

JOURNAL OF THE HOUSE.

Monday, October 29, 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:

Holy Spirit of God, at the opening of this legislative session we offer a humble prayer that You will fill our hearts and minds with a strong faith in You, an accurate knowledge of current issues, great courage in addressing challenges, and unwavering trust in each other. Help us to cope, in a mature manner, with the fears and anxieties of many people as we enter this new political international reality. Inspire us to promote peace, safety and tranquility in our communities and to plan for a more secure future for our children. Strengthen our resolve to serve You and the people who depend upon our sound judgements, to the best of our ability. Guide our efforts to meet the needs of these uneasy and troublesome times as we perform our daily responsibilities.

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. Donato of Medford) honoring Lena M. DiGiantomasso on the occasion of receiving the Massachusetts Association of School Committees Lifetime Achievement Award;

Resolutions (filed by Mr. Fagan of Taunton) congratulating Doctor Gerald A. Croteau on the occasion of his retirement;

Resolutions (filed by Messrs. Galvin of Canton and Kafka of Sharon) congratulating Daniel A. Di Censo of Stoughton Boy Scout Troop 516 on earning the Eagle Scout Award;

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Timothy R. Demoranville on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Nicholas Michael Emard on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Andrew L. Nunes on receiving

the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mrs. Haddad of Somerset) congratulating John N. Patota on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Koutoujian of Newton) congratulating Newton Fire Chief Edward Murphy on the occasion of his retirement;

Resolutions (filed by Mr. Lepper of Attleboro) honoring Major Carl Joseph Bradshaw on being promoted to Lieutenant Colonel;

Resolutions (filed by Mr. Murphy of Burlington) congratulating Patrick Nicholas Allen on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Murphy of Burlington) congratulating Jacob Matthew Buttrick on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Murphy of Burlington) congratulating Peter Woskov on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Messrs. Petersen of Marblehead and McGee of Lynn) honoring Martin C. Goldman for 50 years of dedicated service to the community of Swampscott;

Resolutions (filed by Messrs. Tobin of Quincy, Ayers of Quincy and Mariano of Quincy) congratulating Superintendent Eugene W. Creedon on the occasion of his retirement from the Quincy public school system;

Resolutions (filed by Messrs. Torrisi of North Andover, Santiago of Lawrence, Broadhurst of Methuen and Finegold of Andover) congratulating Lawrence P. Smith on the occasion of the dedication of a bridge in the city of Lawrence as the Representative Lawrence P. Smith Bridge; and

Resolutions (filed by Mr. Vallee of Franklin) congratulating Ryan Scott Schreffler on receiving the Eagle Award of the Boy Scouts of America;

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. Vallee, 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 Secretary of the Executive Office for Administration and Finance (under the provisions of Section 3B of Chapter 7 of the General Laws) transmitting notice of the Secretary's intention to amend certain CMR regulations relative to the fee to be charged to charitable organizations seeking to participate in the annual Commonwealth of Massachusetts

Employees Charitable Campaign (COMECC);

>From the Comptroller of the Commonwealth (under the provisions of Section 12 of Chapter 7A of the General Laws) submitting the Statutory Basis Financial Report for the fiscal year ending June 30, 2001; and

>From the Massachusetts Turnpike Authority (under the provisions of Section 12(i) of Chapter 81A of the General Laws) submitting copies of agreements between said authority, the Massachusetts Port Authority and the Massachusetts Highway Department relative to the Metropolitan Highway System;

Severally were placed on file.

Annual and Special Reports.

Annual report of the Nantucket Regional Transit Authority (under the provisions of Section 8 of Chapter 161B of the General Laws) for the fiscal year 2001; and

Report of the Bureau of Special Investigations, Department of Revenue (under the provisions of Section 11(8) of Chapter 14 of the General Laws) submitting a summary of its activities for September, 2001;

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mrs. Provost of Sandwich, petition (accompanied by bill, House, No. 4693) of Ruth W. Provost and Therese Murray (by vote of the town) relative to transferring certain responsibilities to the Chief of Police of the town of Sandwich; and

By Ms. Lewis of Dedham, petition (accompanied by bill, House, No. 4694) of Maryanne Lewis and Marian Walsh (by vote of the town) that the town of Dedham be authorized to pay a certain sum of money to James J. Egan for overpaid sewer use fees;

Severally to the committee on Local Affairs.

By Mrs. Provost of Sandwich, petition (accompanied by bill, House, No. 4695) of Ronald Mariano, A. Stephen Tobin, Bruce J. Ayers and Michael W. Morrissey (with the approval of the mayor and city council) that Quincy College be authorized to adopt a six year tenure system. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Bosley of North Adams, petition (subject to Joint Rule 12) of Daniel E. Bosley relative

to requiring the State Retirement Board to grant certain retirement benefits to Marilyn Tower-Burdick, surviving spouse of Robert G. Burdick.

