

**JOURNAL OF THE HOUSE.**

Monday, August 13, 2001.

Met according to adjournment, at eleven o'clock A.M., in Room A-1 of the State House Extension, in an Informal Session, with Mr. O'Flaherty of Chelsea 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:

Gracious and Merciful God, we believe in You, Your reality and Your personal concern for each of us. So with confidence we place our full trust in You, Our Creator, and in Your, at times, mysterious ways. In Your goodness, help us to remain faithful to You and Your spiritual values in both prosperous and trying times as we respond to daily obligations in this changing world. Inspire us to continue to build a society and communities in which all people have the opportunity of participating in and enjoying our material blessings and our resources. As elected leaders, guide our efforts to have a clear focus of present issues, a realistic vision of future issues, and a commitment to resolving complex issues in a mature and reasonable manner.

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

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

*Silent Prayer.*

The House then stood in a moment of silent prayer, at the request of Mr. O'Brien of Kingston, in sympathy for the parents, Mary and Michael Rizzo, the brothers, Elliot and Nick Rizzo, and the many other family members and friends; and in memory of Jonathan Rizzo, a nineteen-year-old from an active and well respected Kingston family, who met an untimely death two weeks ago during a carjacking. Jonathan, who had been a student at George Washington University, and a graduate of Boston College High School, will be remembered for his kindness and his joy.

*Messages from the Acting Governor.*

A message from Her Honor the Lieutenant-Governor, Acting Governor, recommending legislation relative to the terms of certain bonds issued by the Commonwealth (House, No. 4458) was filed in the office of the Clerk on Friday, August 10.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Long-Term Debt and Capital Expenditures.

A message from Her Honor the Lieutenant-Governor, Acting Governor, recommending legislation relative to extending simulcast wagering of horse and dog racing (House, No. 4459) was filed this day in the office of the Clerk.

The message was read; and it was referred, on motion of Mr. Festa of Melrose, with the

accompanying draft of a bill, to the committee on Rules.

Mr. Scaccia of Boston, for said committee, reported on the foregoing message, a Bill relative to extending simulcast wagering of horse and dog racing (printed in House, No. 4459), which was read.

Under suspension of the rules, on further motions of Mr. Festa, the bill was read a second and a third time forthwith.

Pending the question on passing the bill to be engrossed, the same member moved that it 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 forthwith extend simulcast wagering of horse and dog racing, 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 (printed in House, No. 4459, amended) 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 Mr. Atsalis of Barnstable) congratulating William James Erhard II on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mrs. Parente of Milford) congratulating the Milford American Legion Post #59 baseball team;

Mr. Scaccia 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. Hart of Boston, 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.*

The semi-annual report of the Insurance Fraud Bureau (under the provisions of Section 99(k) of Chapter 398 of the Acts of 1991) on the disposition of matters referred to said bureau; and

The bi-monthly report of the Massachusetts Turnpike Authority (under the provisions of Section 178 of Chapter 653 of the Acts of 1989) of the cost for the Central Artery/Third Harbor Tunnel Project;

Severally were read for the information of the House; and sent to the Senate for its information.

The annual report of the committee on Long-Term Debt and Capital Expenditures (under the

provision of House Rule 17D) for the year 2001, was placed on file.

*Petitions.*

Petitions severally were presented and referred as follows:

By Mr. Sullivan of Braintree, petition (accompanied by bill, House, No. 4461) of Joseph C. Sullivan (by vote of the town) relative to the enhanced emergency telephone system in the town of Braintree. To the committee on Government Regulations.

By Ms. Story of Amherst, petition (accompanied by bill, House, No. 4462) of Ellen Story and Stanley C. Rosenberg (by vote of the town) relative to authorizing the town of Amherst to acquire easements and to construct thereon sewerage pumping stations and related facilities. To the committee on Local Affairs.

