

JOURNAL OF THE HOUSE.

Thursday, October 10, 2002.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. DeLeo of Winthrop 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: Gracious God, we believe in You, in the reality of Your always available assistance and in Your personal concern for our well-being. We pray that our faith in You increases by the day and our trust in You and Your ways deepen. As we celebrate Columbus Day, we recall the hardships, dangers and risks which Christopher Columbus and his crew endured during their long and arduous voyage. We are grateful for their courage and creative spirit. Inspire us to take the daily risks of following our commitment to You, Your ways and values during these changing times. Bestow Your blessings on the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. DeLeo), 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 Ms. Rogeness of Longmeadow) congratulating the Independent City of Homes Association of Springfield, Massachusetts on the occasion of its one hundredth anniversary;

Resolutions (filed by Mr. deMacedo of Plymouth) honoring the 551st Airborne Early Warning and Control Wing on the occasion of their reunion;

Resolutions (filed by Mr. Hillman of Sturbridge) honoring the Second Baptist Church of Palmer;

Resolutions (filed by Mr. LeDuc of Marlborough) congratulating Mary L. Petitpas on the occasion of her ninetieth birthday;

Resolutions (filed by Representatives Mariano of Quincy, Murphy of Weymouth, Sullivan of Braintree, Nyman of Hanover, Teahan of Whitman and Bradley of Hingham) congratulating Kenneth A. Goff on the occasion of his retirement;

Resolutions (filed by Messrs. O'Brien of Kingston and Flynn of Bridgewater) congratulating Joshua James Labrecque on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Messrs. Timilty of Milton and Walsh of Boston) congratulating Mary Gail Black Walsh on the occasion of her retirement from the Boston Public Schools;

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 Mr. Smizik of Brookline, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Annual and Bi-Monthly Reports.

The annual report of the Merrimack Valley Regional Transit Authority (under the provisions of Section 8(g) of Chapter 161B of the General Laws) of its operations for the fiscal year ending June 30, 2002; and

The bi-monthly report of the Massachusetts Turnpike Authority (under the provisions of Section 178 of Chapter 653 of the Acts of 1989) of the cost for the Central Artery/Third Harbor Tunnel Project;
Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Donato of Medford, petition (accompanied by bill, House, No. 5351) of Paul J. Donato (with the approval of the mayor and city council) that the city of Medford be authorized to implement an early retirement incentive program for certain employees of said city; and

By Mr. Jones of North Reading, petition (accompanied by bill, House, No. 5352) of Bradley H. Jones, Jr., Paul C. Casey and Richard R. Tisei (by vote of the town) relative to the appointment of retired police officers in the town of North Reading;

Severally to the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Bradley of Hingham (by request), petition (subject to Joint Rule 12) of Michael Sheehan relative to regulating the operation of the Fore River Bridge in the town of Weymouth.

By the same member, petition (subject to Joint Rule 12) of Garrett J. Bradley and Robert L. Hedlund relative to authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Hingham to said town for open space purposes.

By Ms. Candaras of Wilbraham, petition (subject to Joint Rule 12) of Gale D. Candaras relative to increasing appropriations for certain courts within the Commonwealth.

By Mr. Rogers of New Bedford, petition (subject to Joint Rule 12) of George Rogers and another relative to directing the Department of Highways to install traffic control signals at the intersection of Braley Road and Acushnet Avenue in the city of New Bedford.

By the same member, petition (subject to Joint Rule 12) of George Rogers relative to the filing requirements for candidates for public office.

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

Papers from the Senate.

The engrossed Bill relative to apprenticeship training programs (see Senate, No. 2421) came from the Senate with an amendment in section 1, in lines 45 to 70, inclusive (as printed), by striking out the three paragraphs contained therein and inserting in place thereof the following two paragraphs:

“Section 11G. The director and the deputy director, with the advice and guidance of the apprenticeship council, shall administer sections 11E to 11W, inclusive, shall keep a record of apprentice programs and apprentice agreements and their disposition, shall cooperate with the state department of education and the local school authorities in regard to the education of apprentices in accordance with the standards established by the director and deputy director for the same trade or group of trades, and shall perform such other duties as are necessary to carry out the intent of said sections 11E to 11W, inclusive.

The director and deputy director may set up and establish conditions and training standards for apprentice programs and apprentice agreements, which conditions or standards shall in no case be lower than those prescribed by said sections 11E to 11W, inclusive, may create and implement a schedule of progressive sanctions regarding registration of apprentice programs, may act as secretary of the apprenticeship council, may approve an apprentice program or apprentice agreement which meets the standards established under said section 11E to 11W, inclusive, may terminate or cancel an apprentice program or apprentice agreement in accordance with said sections 11E to 11W, inclusive, and may issue certificates of completion of apprenticeship.”, and in lines 176 to 195, inclusive (as printed), by striking out the paragraph contained therein and inserting in place thereof the following paragraph:

“(f) The apprentice program shall establish a procedure to receive, investigate and resolve apprentices’ complaints about the program. The procedure shall provide that any such complaint shall be filed within 6 months after the apprentice knew, or reasonably should have known of the act giving rise to the complaint. Notice to the complaint procedure shall be provided to all apprentices. Such notice shall advise an apprentice that the division is available to receive, investigate and resolve any complaints about the program that have not been resolved to the satisfaction of the apprentice after all internal procedures have been fully exhausted.”; and in section 2, in lines 6 to 9, inclusive (as printed), by striking out the sentence contained therein.