By Mr. Broadhurst of Methuen, petition (subject to Joint Rule 12) of Arthur J. Broadhurst, Barry R. Finegold and Jose L. Santiago relative to the compensation of the commission members of the Greater Lawrence Sanitary District.

By Mr. Caron of Springfield, petition (subject to Joint Rule 12) of Paul E. Caron relative to repealing the testing requirements for graduation under the Massachusetts Comprehensive Assessment System.

By the same member, petition (subject to Joint Rule 12) of Paul E. Caron and other members of the House relative to the reporting of child abuse by certain medical personnel to local law enforcement officials.

By Mr. Donato of Medford, petition (subject to Joint Rule 12) of Paul J. Donato relative to authorizing the reinstatement of Frederick Nasson as a member in service of the state retirement system.

By Miss Garry of Dracut, petition (subject to Joint Rule 12) of Colleen M. Garry and Susan C. Tucker relative to designating a certain traffic island in the town of Dracut as the Captain John Ogonowski Memorial Island.

By Mr. Hynes of Marshfield, petition (subject to Joint Rule 12) of Frank M. Hynes relative to pilotage rates.

By the same member, petition (subject to Joint Rule 12) of Frank M. Hynes, Edward G. Connolly and Geraldine Creedon relative to the exemption of property from execution.

By Mr. Koczera of New Bedford, petition (subject to Joint Rule 12) of Shannon P. O'Brien, Robert M. Koczera and other members of the General Court relative to the protection of the Commonwealth's water supplies.

By Mr. Knuuttila of Gardner, petition (subject to Joint Rule 12) of Brian Knuuttila, Stephen M. Brewer, Emile J. Goguen and another relative to the taxation of certain professional athletes.

By the same member, petition (subject to Joint Rule 12) of Brian Knuuttila, other members of the General Court and another for legislation to increase the minimum rate of compensation to one hundred dollars for members of the National Guard while serving on active duty.

By Mr. Miceli of Wilmington, petition (subject to Joint Rule 12) of James R. Miceli, other members of the House and others relative to telephone solicitation.

By Mr. O'Flaherty of Chelsea, petition (subject to Joint Rule 12) of Eugene L. O'Flaherty relative to designating a certain section of the Soldiers' Home in the city of Chelsea to the memory of Vincent F. Sullivan.

By Mrs. Parente of Milford, petition (subject to Joint Rule 12) of Marie J. Parente and Richard

T. Moore relative to authorizing the Division of Capital Asset Management and Maintenance to convey an easement under the control of the State Quartermaster to the town of Milford for use by the fire department of said town.

By the same member, petition (subject to Joint Rule 12) of Marie J. Parente, other members of the General Court and another relative to providing for confidential voter registration for public safety personnel.

By Mr. Petruccelli of Boston, petition (subject to Joint Rule 12) of Anthony Petruccelli relative to the tax status of pilot boats.

By Mrs. Provost of Sandwich, petition (subject to Joint Rule 12) of Ruth W. Provost and Therese Murray relative to the payment of health insurance premiums for surviving spouses of police officers killed in the line of duty.

By Ms. Rogeness of Longmeadow, petition (subject to Joint Rule 12) of Mary S. Rogeness and Stephen M. Brewer relative to requiring the Hampden County Regional Retirement Board to accidental death benefits to Diane Miller-Goodrich, surviving spouse of James S. Miller.

By Ms. Stanley of West Newbury, petition (subject to Joint Rules 12 and 9) of Harriett L. Stanley, Bruce E. Tarr and Paul E. Tirone relative to the extension of the municipal sewer and water services to Plum Island.

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

Papers from the Senate.

A Bill requiring the Massachusetts Water Resources Authority to provide water to the town of Stoughton (Senate, No. 2086, changed in line 3 by striking out the following: “‘Arlington’, in line 3” and inserting in place thereof the following: “‘Stoneham’, in line 9”) (on a petition [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

A petition (accompanied by bill, Senate, No. 2144) of David P. Magnani and Paul J. P. Loscocco (by vote of the town) for legislation relative to the town of Holliston and the establishment of a cemetery care fund, was referred, in concurrence, to the committee on Local Affairs.

A petition of Michael W. Morrissey and Bruce J. Ayers for legislation to authorize the Department of Highways to acquire lands in Quincy and Milton for the purposes of flood control, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2145) was referred, in concurrence, to the committee on State Administration.

