be discharged from further consideration of said orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Bosley of North Adams, for the committee on Government Regulations, on House, Nos. 130 and 132, a Bill relating to birth, marriage and death records (House, No. 5158). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Greene of Billerica, for the committee on Commerce and Labor, on Senate, No. 2318, a Bill providing for legislative review of consumer protection, environmental protection and housing and community development regulations (House, No. 5160).

By Mr. Mariano of Quincy, for the committee on Insurance, on a petition, a Bill relative to the Board of Appeal on Motor Vehicle Liability Policies and Bonds (House, No. 5080).

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

By Mr. Mariano of Quincy, for the committee on Insurance, that the recommitted Bill to clarify the inclusion of guaranteed products issued out of life insurance company separate accounts (printed as Senate, No. 746) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Verga of Gloucester, for the committee on Local Affairs, on a petition, a Bill relative to the charter of the town of Provincetown (House, No. 5057) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to the forming of a municipal golf course in the town of Bridgewater (House, No. 5094) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the city of Lowell to pay a certain unpaid bill (House, No. 5112) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to the membership of the conservation commission of the town of Marion (House, No. 5113). [Local Approval Received].

By the same member, for the same committee, on House, No. 4687, a Bill increasing the membership of the board of selectmen of the town of Canton from three to five members (House, No. 5161).

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

#### *Orders of the Day.*

##### Senate bills

Relative to election officers in towns (Senate, No. 353); and

Establishing a sick leave bank for Marilyn Anufrom, an employee of the Department of Mental Retardation (Senate, No. 1861, amended) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

##### House bills

Relative to a certain lease agreement of the city known as the town of Methuen (House, No. 5030); and

Authorizing the Commonwealth to convey certain land in the city of Boston (House, No. 5083) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee 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 Monday next at one o'clock P.M.

At thirteen minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Spellane of Worcester being in the Chair), the House adjourned, to meet on Monday next at one o'clock P.M., in an Informal Session.



