

**JOURNAL OF THE HOUSE.**  
**Monday, August 19, 2002.**

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford 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, Our Creator and the Ultimate Ruler of the Universe, we take this moment to focus our attention and thoughts on You. We believe in You and place our trust in You and in Your personal concern for our total well-being. Strengthened by Your assistance and motivated by our own good intentions, we try each day to serve You and to live each day according to Your ways and teachings. Sometimes we are successful and sometimes we fail. In Your kindness, help us to deepen our commitment to You, so that our lives will move in the right direction and have a rock-solid purpose.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), 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 Mr. Fagan of Taunton) congratulating Mr. and Mrs. Edward Cayton on the occasion of their 60th wedding anniversary; and

Resolutions (filed by Mr. Linsky of Natick) congratulating Aashray Kannan on receiving the Eagle Award of the Boy Scouts of America;

Mr. DiMasi 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. Falzone of Saugus, 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 Secretary of the Executive Office for Administration and Finance (under Section 3B of Chapter 7 of the General Laws) transmitting notice of the Secretary's intention to amend certain CMR regulations relative to fees charged for the transport of waste oils, was read for the information of the House; and it was placed on file.

*Annual Report.*

The annual report of the Massachusetts Turnpike Authority (under Section 20 of Chapter 81A of the General Laws) of its activities for the calendar year 2001, was placed on file.

*Petitions.*

Petitions severally were presented and referred as follows:

By Mr. Casey of Winchester, petition (accompanied by bill, House, No. 5313) of Paul C. Casey and Charles E. Shannon (by vote of the town) that the town of Winchester be authorized to borrow money outside its debt limit for payment of costs associated with flood remediation and prevention improvements;

By Mrs. Cleven of Chelmsford, petition (accompanied by bill, House, No. 5314) of Carol C. Cleven and Susan C. Fargo (by vote of the town) that the town of Carlisle be authorized to grant certain conservation restrictions to the trustees of reservations; and

By Mr. Kelly of Dalton, petition (accompanied by bill, House, No. 5315) of Shaun P. Kelly and Andrea F. Nuciforo, Jr. (by vote of the town) relative to the appointment of assessors and a town treasurer-collector in the town of Chester;

Severally to the committee on Local Affairs.

By Mr. O'Brien of Kingston, petition (accompanied by bill, House, No. 5316) of Thomas J. O'Brien, Ruth W. Provost and Marc R. Pacheco (by vote of the town) that the town of Carver be authorized to transfer certain taxes collected to the conservation fund of said town. To the committee on Taxation.

Severally sent to the Senate for concurrence.

Ms. Lewis of Dedham presented a petition (subject to Joint Rule 12) of Maryanne Lewis and James M. Murphy for legislation to authorize the Trial Court Department to establish a sick leave bank for Kevin J. Welch, an employee of the Boston Municipal Court; 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 Mrs. Teahan of Whitman, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Mr. Naughton of Clinton presented a petition (subject to Joint Rule 12) of Harold P. Naughton, Jr., relative to the vacation rights of John J. McAuliffe, an employee of the Trial Court Department; and the same was referred, under Rule 24, to the committee on Rules.

*Papers from the Senate.*

The House Bill relative to the promotion of charitable giving in the Commonwealth (House, No. 2984) came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the following:

“Chapter 6 of the General Laws is hereby amended by inserting after section 15KKKK, inserted by chapter 107 of the acts of 2001, the following section:—

Section 15LLLL. The governor shall annually issue a proclamation setting apart November 15 as Philanthropy Day and recommending that those public and private organizations and individuals strongly influencing and promoting philanthropic activities within the commonwealth be recognized and that the day be observed in an appropriate manner by the people.”; and by striking out the title and inserting in place thereof the following title: “An Act

relative to the annual observance of Philanthropy Day.” (as changed by the committee on Bills in the Third Reading).

Under suspension of Rule 35, on motion of Mr. Jones of North Reading, the amendments (reported by said committee to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

A Bill authorizing the city of Revere to pay the funeral and burial expenses of city of Revere police patrolman James Hitaffer (Senate, No. 2369) (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.

#### *Reports of Committees.*

By Mr. Rogers of Norwood, for the committee on Ways and Means, that the Bill relative to bank and credit union employees retirement associations (Senate, No. 2338, amended) ought to pass. 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 Rule 7A, on motion of Mr. Murphy of Burlington, the bill was read a second time forthwith; and it was ordered to a third reading.

#### *Engrossed Bills.*

Engrossed bills

Authorizing affordable housing covenants in the town of Nantucket (see Senate, No. 2006, amended);

Authorizing the town of Brewster to establish a road betterment fund (see Senate, No. 2273); and

Relative to voting precincts in the city of Revere (see Senate, No. 2400);

(Which severally originated in the Senate);

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 engrossed Bill relative to affordable housing in the town of Truro (see House, No. 4476) (which had been returned to the House by Her Honor the Lieutenant-Governor, Acting Governor, with recommendation of amendment) (for message, see House, No. 5308), was considered.

The amendment recommended by the Acting Governor then was adopted in the following form (as approved by the committee on Bills in the Third Reading):

By striking out section 2 and inserting in place thereof the following section:

“SECTION 2. This act shall be submitted to the voters of the town of Truro at the next annual or special town election in the form of the following question which shall be placed on the official ballot to be used at the election in the following manner:—

Shall an act passed by the general court in the year 2002, entitled ‘An Act relative to affordable housing in the town of Truro’, be accepted?

If a majority of the votes cast in answer to such question is in the affirmative, this act shall thereupon take full effect, but not otherwise.”  
Sent to the Senate for concurrence.

House bills

Authorizing the town of Lexington to establish a post retirement insurance liability fund (House, No. 4856); and  
Establishing a department of finance and budget in the town of Lancaster (House, No. 5185);  
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. Ruane of Salem,—

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

At fourteen minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.