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 following bills:

Authorizing certain group insurance benefits in the town of Brookline (printed as House, No. 528);

Authorizing the city of Cambridge to provide health insurance to domestic partners of city employees (printed as House, No. 4225); and

To deter unlicensed practice of engineering and land surveying (House, No. 2894);

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. Greene of Billerica, for the committee on Commerce and Labor, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 56) of Brian P. Lees, Bruce E. Tarr, Michael R. Knapik, Richard R. Tisei and other members of the General Court for legislation relative to the elective participation of corporate officers in workers' compensation; and

Of the petition (accompanied by bill, Senate, No. 89) of Stephen F. Lynch for legislation relative to exempting certain corporate officers from worker's compensation;

And recommending that the same severally be referred to the committee on Ways and Means.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence in the discharge of the committee.

By Mrs. Parente of Milford, for the committee on Local Affairs, on House, No. 4588, an Order relative to authorizing the committee on Local Affairs to make an investigation and study of a certain House document concerning the membership of the board of selectmen of the town of Canton (House, No. 4687).

By Mr. Koczera of New Bedford, for the committee on Natural Resources and Agriculture, on Senate, No. 1063 and House, Nos. 301 and 3156, an Order relative to authorizing the committee on Natural Resources and Agriculture to make an investigation and study of certain Senate and House documents concerning sanitary sewage treatment and disposal (House, No. 4688).

By the same member, for the same committee, on House, No. 300, changed, an Order relative to authorizing the committee on Natural Resources and Agriculture to make an investigation and study of a certain House document concerning the aquaculture industry in the Commonwealth (House, No. 4689).

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. Koczera of New Bedford, for the committee on Natural Resources and Agriculture, on a message from Her Honor the Lieutenant-Governor, Acting Governor, a Bill to ensure the environmental protection of the northern 15,000 acres of the Massachusetts Military Reservation (printed in House, No. 4640).

By the same member, for the same committee, on House, Nos. 136 and 155, a Bill relative to the Hazardous Materials Cost Recovery Fund (House, No. 4690).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Greene of Billerica, for the committee on Commerce and Labor, on a petition, a Bill making technical amendments to the Uniform Commercial Code covering provisions dealing with secured transactions (House, No. 4575).

By Mrs. Parente of Milford, for the committee on Local Affairs, on a petition, a Bill providing for a board of public works in the town of Pepperell (House, No. 4585) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the town of Billerica to establish a certain sewer fund (House, No. 4589) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the town of Billerica to establish a certain housing fund (House, No. 4590) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to parking violations in the city of New Bedford (House, No. 4610) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill establishing a capital investments fund in the town of Rochester (House, No. 4623) [Local Approval Received].

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

The Senate Bill relative to a special fund in the town of Plymouth (Senate, No. 1030) [Local

Approval Received]; and

House bills

Regarding conservation commission consultant fees (House, No. 196);

Authorizing the assumption of certain utility costs by lessees and tenants (House, No. 408);

Relative to the manufacture of food products (House, No. 771);

Relative to open space in the town of Saugus (House, No. 2081) [Local Approval Received];

Authorizing conservation commissions to impose fees for the employment of outside consultants (House, No. 2944, changed);

Authorizing the town of Needham to establish a post retirement insurance liability fund (House, No. 4306) [Local Approval Received];

Relative to the conservation commission of the town of Sutton (House, No. 4325) [Local Approval Received];

Authorizing the town of Truro to hold a license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4475) [Local Approval Received];

Relative to affordable housing in the town of Truro (House, No. 4476) [Local Approval Received];

Authorizing the town of Truro to establish an affordable housing trust fund (House, No. 4477) [Local Approval Received];

Designating a certain bridge as the Pearl Harbor Veterans Bridge (House, No. 4534); and

Relative to reprecincting (House, No. 4653, changed);

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

Engrossed Bills.

The engrossed Bill authorizing the town of Westport to make an appeal to the appellate tax board (see House bill printed in House, No. 4324, 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 (more than two-thirds of the members having agreed to pass the same); and it was signed by the Speaker and sent to the Senate.

Engrossed bills

Relative to municipal light plant contracts (see Senate, No. 421) (which originated in the Senate);

Relative to a certain alcoholic beverage license in the town of Westborough (see House, No. 4143); and

Authorizing the town of Belmont to establish a senior center furnishings and accessories and operations fund (see House, No. 4206);

(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 Speaker and sent to the Senate.

Orders of the Day.

House bills

Authorizing the town of Burlington to lease certain conservation land (House, No. 4649); and

Authorizing the city known as the town of Methuen to enter into a lease agreement with Dispatch Communications (House, No. 4667) (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.

Order.

On motion of Ms. Wolf of Cambridge,—

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