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

A Bill relative to the filing of a bond in certain pending litigation (printed in Senate, No. 2484) (on a message from the Lieutenant-Governor, Acting Governor), passed to be engrossed by the Senate, was read.

Under suspension of the rules, on motion of Mr. Jones of North Reading, the bill was read a second time forthwith; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Peterson of Grafton, the bill (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.

Reports of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspections of certain correctional facilities, as follows:

Of the Barnstable County House of Correction and Jail, in the town of Barnstable; and

Of the Massachusetts Correctional Institution, in the town of Plymouth;

Severally were spread upon the records of the House; and returned to the Senate.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:
Petition (accompanied by bill, Senate, No. 2485) of Michael W. Morrissey, Ronald Mariano and Joseph C. Sullivan (by vote of the town) for legislation to establish a capital investment fund in the town of Holbrook. To the committee on Local Affairs.

Petition (accompanied by bill, Senate, No. 2486) of Michael W. Morrissey and Robert J. Nyman (by vote of the town) for legislation to exempt the position of deputy chief of police in the town of Norwell from the provisions of civil service law. To the committee on Public Service.

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 following petitions:
Petition (accompanied by bill) of Bradford Hill and Bruce E. Tarr relative to validating certain proceedings of the Manchester Essex Regional School District. To the committee on Education, Arts and Humanities.

Petition (accompanied by bill) of A. Stephen Tobin, Michael W. Morrissey, Bruce J. Ayers and Ronald Mariano for legislation to authorize the Trial Court to establish a sick leave bank for Colleen McDonald, an employee of said court. To the committee on the Judiciary.

Under suspension of the rules, on motion of Mr. Kennedy of Brockton, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain House documents concerning retail sales on Memorial Day and Sundays (House, No. 4696) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4574) of Patricia A. Haddad and Philip Travis relative to the compensation to employees of retail stores on Sundays,— and recommending that the same be recommitted to the committee on Commerce and Labor. Under Rule 42, the report was considered forthwith; and it was accepted.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Insurance to make an investigation and study of certain Senate and House documents concerning insurance regulations in the Commonwealth (House, No. 4170) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2351) of Ronald Mariano for legislation to regulate personal injury protection to operators of uninsured motor vehicles,— and recommending that the same be recommitted to the committee on Insurance. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the Jacob Sears Memorial Library (House, No. 5251) be scheduled for consideration by the House.

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

Report of the committee on Government Regulations, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 5305) of John H. Rogers (by vote of the town) that the licensing authority of the town of Norwood be authorized to issue three additional licenses for the sale of wine and malt beverages to be drunk on the premises.

Under suspension of Rule 42, on motion of Mr. Rogers of Norwood, the report was considered forthwith.

Pending the question on acceptance of the report, the same member moved that it be amended by substitution of a Bill relative to the town of Norwood (House, No. 5305), which was read. The amendment was adopted.

Under suspension of the rules, on further motion of Mr. Rogers of Norwood, the substituted bill was read a second time; 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, its title having been changed by said committee to read: "An Act authorizing the town of Norwood to issue additional alcoholic beverage licenses.". Sent to the Senate for concurrence.

Orders of the Day.

Senate bills

Relative to the Board of Registration in Veterinary Medicine (Senate, No. 386); and

Relative to credit union real estate loans (Senate, No. 2214);

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, in concurrence.

House bills

Relative to the police force in the town of Hopedale (printed in House, No. 5067) (its title having been changed by the committee on Bills in the Third Reading);

Validating action taken at the annual town election held by the town of Huntington (printed in House, No. 5140) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to the South Hadley Housing Authority (House, No. 5241);

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.

Engrossed Bills.

The engrossed Bill relative to the police force in the town of Hopedale (see House bill printed in House, No. 5067) (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

Relative to the filing of a bond in certain pending litigation (see Senate bill printed in Senate, No. 2484.) (which originated in the Senate); and
Authorizing borrowing for a municipal golf course in the town of Bridgewater (see House, No. 5094) (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.

Order.

On motion of Mr. Finneran of Boston,—

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

At four minutes after twelve o'clock noon, on motion of Mr. Jones of North Reading (Mr. DeLeo of Winthrop being in the Chair), the House adjourned, to meet on Tuesday next at eleven o'clock A.M., in an Informal Session.