

**JOURNAL OF THE HOUSE.**

Thursday, August 16, 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:

Holy Spirit of God, we focus our thoughts and attention on You during this moment of prayer. May the religious fervor and the reality of Your presence at this moment remain in our hearts and minds throughout the day. In Your goodness, inspire us, elected officials, to make thoughtful and rational decisions and to strengthen our religious commitment to remain faithful to You and to the religious principles which You have made known to us. Grant us the wisdom and the good sense to be prudent, ethical and creative leaders in whom the people have confidence and trust.

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.

#### *Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Ms. Flavin of Easthampton) congratulating the Easthampton Junior Division All-Star Team on its successful season;

Resolutions (filed by Representatives George of Yarmouth and Gomes of Harwich) congratulating the Cape Playhouse on the occasion of its seventy-fifth anniversary;

Resolutions (filed by Mr. LeDuc of Marlborough) congratulating Francis H. Zanca on the occasion of his retirement; and

Resolutions (filed by Messrs. McGee of Lynn and Petersen of Marblehead) congratulating Police Chief John Ernest Toomey 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. Connolly of Everett, 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. Straus of Mattapoisett, petition (accompanied by bill, House, No. 4473) of Winfred A. Eckenreiter, William M. Straus, Mark C. Montigny and others (by vote of the town) relative to recall elections in the town of Fairhaven; and

By Mr. Vallee of Franklin, petition (accompanied by bill, House, No. 4474) of James E. Vallee and David P. Magnani (by vote of the town) relative to voting precincts in the town of Franklin;

Severally to the committee on Election Laws.

By Mrs. Gomes of Harwich, petition (accompanied by bill, House, No. 4475) of Shirley Gomes and Robert O'Leary (by vote of the town) that the town of Truro be authorized to hold a license for the sale of all alcoholic beverages to be drunk on the premises of the public golf course clubhouse. To the committee on Government Regulations.

By the same member, petition (accompanied by bill, House, No. 4476) of Shirley Gomes and Robert O'Leary (by vote of the town) relative to the expenditure of funds for affordable housing in the town of Truro;

By the same member, petition (accompanied by bill, House, No. 4477) of Shirley Gomes and Robert O'Leary (by vote of the town) relative to establishing an affordable housing trust fund in the town of Truro; and

By Ms. Kaprielian of Watertown, petition (accompanied by bill, House, No. 4478) of Rachel Kaprielian and Steven A. Tolman (by vote of the town council) relative to amending the charter of the city known as the town of Watertown;

Severally to the committee on Local Affairs.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Brown of Wrentham, petition (subject to Joint Rule 12) of Scott P. Brown, David Paul Linsky and Cheryl Jacques (by vote of the town) that the town of Millis be authorized to establish a community preservation account.

By Mr. Falzone of Saugus, petition (subject to Joint Rule 12) of Mark V. Falzone and Edward J. Clancy, Jr., relative to designating certain bridges in the town of Saugus in honor of certain veterans of said town.

By Mr. Sullivan of Fall River, petition (subject to Joint Rule 12) of David B. Sullivan and Joan M. Menard relative to designating a certain bridge in the city of Fall River as the Richard Magan Memorial Bridge.

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

*Papers from the Senate.*

A Bill providing requirements for appointment of the chief of police of the city of Revere (Senate, No. 1886) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

A petition (accompanied by bill, Senate, No. 2105) of David P. Magnani (by vote of the town) for legislation relative to the Ashland home rule charter, 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, that the Senate Bill designating a certain intersection in the town of Webster as the Elks Memorial Square (Senate, No. 1772) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Donato of Medford, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill to protect the public health by banning the public distribution of free smoking or tobacco products for commercial purposes (House, No. 235) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mrs. Walrath of Stow, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill relative to consumer product pricing practices (House, No. 2837) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mrs. Teahan of Whitman, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill relative to consumer product pricing practices (House, No. 2838) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Demakis of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill providing for an executive director of city services in the city of Everett (House, No. 4289) [Local Approval Received] be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Connolly of Everett, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Uxbridge to establish a capital improvement fund (House, No. 4294) [Local Approval Received] be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mrs. Walrath of Stow, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Cahill of Beverly, for the committee on Housing and Urban Development, on a petition, a Bill designating the conference room in the Everett Allied Rink as the Michael V. Fonzi Memorial Room (House, No. 4269), which was read.

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

By Mr. Koczera of New Bedford, for the committee on Natural Resources and Agriculture, on a petition, a Bill relative to the Hillcrest Sewer District (House, No. 4363). 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. Donato of Medford, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Greene of Billerica, for the committee on Commerce and Labor, on House, Nos. 8, 65, 952, 1158, 1536 and 3039, an Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain House documents concerning motor vehicle laws and other related matters (House, No. 4464).

By the same member, for the same committee, on House, Nos. 232, 465, 3241, 4095 and 4096, an Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain House documents concerning labor standards, workers' compensation and unemployment insurance (House, No. 4465).

By the same member, for the same committee, on House, Nos. 407 and 3250, an Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain House documents concerning landlord/tenants matters (House, No. 4466).

By the same member, for the same committee, on House, Nos. 578, 769, 2108 and 3041, an Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain House documents concerning wages and other related matters (House, No. 4467).

By the same member, for the same committee, on House, No. 4267, an Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of a

certain House document concerning unemployment compensation and other related matters (House, No. 4468).

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 the 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 Ms. Stanley of West Newbury, for the committee on Health Care, on a petition, a Resolve providing for an investigation and study by a special commission relative to local boards of health (House, No. 3290). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Ms. Stanley of West Newbury, for the committee on Health Care, on House, Nos. 130 and 135, a Bill relative to tuberculosis screening in lower risk populations (House, No. 135).

By the same member, for the same committee, on a petition, a Bill further regulating certain prescription drugs (House, No. 446).

By the same member, for the same committee, on a petition, a Bill relative to liability insurance payments (House, No. 2315).

By the same member, for the same committee, on Senate, No. 516 and House, No. 2693, a Bill establishing an advisory council on quality of care in nursing homes (House, No. 2693).

By the same member, for the same committee, on a petition, a Bill establishing employment standards for public employees dealing with bloodborne pathogens (House, No. 2698).

By the same member, for the same committee, on a petition, a Bill regulating the storage and removal of dead bodies from nursing homes, rest homes and long term care facilities (House, No. 2904).

By the same member, for the same committee, on a petition, a Bill to encourage and maintain family councils in nursing homes (House, No. 3306).

By the same member, for the same committee, on a petition, a Bill establishing a state renal plan (House, No. 3716).

By the same member, for the same committee, on Senate, Nos. 474 and 507 and House, Nos. 1589, 3301, 3302, 3303 and 3931, a Bill regarding equal choice of long-term care settings (House, No. 4469).

By the same member, for the same committee, on Senate, Nos. 497 and 586 and House, Nos. 1018, 1019, 2523 and 3536, a Bill concerning aftercare for elderly persons receiving short-term hospital care (House, No. 4470).

By Ms. Kaprielian of Watertown, for the same committee, on Senate, No. 593 and House, Nos. 1389, 2692, 2907, 3296, 3540 and 3726, a Bill prohibiting the sale of tobacco products to and possession by persons under 18 (House, No. 4471).

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

*Engrossed Bill.*

The engrossed Bill authorizing the town of West Boylston to establish a department of public works (see House, No. 4152) (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; 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 Monday next at eleven o'clock A.M., in Room A-1.

At twenty-nine minutes before twelve o'clock noon, on motion of Mrs. Teahan of Whitman (Mr. O'Flaherty of Chelsea being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in Room A-1, in an Informal Session.