By Ms. Blumer of Framingham, petition (accompanied by bill, House, No. 4463) of Deborah D. Blumer and David P. Magnani (by vote of the town) that the town of Framingham be authorized to establish an elderly discount program for water and sewer rates. To the committee on Natural Resources and Agriculture.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Connolly of Everett, petition (subject to Joint Rule 12) of Edward G. Connolly and Brian Knuuttila relative to the collection of past due restitution by the commissioner of probation.

By Mr. Kane of Holyoke, petition (subject to Joint Rule 12) of Michael F. Kane and Michael R. Knapik that the Division of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land in the city of Holyoke.

By Mr. Kujawski of Webster, petition (subject to Joint Rule 12) of Paul Kujawski relative to reprecincting.

By Mr. Loscocco of Holliston, petition (subject to Joint Rule 12) of Paul J. P. Loscocco relative to secured transactions within the Uniform Commercial Code.

By Mr. Scaccia of Boston, petition (subject to Joint Rule 12) of Angelo M. Scaccia relative to increasing school safety.

By Mr. Straus of Mattapoisett, petition (subject to Joint Rule 12) of William M. Straus and Steven A. Tolman relative to the privacy rights of certain customers of supermarkets.

By the same member, petition (subject to Joint Rule 12) of William M. Straus relative to the privacy rights of certain customers.

By Mr. Wagner of Chicopee, petition (subject to Joint Rule 12) of Joseph F. Wagner and other

members of the General Court relative to the designation of a portion of Route 391, as the Korean Veterans Memorial Highway.

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

*Paper from the Senate.*

A Bill clarifying that the minimum wage law applies to governmental employers (Senate, No. 2075) (on Senate, No. 107), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

*Reports of Committees.*

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Insurance to make an investigation and study of certain Senate and House documents concerning hospitals, health maintenance organizations and providers of medical services (House, No. 4375), reported, in part, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 783) of Steven A. Tolman and Dianne Wilkerson for legislation to increase consumer access to licensed marriage and family therapy; and

Of the petition (accompanied by bill, House, No. 2346) of Nancy Flavin and other members of the House relative to improving access to cost effective marriages and family services;

And recommending that the same severally be referred to the committee on Ways and Means.

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

By Mr. Greene of Billerica, for the committee on Commerce and Labor, on a petition, a Bill relative to child labor laws (printed as Senate, No. 2104), which was read.

Under suspension of the rules, on motions of Mr. Ruane of Salem, the bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith.

Pending the question on passing the bill to be engrossed, the same member moved that it 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 regulate the child labor laws in the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”; and by striking out section 2 and inserting in place thereof the following section:*

*“SECTION 2. This act shall expire on September 17, 2001.”.*

The amendments were adopted; and the bill (printed as Senate, No. 2104, amended) was passed

to be engrossed. Sent to the Senate for concurrence.

*Engrossed Bills.*

Engrossed bills

Authorizing the city of Medford to grant certain licenses (see Senate, No. 1898) (which originated in the Senate);

Establishing a police technology fund in the town of Hull (see House, No. 3763);

Authorizing certain borrowing by the town of Cohasset (see House, No. 4013); and

Establishing the position of town manager in the town of Weston (see House, No. 4016);

(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.

*Recess.*

At twenty-one minutes before one o'clock P.M., the Chair (Mr. O'Flaherty of Chelsea) declared a recess subject to the call of the Chair; and at twenty minutes after one o'clock, the House was called to order with Mr. O'Flaherty in the Chair.

*Emergency Measures.*

The engrossed Bill suspending certain child labor laws (see House bill printed as Senate, No. 2104, 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 2 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.

The engrossed Bill relative to extending simulcast wagering of horse and dog racing (see House bill printed in House, No. 4459, 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 2 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.

*Order.*

On motion of Ms. Rogeness of Longmeadow,—

*Ordered*, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M., in Room A-1.

At nineteen minutes before two o'clock P.M., on motion of Ms. Rogeness (Mr. O'Flaherty of Chelsea being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in Room A-1, in an Informal Session.

