

## **JOURNAL OF THE HOUSE.**

Monday, September 24, 2001.

Met according to adjournment, at eleven o'clock A.M., 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:

God, Our Creator, we take this moment to recognize Your presence in our midst and to thank You, even during these hectic days, for the material and spiritual blessings and gifts which You offer us daily. We thank You for the gift of human life, which we know can be taken suddenly and quickly, as we have experienced recently, and for the way of life which You have made known to us. Grant us the courage to make the commitment to remain faithful to You, Your values and precepts at all times. During these uncertain days of new and complex challenges, bestow upon us Your gift of wisdom to assess correctly the needs of people and to plan for a safe, peaceful and prosperous future. Let our hearts and minds be filled with the traditional values of patience, compassion and prudence.

Grant your blessings to 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.

### *Petitions.*

Mr. Larkin of Pittsfield presented a petition (accompanied by bill, House, No. 4572) of Peter J. Larkin and Andrea F. Nuciforo, Jr. (with the approval of the mayor and city council) relative to insurance premium rates paid by the city of Pittsfield for employees of said city; and the same was referred to the committee on Insurance. Sent to the Senate for concurrence.

Mr. Casey of Winchester presented a petition (subject to Joint Rule 12) of Paul C. Casey, Lida E. Harkins and William G. Greene Jr., relative to paid parental leave; 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 Mr. O'Brien of Kingston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Taxation. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Correia of Fall River, petition (subject to Joint Rule 12) of Robert Correia, Joan M. Menard and Michael J. Rodrigues (with the approval of the mayor and city council) relative to authorizing the housing authority of the city of Fall River to transfer a certain parcel of land for

the development of affordable housing, notwithstanding the uniform procurement law.

By Mr. Dempsey of Haverhill, petition (subject to Joint Rule 12) of Brian S. Dempsey relative to excluding substitution costs in determining motor vehicle insurance premiums.

By Mr. Larkin of Pittsfield, petition (subject to Joint Rule 12) of Peter J. Larkin, Andrea F. Nuciforo, Jr., Shaun P. Kelly and Daniel E. Bosley that provision be made for the appointment of an additional assistant clerk in the District Court of Central Berkshire.

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

*Papers from the Senate.*

The following order came from the Senate with the endorsement that it had been adopted by said branch:

*Ordered*, That, notwithstanding the provisions of an order previously adopted, the Joint Rules of the previous General Court shall remain in effect until Monday, December 31, 2001, as the temporary Joint Rules of the present General Court.

Under suspension of the rules, on motion of Mr. Walsh of Boston, the order was considered forthwith; and it was adopted, in concurrence.

Bills

Authorizing the Department of Environmental Protection to grant a Chapter 91 license to the Boston Tea Party Ship, Inc. (Senate, No. 1830, changed by inserting before the enacting clause the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to allow forthwith for timely work on the Boston Tea Party Ship, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”) (on a petition);

Authorizing the transfer and change in use of certain conservation and recreation land in the towns of Stow and Sudbury (Senate, No. 2117) (on Senate bill No. 1600); and

Relative to the Massachusetts Technology Development Corporation (Senate, No. 2118, amended by striking out sections 15 and 16, as printed, and inserting in place thereof the following section:

“SECTION 16. Section 10 of said chapter 40G, as so appearing, is hereby amended by striking out, in lines 13 to 17, inclusive, the words ‘expiration of three years from the date of purchase of such qualified security, or, in the case of such information made or received by any member or employee of the corporation after the purchase of such qualified security, three years from the date such information was made or received’ and inserting in place thereof the following words:— sale of the corporation’s qualified security.”) (on Senate bill No. 1793);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

## Bills

Allowing certain military personnel to receive group insurance discounts (Senate, No. 773, changed in line 14 by striking out the following: “(A)”; in line 16 by striking out the words “or within two years of engaging in”; and in lines 17 to 27, inclusive, by striking out the following:— “, or (B) current or former spouses, children, step-children or legal wards of persons or members identified in clause (A) who were insured as residents of a person’s or member’s household, who are of legal contracting age and have an independent need for insurance; or (C) current or former children, step-children or legal wards described in clause (B) who have not become policyholders of said insurer on or before January 1, 2003 will not qualify for coverage through this group marketing plan unless they apply for insurance through said insurer within two years after they are no longer insured as a member of an insured household”) (on a petition);

