

JOURNAL OF THE HOUSE.

Thursday, June 21, 2001.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session.

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Almighty God, on this June day, the first day of the summer season, we take a moment from our hectic schedules to admire and enjoy the uniqueness and beauty of this wonderful season of the year. The mysteries of the vast universe and the special characteristics of the summer season remind us of Your, at times, mysterious ways and Your creative powers which are reflected throughout the world of creation. Inspire us to take time to recognize the blessings of the season and to thank You for this experience. The beginning of a new season reminds us of our responsibilities to protect and to enjoy the work of creation and to use it wisely for our benefit, enjoyment, and future generations.

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

At the request of the Speaker, 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, submitting recommendations for making certain appropriations for the fiscal year ending June 30, 2002, prior to final action on the General Appropriation Bill for said fiscal year (House, No. 4244) was filed in the office of the Clerk on Wednesday, June 20.

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 Gail Ensign;

Resolutions (filed by Mr. Brown of Wrentham) congratulating Mary Ellen Padula;

Resolutions (filed by Mr. Demakis of Boston) congratulating Arthur Altman on the occasion of his retirement;

Resolutions (filed by Messrs. Flynn of Bridgewater, O'Brien of Kingston and Nyman of Hanover) congratulating Paul A. Squarcia on the occasion of his retirement from the Silver

Lake Regional School District;

Resolutions (filed by Mr. George of Yarmouth) on the occasion of the two hundredth anniversary of the construction of the Jericho House in West Dennis;

Resolutions (filed by Mr. Hillman of Sturbridge) honoring Bill Bradley;

Resolutions (filed by Mr. Kennedy of Brockton) congratulating Mr. and Mrs. Robert J. Driscoll on the occasion of their fiftieth wedding anniversary;

Resolutions (filed by Mr. Quinn of Dartmouth) on the occasion of the fortieth anniversary of the founding of the Massachusetts Credit Union Share Insurance Corporation;

Resolutions (filed by Mr. Quinn of Dartmouth) congratulating Gilbert A. Madrigale on the occasion of his retirement;

Resolutions (filed by Mr. Rogers of Norwood) congratulating Francesco "Kid" Fratalia;

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 Royal L. Bolling, Sr.; and

Resolutions (filed by Mr. Walsh of Boston) congratulating James E. Lydon on the occasion of his retirement;

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

Communications.

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From the Office of the Inspector General submitting its annual report for the period ending April 30, 2001; and

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

Severally placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mrs. Creedon of Brockton, petition (accompanied by bill, House, No. 4253) of Geraldine Creedon, Robert S. Creedon, Jr., David L. Flynn and Jo Anne Sprague (by vote of the town) relative to veterans' benefits in the town of Easton. To the committee on Human Services and

Elderly Affairs.

By Mr. Hillman of Sturbridge, petition (accompanied by bill, House, No. 4245) of Reed V. Hillman and Stephen M. Brewer (by vote of the town) for legislation to authorize the town of Ware to pay certain insurance premiums for retired town employees. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Mr. Petrolati of Ludlow presented a petition (subject to Joint Rule 12) of Thomas M. Petrolati and Brian P. Lees relative to authorizing the Division of Fisheries and Wildlife to take or acquire conservation restrictions in and to lands of the water and sewer commission of the city of Springfield; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Jones of North Reading, 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.

Petitions severally were presented and referred, as follows:

By Mr. Fallon of Malden, petition (subject to Joint Rule 12) of Christopher G. Fallon relative to providing creditable service for persons who have served on zoning boards or conservation commissions.

By Mr. Atsalis of Barnstable (by request), petition (subject to Joint Rule 12) of Ken Moulton relative to liability for home inspections.

By Mr. Hillman of Sturbridge, petition (subject to Joint Rule 12) of Reed V. Hillman, Stephen M. Brewer and Thomas M. Petrolati relative to library internet filters.

By Mr. Smizik of Brookline, petition (subject to Joint Rule 12) of Frank I. Smizik and another relative to frivolous claims or bad faith claims and defenses in the district courts.

By Mr. Vallee of Franklin (by request), petition (subject to Joint Rule 12) of Laurence Brown relative to the issuance of firearms' licenses.

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

By Mr. Cahill of Beverly, for the committee on Housing and Urban Development, on Senate, Nos. 613, 615, 616, 617, 618, 623, 624, 630, 637, 638, 642, 643, 645 and 648 and House, Nos. 263, 264, 265, 266, 459, 461, 462, 819, 1021, 1193, 1395, 1396, 1953, 1956, 2177, 2178, 2179, 2321, 2322, 2323, 2324, 2325, 2326, 2527, 2528, 2529, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710, 2911, 3103, 3314, 3317, 3323, 3731, 3734, 3735, 3871, 3906 and 3937, a Bill to encourage the production and preservation of affordable housing in the Commonwealth (House, No. 4243). Read; and referred, under Joint Rule 29, to the committees on Rules of the two

branches, acting concurrently.

