

JOURNAL OF THE HOUSE.

Monday, June 24, 2002.

Met according to adjournment, at one o'clock P.M., in an Informal Session, with Mr. Koutoujian of Newton 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, we believe and freely acknowledge that You alone are our Creator. We also believe that You alone are the ultimate source of goodness, compassion and forgiveness, and with Your assistance we try to implement these virtues and spiritual values in our daily living and in dealing with others. Inspire us to continue our efforts to address fairly and thoughtfully the numerous daily opportunities for serving You and others, particularly people who cannot care for themselves. In our diverse and complex society help us to unite people in seeking and pursuing goals and priorities which meet the needs of the times and of the people whom we represent.

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

At the request of the Chair (Mr. Koutoujian), 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, 2003, prior to final action on the General Appropriation Bill for said fiscal year (House, No. 5171) was filed in the office of the Clerk prior to today's sitting.

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.

Mr. Rogers of Norwood for said committee reported, on the foregoing message, a Bill making certain appropriations for the fiscal year ending June 30, 2003, prior to final action on the General Appropriation Bill for said fiscal year (printed in House, No. 5171), which was read [Total Appropriations: \$2,010,000.00]. 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.

Under suspension of the rules, on motion of Ms. Khan of Newton, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. Ruane of Salem, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. 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 Messrs. Mariano of Quincy and Murphy of Weymouth) congratulating Gloria Jean Burke on the occasion of her retirement; and

Resolutions (filed by Mr. Murphy of Burlington) recognizing the first annual National Service Day;

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

Communication.

A communication from the Commissioner of Banks (under Section 2A of Chapter 167 of the General Laws) submitting proposed regulations governing unfair and deceptive practices in consumer transactions (House, No. 5162) was referred to the committee on Banks and Banking. Sent to the Senate for concurrence.

Paper from the Senate.

A petition (accompanied by bill, Senate, No. 2366) of Richard T. Moore, James E. Vallee and Marie J. Parente (by vote of the town) for legislation to establish a senior citizen discount for solid waste removal in the town of Bellingham, was referred, in concurrence, to the committee on Local Affairs.

Reports of Committees.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill relative to mufflers (House, No. 3593),— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted.

Mr. Rogers of Norwood, for the committee on Ways and Means, on House No. 5106, reported, in part, a Bill making a certain fund transfer for fiscal year 2002 (House, No. 5172) [Total Fund Transfers: \$300,000,000.00]. Read; and 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.

Under suspension of the rules, on motion of Mr. Kaufman of Lexington, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. O'Brien of Kingston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Broadhurst of Methuen, for the committee on Science and Technology, that the Bill relating to mercury reduction and education (House, No. 4717) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5173). Referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

By Mr. Mariano of Quincy, for the committee on Insurance, that the recommitted Bill further regulating the sale of insurance by motor vehicle rental companies (House, No. 4636) ought to pass with an amendment substituting therefor a Bill relative to protection offered in connection with rental agreements (House, No. 5174). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

By Miss Garry of Dracut, for the committee on Counties on the part of the House, that the Bill relative to displaced workers (House, No. 5040) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

By Mr. Cabral of New Bedford, for the committee on Human Services and Elderly Affairs, on a petition, a Bill relative to foster care for adults (House, No. 3872).

By Mr. Casey of Winchester, for the committee on Taxation, on House, No. 5117, a Bill relative to several federal tax changes (House, No. 5175). Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Emergency Measures.

The engrossed Bill designating the official MIA/POW memorial of the Commonwealth (see Senate, No. 1607), 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 4 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill making certain fund transfers for the fiscal year 2002 (see House, No. 5172), 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.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

The engrossed Bill validating action taken at the special town meetings held by the town of Manchester-by-the-Sea (see printed in House, No. 5077) (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 (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Engrossed bills

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

Designating Civilian Conservation Corps Day (see Senate, No. 409, amended);

(Which severally originated in the Senate);

Relative to community preservation of historic resources (see House bill printed in Senate, No. 2343);

Relative to assistant town clerks in certain towns (see House, No. 3151);

Relative to the employment of certain minors (see House, No. 4310, amended);

Authorizing the town of Truro to establish an affordable housing trust fund (see House, No. 4477, amended);

Authorizing Quincy College to adopt a six-year tenure system (see House, No. 4695);

Providing for a memorial on the USS Massachusetts to honor those individuals from the Commonwealth who were victims of the September 11, 2001 attack on America (see House, No. 4974); and

Making certain appropriations for the fiscal year ending June 30, 2003, before final action on the General Appropriation Bill for that fiscal year (see printed in House, No. 5171);

(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.

The Senate Bill designating the official MIA/POW memorial of the Commonwealth (Senate, No. 1607), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

The House Bill establishing a sick leave bank for Robin Tirrell McCree, an employee of the District Court Department of the Trial Court (House, No. 4938) (its title having been changed by the committee on Bills in the Third Reading) was read a third time.

Said committee reported recommending that the bill be amended by inserting before the enacting clause the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the trial court of the Commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendment was adopted; and the bill (House, No. 4938, amended) was passed to be engrossed. 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 tomorrow at eleven o'clock A.M.

At twenty-two minutes after three o'clock P.M., on motion of Ms. Rogeness of Longmeadow (Mr. Koutoujian of Newton being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M.