

JOURNAL OF THE HOUSE.
Thursday, August 22, 2002.

Met at eight minutes after eleven o'clock A.M., in an Informal Session, with Mr. Rodrigues of Westport 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: God of Goodness and Compassion, in a spirit of humility, we open our hearts and minds to You as we pray for Your guidance and direction during the hours of this and every day. Your assistance enables us to recognize and comprehend the full content of the day's issues and strengthens our resolve to offer You and the people our best and most sincere legislative efforts. In Your goodness, teach us to continue holding our high ideals, noble goals and traditional ethical standards as we carry out our responsibilities. Inspire us as a people and nation to build trust and confidence in You, in each other and in our basic institutions.

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

At the request of the Chair (Mr. Rodrigues), 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. Kennedy of Brockton) congratulating Michael Byrne on the joyous occasion of the observance of his 90th birthday; and

Resolutions (filed by Mr. Swan of Springfield) congratulating Viola S. Goodman on the occasion of her 90th birthday;

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 Mrs. Teahan of Whitman, 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. Bradley of Hingham, petition (subject to Joint Rule 12) of Garrett J. Bradley (by vote of the town) relative to authorizing the town of Hull to lease certain portions of Nantasket Pier and abutting shore land, notwithstanding provisions of the uniform procurement law.

By the same member, petition (subject to Joint Rule 12) of Garrett J. Bradley (by vote of the town) relative to authorizing the town of Hull to enter into lease agreements for Nantasket Pier and Pemberton Pier, notwithstanding provisions of the uniform procurement law. Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

The House Bill further regulating the licensing of public insurance adjusters (House, No. 1211, amended) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2449.

Under suspension of Rule 35, on motion of Ms. Wolf of Cambridge, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

The engrossed Bill relative to safety of school sponsored travel (see House, No. 4937) came from the Senate with an amendment in section 3 (added by change by the Senate committee on Bills in the Third Reading), in line 1, striking out the word “selectmen” and inserting in place thereof the word “education”.

Under suspension of Rule 35, on motion of Ms. Wolf of Cambridge, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Reports of Committees.

By Ms. Atkins of Concord, for the committee on Election Laws, on a petition, a Bill relative to the taxation of real property in the city of Attleboro (House, No. 5291, changed in line 11 by inserting after the word “otherwise” the following: “; provided further that in order to comply with the printing contract schedule this bill must be enacted and signed into law no later than September 6, 2002”) [Local Approval Received]. 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. Lepper of Attleboro, the bill was read a second time forthwith; and it was ordered to a third reading. Subsequently under suspension of the rules, on further motion of the same member, 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. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill relative to payment of certain medical expenses of retired Boston firefighter Charles

J. Kelley (House, No. 4626) [Local Approval Received] be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kulik of Worthington, 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 the interest rate and the gross receipts of those taxpayers granted an exemption on taxes on real estate in the town of Wellesley (House, No. 5166) [Local Approval Received] be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Casey of Winchester, 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 establishing the position of treasurer-collector in the town of North Attleborough (House, No. 5231) [Local Approval Received] be scheduled for consideration by the House. Under suspension of Rule 7A, on motion of Mr. Lepper of Attleboro, 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 Leona S. Ferrara to take the civil service examination for firefighter in the town of Mansfield notwithstanding maximum age requirement (House, No. 5232) [Local Approval Received] be scheduled for consideration by the House.

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

Engrossed Bills.

Engrossed bills

Relative to the annual observance of Philanthropy Day (see House, No. 2984, amended);
Validating action taken at the special town meeting held by the town of Lancaster (see House, No. 5184);

Relative to the charter of the city of Attleboro (see House, No. 5204, changed); and

Relative to the payment of certain health insurance premiums by the town of Winthrop (see House, No. 5211);

(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 establishing the crime of reckless endangerment to children (Senate, No. 2340, amended) (its title having been changed by the committee on Bills in the Third Reading),

reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment previously adopted by the House.

The Senate Bill relative to the position of Deputy Fire Chief in the town of Athol (Senate, No. 2251), 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.

House bills

Authorizing the town of Sudbury to regulate certain property tax exemption eligibility requirements for the elderly (House, No. 5051);

Relative to the forming of a municipal golf course in the town of Bridgewater (House, No. 5094);

Designating a certain bridge in the town of North Attleborough as the Women War Veterans of North Attleborough Memorial Bridge (House, No. 5156);

Relative to acceptance of the municipal early retirement incentive by the town of Westport (printed in House, No. 5194); and

Relative to the civil service status of the positions of director of police services and director of fire services in the town of Arlington (House, No. 5233) (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. Severally sent to the Senate for concurrence.

Recesses.

At sixteen minutes before twelve o'clock noon, on motion of Mr. Peterson of Grafton (Mr. Rodrigues of Westport being in the Chair), the House recessed until one o'clock P.M.; and at that time the House was called to order with Mr. Rodrigues in the Chair.

The House thereupon took a further recess, on further motion of Mr. Peterson, until a quarter before one o'clock; and at two minutes before one o'clock the House was called to order with Mr. DiMasi of Boston in the Chair.

The House thereupon took a further recess, on motion of Mr. Rodrigues of Westport, until three o'clock; and at twenty-nine minutes after three o'clock the House was called to order with Mr. DiMasi in the Chair.

The House thereupon took a further recess, on motion of Mr. Falzone of Saugus, until four o'clock; and at twenty-eight minutes after four o'clock the House was called to order with Mr. DiMasi in the Chair.

Engrossed Bill.

The engrossed Bill relative to the position of Deputy Fire Chief in the town of Athol (see Senate, No. 2251) (which originated in the Senate), 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.

Orders of the Day.

The House Bill making appropriations for the fiscal year 2002 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5239), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Rogers of Norwood moved that it be amended by substitution of a bill with the same title (House, No. 5317), which was read. The amendment was adopted; and the substituted bill was passed to be engrossed. Mr. Peterson moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill then was sent to the Senate for concurrence.

Recess.

At twelve minutes before five o'clock P.M., on motion of Mr. Falzone of Saugus (Mr. DiMasi of Boston being in the Chair), the House recessed subject to the call of the Chair; and at twenty-eight minutes after six o'clock the House was called to order with Mr. Falzone of Saugus in the Chair.

Paper from the Senate.

The House Bill making appropriations for the fiscal year 2002 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5317) came from the Senate passed to be engrossed, in concurrence, with an amendment inserting after section 22 the following section:

“SECTION 22A. Item 4000-0300 of said section 2 of said chapter 177 is hereby amended by striking out the figure “\$140,000,000” and inserting in place thereof the following figure: “\$186,000,000.”.

Under suspension of the rules, on motion of Mr. Peterson of Grafton, the amendment was considered forthwith; and it was adopted, in concurrence.

Emergency Measure.

The engrossed Bill making appropriations for the fiscal year 2002 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5317, 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 8 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 Mr. Finneran of Boston,—

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

Messrs. Tobin of Quincy, Mariano of Quincy and Ayers of Quincy then moved that as a mark of respect to the memory of Paul D. Harold, a member of the Senate from 1979 to 1992, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at seven minutes before seven o'clock P.M., on motion of Mr. Peterson of Grafton, (Mr. Falzone of Saugus being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.