

**JOURNAL OF THE HOUSE.**

Thursday, September 6, 2001.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session.

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Gracious God, in this morning's prayer and time for reflection, we express our gratitude to You for the blessings, opportunities and the challenges which each new day presents. We have been endowed by You, Our Creator, with an intellect and a will to reason soundly, to legislate wisely, and to utilize prudently the human and material resources with which we are blessed. Teach us to look to You for wisdom and good judgment to address correctly the issues of the day, to plan for the future with realistic vision and to lead the electorate and our Commonwealth intelligently during these changing times. Inspire us to remain faithful to You, our religious commitments and beliefs even in the face of criticism.

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

At the request of the Speaker, 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. Finneran of Boston) commending all state employees on the occasion of "Performance Recognition Day";

Resolutions (filed by Mr. Finneran of Boston and other members of the House) supporting United States Secretary of State Colin Powell's recall of the United States delegation to the United Nation's Conference on Racism;

Resolutions (filed by Mr. Finneran of Boston) honoring Josiah Augustus Spaulding, Jr., for his many accomplishments;

Resolutions (filed by Ms. Rogeness of Longmeadow) honoring Frederick M. Whitney, Jr., for many years of outstanding public service;

Resolutions (filed by Mr. Bunker of Rutland) honoring Ron Burton, Sr.;

Resolutions (filed by Mr. Greene of Billerica) congratulating Billerica Little League on the occasion of its fiftieth anniversary; and

Resolutions (filed by Ms. Story of Amherst) honoring the Pacific Lodge of the Ancient Free and Accepted Masons of Amherst;

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. Bosley of North Adams, the resolutions (reported by the committee on Bills in the Third

Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Communications.*

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From the Chairman of the Management Team of Boston University (under the provisions of Section 13 of Chapter 133 of the Acts of 1989) submitting a copy of its annual report of the Boston University/Chelsea partnership for the fiscal year 2001;

From the Commission on Judicial Conduct (under the provisions of Section 4 of Chapter 211C of the General Laws) submitting a copy of its annual report for the period ending December 31, 2000; and

From Wonderland Greyhound Park, Inc. (under the provisions of Paragraph 7 of Section 2 of Chapter 128C of the General Laws) submitting copies of contracts for the simulcasting of dog races;

Severally were placed on file.

*Petitions.*

Petitions severally were presented and referred as follows:

By Ms. Blumer of Framingham, petition (subject to Joint Rule 12) of Deborah D. Blumer relative to prohibiting the demolition or destruction of the President's House, so-called, at Framingham State College.

By Mr. Bradley of Hingham, petition (subject to Joint Rule 12) of Garrett J. Bradley and another relative to the payment of fees under the tuition waiver program.

By Mr. Greene of Billerica, petition (subject to Joint Rule 12) of William G. Greene, Jr., relative to granting creditable service to certain education specialists employed in the Department of Education.

By Mr. Hynes of Marshfield, petition (subject to Joint Rule 12) of Frank M. Hynes, Byron Rushing, Mary S. Rogeness and Ellen Story relative to authorizing certain audio recordings of public officials performing official duties.

By the same member, petition (subject to Joint Rule 12) of Frank M. Hynes for legislation to authorize the arrest without a warrant of persons providing rides on public ways to hitchhikers, so-called.

By the same member, petition (subject to Joint Rule 12) of Frank M. Hynes, Edward G. Connolly, Kathleen M. Teahan, Paul J. Donato and Deborah D. Blumer relative to mortgage discharges.

By Mr. Marini of Hanson, petition (subject to Joint Rule 12) of Francis L. Marini and Therese

Murray relative to granting civil service preference to the surviving children of Alton Grindle.

By Mr. Petersen of Marblehead, petition (subject to Joint Rule 12) of Douglas W. Petersen for legislation to require health insurance companies to provide certain information relative to customary charges for physician services.

By Mr. Vallee of Franklin (by request), petition (subject to Joint Rule 12) of Laurence Brown relative to the sealing of records of abuse prevention orders.

By the same member (by request), petition (subject to Joint Rule 12) of Laurence Brown relative to restraining orders and criminal harassment complaints sought by misrepresentation.

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

*Paper from the Senate.*

The House Bill authorizing the town of Lancaster to place certain questions relative to the sale of alcoholic beverages on the town's election ballot (House, No. 4181, amended) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 2 and also section 2A (as inserted by amendment by the House) and inserting in place thereof the following section:

"SECTION 2. The board of selectmen may direct the town counsel to draft a summary of the questions, which shall be placed on the ballot with the questions."

Under suspension of Rule 35, on motion of Mrs. Walrath of Stow, 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 Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill relative to minors under the age of eighteen (House, No. 4310) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Bosley of North Adams, 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 Westport to establish a preservation trust fund (House, No. 4519) [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 Ms. Stanley of West Newbury, for the committee on Health Care, on Senate, No. 580 and House, Nos. 1010, 1020, 1189, 1393, 1586 and 2160, an Order relative to authorizing the committee on Health Care to make an investigation and study of certain Senate and House

documents concerning the licensing of medical personnel (House, No. 4521).

By the same member, for the same committee, on Senate, Nos. 589 and 601 and House, Nos. 1950, 2168, 2701, 3295 and 3932, an Order relative to authorizing the committee on Health Care to make an investigation and study of certain Senate and House documents concerning the availability and affordability of prescription drugs (House, No. 4522).

By the same member, for the same committee, on Senate, No. 590 and House, Nos. 1187, 1590, 1591, 2170, 2524 and 2695, an Order relative to authorizing the committee on Health Care to make an investigation and study of certain Senate and House documents concerning the sale and use of tobacco products (House, No. 4523).

By the same member, for the same committee, on Senate, No. 599 and House, Nos. 2165 and 3026, an Order relative to authorizing the committee on Health Care to make an investigation and study of certain Senate and House documents concerning a health care system in the Commonwealth (House, No. 4524).

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 said 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 Mr. Bosley of North Adams, for the committee on Government Regulations, on a petition, a Bill regarding information records of the Commonwealth (House, No. 642). Read; and referred, under Rule 33, to the committee on Ways and Means.

#### *Engrossed Bill.*

The engrossed Bill authorizing the city of Newburyport to establish certain maintenance and capital investment funds (see Senate, No. 1889) (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 Speaker and sent to the Senate.

#### *Orders of the Day.*

The Senate Bill designating February 14 as congenital heart defect awareness day (Senate, No. 1618), 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

Relative to the signing of death certificates (House, No. 1005);

Authorizing the town of Plymouth to lease certain land (House, No. 4174);

Authorizing the town of Hull to lease certain property (House, No. 4224);

Authorizing the town of North Andover to settle certain lawsuits (House, No. 4272); and

Authorizing the town of Truro to convey certain conservation land (House, No. 4416);

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. Bosley of North Adams,—

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

At ten minutes before twelve o'clock noon, on motion of Mr. Hynes of Marshfield, the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.