Relative to limitations on total obligations of 1 borrower to a stock corporation or thrift institution (Senate, No. 1874) (on Senate, No. 104);

Relative to obscene material (Senate, No. 2111) (on Senate bill No. 214); and

Relative to repeat offenders of the crime of operating a motor vehicle under the influence of alcohol (Senate, No. 2116) (on Senate, No. 170);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

## *Reports of Committees.*

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Francis L. Marini and Therese Murray relative to granting civil service preference to the surviving children of Alton Grindle. Under suspension of the rules, on motion of Mr. O’Brien of Kingston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill permitting the town of Westport to make application for correction of a determination of value (printed in House, No. 4324) be scheduled for consideration by the House.

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

By Mr. Wagner of Chicopee, for the committee on Election Laws, on House, No. 4420, an Order relative to authorizing the committee on Election Laws to make an investigation and study of a certain House document concerning the voting rights of certain resident aliens in the

town of Amherst (House, No. 4564).

By Mr. Toomey of Cambridge, for the committee on Public Safety, on House, Nos. 307, 499, 666, 1069, 2590, 3391, 3410, 3418, 3586, 3791 and 3796, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning the operation of motorized scooters, junior operators licenses, the issuance of identification cards and other Registry of Motor Vehicles related matters (House, No. 4565).

By the same member, for the same committee, on House, Nos. 308, 1459, 1631, 2025, 2401, 2959, 2962, 2967, 3589, 3795 and 3808, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning parking violations, the registration of motor vehicles, motor vehicle sticker inspections and other related matters (House, No. 4566).

By the same member, for the same committee, on House, Nos. 501, 503, 1638, 2404, 2964, 2965 and 3399, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning school bus safety, the transportation of patients, response to false alarms, volunteer fire service, sprinklers in high-rise buildings and other related matters (House, No. 4567).

By the same member, for the same committee, on House, Nos. 669, 670, 1269, 1270, 1640, 2024, 2599, 2966 and 3794, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning powers of municipal police, arrest and pursuit by police officers, police mutual aid agreements and other related matters (House, No. 4568).

By the same member, for the same committee, on House, Nos. 796, 1455, 3397, 3398, 3400, 3416 and 3419, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning the violation of state fire prevention laws, fire fighter recruit training programs and other related matters (House, No. 4569).

By the same member, for the same committee, on House, Nos. 1070, 1075, 1264, 2577 and 3413, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning the reckless operation of motor vehicles, cardiopulmonary resuscitation training and the creation of prison industries in the Commonwealth (House, No. 4570).

By the same member, for the same committee, on House, Nos. 1551, 3914, 4077 and 4163, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning advertising on school buses, first aid training for school bus drivers, distinctive motor vehicle plates and the administration of vaccines to members of the militia (House, No. 4571).

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.

*Engrossed Bills.*

Engrossed bills

Directing the Superintendent of State Office Buildings to install a plaque in honor of Clara Barton (see Senate, No. 1581);

Providing requirements for appointment of the chief of police of the city of Revere (see Senate, No. 1886);

(Which severally originated in the Senate);

Designating the tourist information center on state highway Route 2 in the town of Lancaster as the Johnny Appleseed visitor center (see House, No. 1136);

Directing the retirement board of the city of Holyoke to retire John Daly (see House, No. 4457); and

Making certain appropriations for the fiscal year ending June 30, 2002, before final action on the General Appropriation Bill for that fiscal year (see House bill printed in House, No. 4551);

(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.*

House bills

Authorizing the conservation commission of the town of Dennis to establish fees for the employment of consultants (House, No. 4188);

Validating the proceedings of the annual town election in the town of Hampden (House, No. 4223);

Relative to the annual observance of Arthritis Awareness Day (House, No. 4391) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to the charter of the city known as the town of Watertown (House, No. 4478);

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. Hynes of Marshfield,—

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

At seventeen minutes after eleven o'clock A.M., on motion of Mr. Hynes (Mr. O'Flaherty of Chelsea being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.