

## **JOURNAL OF THE HOUSE.**

Thursday, October 18, 2001.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Bosley of North Adams 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, in a spirit of humility and prayer, we open our hearts and minds to You and Your divine assistance at the beginning of today's legislative session. We freely acknowledge our total dependence upon Your spiritual and human gifts which assist us in achieving our temporal and eternal goals. During these unusual times, which are stressful for many people, inspire us to be leaders who recognize the signs of the times and who propose reasonable and thoughtful legislative remedies. May we continue with Your help to build confidence in each other, in our basic institutions, and in our ability to cope with new realities. Guide our efforts to plan for a future which will enhance and utilize our great human and material resources.

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

At the request of the Chair (Mr. Bosley), 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. Barrios of Cambridge) congratulating the First Holiness Church of Cambridge on its eighty-fifth anniversary;

Resolutions (filed by Mr. Festa of Melrose) congratulating Rory Patrick Hatfield on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Representatives Marzilli of Arlington and Paulsen of Belmont) congratulating Charles J. McCarthy, Jr., on the occasion of his retirement as principal of Arlington High School;

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.

### *Interim Report.*

An interim report of the joint special committee established (under House order No. 4220 of

1999 and revived and continued by House order No. 3901 of 2001) to make an investigation and study of a new division of the Commonwealth into Congressional districts, forty Senatorial districts, eight Councillor districts and one hundred and sixty Representative districts (House, No. 4700) was referred to the committee on Rules.

Subsequently Mr. Scaccia of Boston, for said committee, on the foregoing report, reported a Bill relative to establishing Representative districts in the General Court (printed in House, No. 4700, App. A). 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. Placed in the Orders of the Day for the next sitting for a second reading.

### *Reports of Committees.*

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration

Of the Bill relative to the practice of public accountancy (Senate, No. 402); and

Of the Bill providing for the leasing and construction of improvements to the Coolidge School in the city known as the town of Watertown (House, No. 4424);

And recommending that the same severally be referred to the House committee on Rules; and

Of the Bill clarifying certain interests in bankruptcy proceedings (House, No. 576),— and recommending that the same be referred to the committee on Ways and Means.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Casey of Winchester, for the committee on Taxation, on House, No. 3472, a Resolve establishing a special commission to study property tax exemptions (House, No. 4669). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Wagner of Chicopee, for the committee on Election Laws, on House, No. 4385, an Order relative to authorizing the committee on Election Laws to make an investigation and study of a certain House document concerning annual street lists in cities and towns (House, No. 4670).

By Mr. Cahill of Beverly, for the committee on Housing and Urban Development, on Senate, No. 2067, an Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of a certain Senate document concerning the regulation of condominiums (House, No. 4671).

By Mrs. Parente of Milford, for the committee on Local Affairs, on House, No. 4303, an Order relative to authorizing the committee on Local Affairs to make an investigation and study of a certain House document concerning the lease of certain town-owned property in the town of Brookline (House, No. 4672).

By Mr. Hall of Westford, for the committee on State Administration, on Senate, No. 1584 and House, Nos. 1123, 1681, 1880 and 1881, an Order relative to authorizing the committee on State Administration to make an investigation and study of certain Senate and House documents concerning open meeting and public records laws of the Commonwealth (House, No. 4673).

By the same member, for the same committee, on House, Nos. 103, 112, 360, 1118 and 3889, an Order relative to authorizing the committee on State Administration to make an investigation and study of certain House documents concerning the uniform procurement laws (House, No. 4674).

By the same member, for the same committee, on House, Nos. 2258 and 3628, an Order relative to authorizing the committee on State Administration to make an investigation and study of certain House documents concerning the conflict of interest law (House, No. 4675).

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. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

#### Senate bills

Limiting the amount of fees that staffing agencies may charge employees for transportation (Senate, No. 2095); and

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

#### House bills

Relative to creating an advisory board to the Massachusetts Port Authority (House, No. 1874);

Relative to the Nantucket Islands Land Bank (House, No. 3659); and

Authorizing the town of Fairhaven to issue an additional license for the sale of beer and wine to Excel Restaurant Group, Inc. d/b/a Hickory Creek (House, No. 4321) [Local Approval

Received];

Severally placed in the Orders of the Day for the next sitting for a second reading.

*Engrossed Bills.*

Engrossed bills

Validating action taken at the town election held in the town of Buckland (see House bill printed in House, No. 4341); and

Validating the action taken at the annual town election held in the town of Duxbury (see House bill printed in House, No. 4492);

(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 (more than two-thirds of the members having agreed to pass the same); and they were signed by the Speaker and sent to the Senate.

*Reconsideration.*

Ms. Flavin of Easthampton moved that the vote be reconsidered by which the House, at the preceding sitting, passed to be engrossed the House Bill relative to health care carriers (House, No. 4214, changed); and the motion to reconsider prevailed.

Pending the recurring question on passing the bill to be engrossed, the same member moved that it be amended by substitution of a bill with the same title (House, No. 4676), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

*Orders of the Day.*

House bills

Authorizing the town of Needham to issue licenses to certain establishments for the sales of wines and malt beverages to be drunk on the premises of restaurants with a seating capacity of less than 100 persons (House, No. 3921);

Authorizing the town of Needham to establish a special fund (House, No. 4009); and

Relative to the creation of a Belmont senior center furnishings and accessories fund (House, No. 4206);

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. Finneran of Boston,—

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

At twenty-one minutes after eleven o'clock A.M., on motion of Mr. Hynes of Marshfield (Mr. Bosley of North Adams being in the Chair), the House adjourned, to meet on Monday next at eleven A.M.