

## **JOURNAL OF THE HOUSE.**

Tuesday, September 3, 2002.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mrs. Walrath of Stow 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, we depend upon Your guidance for direction in our daily struggle to serve You and the people who depend upon good judgments in legislative matters. With Your assistance, we are enabled to select the very best available personal and legislative options. As we are about to enter a new season of the year, teach us to revisit our present goals and priorities. At the beginning of this new academic year, our prayers, hopes and best wishes are with all students across the Commonwealth. Let the significance and implementation of human and spiritual values in daily life and in the learning process remain high on the agenda of the education establishment and students. In the years ahead, may the common good be served by the success and creativity of today's students.

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

At the request of the Chair (Mrs. Walrath), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

### *Message from the Acting Governor.*

A message from Her Honor the Lieutenant-Governor, Acting Governor, recommending legislation relative to making technical corrections to items of appropriation (House, No. 5324) was filed in the office of the Clerk on Friday, August 30.

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.

### *Petition.*

Mr. Donato of Medford presented a petition (accompanied by bill, House, No. 5323) of Paul J. Donato, J. James Marzilli, Jr., and Charles E. Shannon (with the approval of the mayor and city council) that the Secretary of the Commonwealth be directed to place a certain question on the biennial state election ballot in the city of Medford in the current year concerning alcoholic beverage licenses for restaurants; and the same was referred to the committee on Election Laws. Sent to the Senate for concurrence.

### *Papers from the Senate.*

The Senate Bill providing protections against terrorism (Senate, No. 2122, amended) came

from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5272) with further amendments (text of Senate further amendments contained in Senate document numbered 2460).

Under suspension of the rules, on motion of Mr. Tobin of Quincy, the further amendments were considered forthwith.

The same member then moved that the House concur with the Senate in its further amendments with a still further amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5322.

The still further amendment was adopted. The House then concurred with the Senate in its further amendments, as amended. Sent to the Senate for concurrence in the still further amendment.

The House Bill establishing a department of finance and budget in the town of Lancaster (House, No. 5185) came from the Senate passed to be engrossed, in concurrence, with an amendment in section 7, in line 3, striking out the word “shall” and inserting in place thereof the word “may”.

Under suspension of Rule 35, on motion of Mr. Hargraves of Groton, 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.

#### *Report of a Committee.*

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing the city of Revere to pay the funeral and burial expenses of city of Revere police patrolman James Hitaffer (Senate, No. 2369) [Local Approval Received] 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.

#### *Engrossed Bills.*

The engrossed Bill establishing a paid leave bank for a certain employee of the Department of Social Services (see House, No. 5073, amended) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill relative to acceptance of the municipal early retirement incentive by the town of Westport (see House bill printed in House, No. 5194, changed) (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

Directing the Secretary of the Commonwealth to place a certain nonbinding question on the biennial state election ballot in the city of Holyoke (see Senate, No. 2320, changed) (which originated in the Senate); and

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

## House bills

Relative to representative town government in Framingham (House, No. 5164, changed); and

Establishing the position of treasurer-collector in the town of North Attleborough (House, No. 5231) (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.

### *Recess.*

At nine minutes after twelve o'clock noon, the Chair (Mrs. Walrath of Stow) declared a recess subject to the call of the Chair; and at thirteen minutes after two o'clock P.M. the House was called to order with Mrs. Walrath in the Chair.

### *Emergency Measure.*

The engrossed Bill providing protections against terrorism (see Senate, No. 2122, 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 9 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.

### *Engrossed Bill.*

The engrossed Bill establishing a department of finance and budget in the town of Lancaster (see House, No. 5185, amended) (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 Thursday next at eleven o'clock A.M.

Messrs. Donato of Medford and Kennedy of Brockton then moved that as a mark of respect to the memory of Kenneth Collyer, a former staff member of the House of Representatives, who served the General Court and the people of this Commonwealth with distinction for 30 years the House adjourn; and the motion prevailed.

Accordingly, at the hour of three o'clock P.M., on motion of Mr. Hargraves of Groton (Mrs. Walrath of Stow being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.