By Mr. Binienda of Worcester, for the committee on Energy, on a petition, a Bill relative to energy management services (printed as Senate, No. 362).

By the same member, for the same committee, on a petition, a Bill relative to energy management services (House, No. 1496).

By the same member, for the same committee, on a petition, a Bill creating an energy facilities site registry (House, No. 2153).

By the same member, for the same committee, on Senate, No. 1107 and House, No. 3917, a Bill to promote recycling and protect the environment in the Commonwealth of Massachusetts (House, No. 3917).

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

By Mr. Binienda of Worcester, for the committee on Energy, on House, Nos. 2513 and 2891, a Bill to prevent fraudulent redemption of empty containers subject to the bottle law (House, No. 2513) [Representative Coppola of Foxborough dissenting]. Read; and referred, under Rule 33B, to the committee on Science and Technology.

By Mr. Rogers of Norwood, for the committee on Ways and Means, that the Bill providing for improvements to the horse and greyhound racing industry in the Commonwealth and the regulation thereof (House, No. 4197) ought to pass with an amendment by substitution of a bill with the same title (House, No. 4254). 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; and, under said rule, it was placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending.

By Mr. Rogers of Norwood, for the committee on Ways and Means, that the following bills ought to pass:

The Senate Bill relative to gas or electric companies declaring stock or scrip dividend (Senate, No. 416); and

House bills

Bill Relative to the net school spending of the Southern Worcester County Regional Vocational School District (printed as Senate, No. 1864);

Bill Authorizing the transfer of a certain parcel of land in the town of North Reading (House, No. 356) [Local Approval Received];

Bill Amending the Uniform Commercial Code covering provisions dealing with secured

transactions (House, No. 2111); and

Bill Authorizing the city known as the town of Agawam to use certain parkland for school purposes (House, No. 3766) [Local Approval Received];

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 for a second reading.

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

House bills

Relative to the annual report to the Legislature on the banking industry by the Commissioner of Banks (House, No. 17);

Providing for the placement and display of a Johnny Appleseed statue (House, No. 1124);

To provide consumers additional coverage relative to private passenger automobile insurance (House, No. 1775, changed);

Relative to small group insurance (House, No. 2361);

Relative to the right of incarcerated felons to vote, (House, No. 2883);

Relative to the promotion of charitable giving in the Commonwealth (House, No. 2984);

Authorizing the town of Lancaster to place certain questions regarding the sale of alcoholic beverages on the town's election ballot (House, No. 4181) (Local Approval Received); and

Relative to written warnings (House, No. 4242);

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

By Mr. Binienda of Worcester, for the committee on Energy, on a petition, a Bill promoting the timely and orderly review of petitions to construct energy facilities (House, No. 2151).

By the same member, for the same committee, on House, No. 2503, a Bill to limit the siting of power generation plants (House, No. 4246).

By the same member, for the same committee, on House, No. 2504, a Bill redefining the mandate of the Energy Facilities Siting Board (House, No. 4247).

By the same member, for the same committee, on House, No. 2505, a Bill to promote technology performance standards for generation facilities (House, No. 4248).

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

By Mrs. Owens-Hicks of Boston, for the committee on Federal Financial Assistance, on House, Nos. 996 and 2892, Resolutions memorializing Congress to change the formula for certain Social Security benefits (House, No. 996). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency Measure.

The engrossed Bill allowing victims of violent crimes to testify at Parole Board hearings (see Senate, No. 1844), 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 3 to 0. Sent to the Senate for concurrence.

Orders of the Day.

Senate bills

Authorizing the town of Tewksbury to convey certain conservation land (Senate, No. 1047);

Relative to certain town ways in the town of Tewksbury (Senate, No. 1048); and

Validating actions taken at the annual town election of the town of Longmeadow (Senate, No. 1817) (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

Authorizing the city of Lowell to convey a certain parcel of public water supply land (House, No. 4054); and

Directing the Plymouth County Retirement Board to retire Dennis C. Malloy, a police officer of the town of Hanover (House, No. 4207);

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. Hynes of Marshfield,—

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

o'clock A.M.

At eighteen minutes after eleven o'clock A.M., on motion of Mr. Jones of North Reading, the House adjourned, to meet on Monday next at eleven o'clock A.M.