

JOURNAL OF THE HOUSE.

Thursday, November 29, 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).

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.

Message from the Acting Governor.

A message from Her Honor the Lieutenant-Governor, Acting Governor, recommending legislation relative to re-capitalizing the Capital Access Program and the Economic Stabilization Trust (House, No. 4772) was filed in the office of the Clerk on Wednesday, November 28.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Jones of North Reading) congratulating Josephine M. Doherty on the occasion of her retirement;

Resolutions (filed by Mr. Atsalis of Barnstable) congratulating Call Firefighter Bennett "Ben" Dottridge on the occasion of his retirement;

Resolutions (filed by Mr. Bunker of Rutland) congratulating William Martin on the occasion of his retirement;

Resolutions (filed by Mr. Donnelly of Boston) congratulating Judy Kunze on the occasion of her retirement;

Resolutions (filed by Mr. Fagan of Taunton) congratulating Mr. and Mrs. David Medas on the occasion of their fiftieth wedding anniversary;

Resolutions (filed by Ms. Lewis of Dedham) congratulating Jason P. Sullivan on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Ms. Lewis of Dedham) congratulating Paul P. Sullivan on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Miceli of Wilmington) on the occasion of the dedication of the Millett/McAllister Fire Station in memory of Captain Frederick R. Millett, Sr., and Firefighter William John McAllister; and

Resolutions (filed by Mrs. Provost of Sandwich) on the occasion of the 80th anniversary of the National Association of Retired Federal Employees of Plymouth County;

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. Connolly of Everett, 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 Board of Higher Education submitting a copy of a revised request for an appropriation to fund a collective bargaining agreement between the Board of Higher Education and the Massachusetts Teachers Association/Association of Professional Administrators; and

From Wonderland Greyhound Park, Inc. (under the provisions 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.

Annual and Quarterly Reports.

Annual report of the Massachusetts Legal Assistance Corporation (under the provisions of Section 10 of Chapter 221A of the General Laws) relative to the description and evaluation of each program and a summary of the expenditures for such programs for the fiscal year ending June 30, 2001; and

Quarterly report of the Division of Employment and Training (under the provisions of Section 68 of Chapter 233 of the Acts of 1983) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund for the period ending October 31, 2001;

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Kulik of Worthington, petition (accompanied by bill, House, No. 4775) of Stephen Kulik and Stanley C. Rosenberg (by vote of the town) relative to the contract for the construction of a public safety complex by the town of Sunderland; and

By Mr. Jones of North Reading, petition (accompanied by bill, House, No. 4776) of Bradley H. Jones, Jr., Paul C. Casey and Richard R. Tisei (by vote of the town) relative to the charter of the town of Reading;

Severally to the committee on Local Affairs.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Ms. Balser of Newton, petition (subject to Joint Rule 12) of Ruth B. Balser and other members of the General Court relative to safety of school-sponsored travel.

By Mr. Bradley of Hingham, petition (subject to Joint Rule 12) of Garrett J. Bradley relative to non-smoking elderly housing units.

By the same member, petition (subject to Joint Rule 12) of Garrett J. Bradley relative to warrants of regular or special town meetings.

By Mr. DeLeo of Winthrop, petition (subject to Joint Rule 12) of Robert A. DeLeo and other members of the General Court relative to authorizing an alternative method of construction for the covered water storage tanks at the Blue Hills and Spot Pond areas.

By Mr. DiMasi of Boston, petition (subject to Joint Rule 12) of Salvatore F. DiMasi and other members of the General Court (with the approval of the mayor and city council) relative to authorizing the city of Boston to control rents in certain governmentally or former governmentally involved housing in said city.

By Mr. Miceli of Wilmington, petition (subject to Joint Rule 12) of James R. Miceli relative to permitting vehicles with handicapped registration plates the use of car pool lanes.

By Mr. Tirone of Amesbury (by request), petition (subject to Joint Rule 12) of James N. Thivierge relative to tax abatements to certain persons who rent to start-up businesses.

By the same member (by request), petition (subject to Joint Rule 12) of James N. Thivierge relative to the issuance of municipal bonds.

By the same member (by request), petition (subject to Joint Rule 12) of James N. Thivierge relative to the issuance of notes by municipalities.

By the same member (by request), petition (subject to Joint Rule 12) of James N. Thivierge relative to tax credits to certain owners of rental units when converting to condominiums units.

By Mr. Wagner of Chicopee, petition (subject to Joint Rule 12) of Joseph F. Wagner and other members of the General Court relative to the certification of teachers based on programs approved by the National Board for Professional Teaching Standards.

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

Papers from the Senate.

The House Bill relative to elections for town meeting members in the town of Milford (printed in House, No. 4069) came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in line 9, by striking out the figures "28" and inserting in place thereof the figures "35"; and in line 12 by striking out the figures "30" and inserting in place thereof the figures "49".

Under suspension of Rule 35, on motion of Mr. Greene of Billerica, 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.

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

Ordered, That, notwithstanding the provisions of Joint Rule 10, joint standing committees and the committees on Rules of the two branches, acting concurrently, shall be granted until Monday, December 31, 2001, within which to make reports on matters referred to them.

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

A petition of Stephen M. Brewer and David C. Bunker, Jr. (by vote of the town) for legislation relative to the recreation revolving fund in the town of Rutland, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Local Affairs.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2195) was referred, in concurrence, to the committee on Local Affairs.

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 Carol A. Donovan, Joseph C. Sullivan, Robert A. Havern and Charles E. Shannon relative to designating a certain bridge in the city of Woburn as the Assistant Chief Engineer Ronald P. West Memorial Bridge. Under suspension of the rules, on motion of Mr. Hynes of Marshfield, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents on judicial procedures and other related matters (House, No. 4280) reported, in part, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 2724) of Demetrius J. Atsalis relative to the fees of justices of the peace for performing marriages; and

Of the petition (accompanied by bill, House, No. 2745) of Sidney Horlink and William G. Greene, Jr., relative to the fees charged by justices of the peace;

And recommending that the same severally be recommitted to the committee on the Judiciary.

Under Rule 42, the reports severally were considered forthwith; and they were 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 the requirements and coverage for life, health, motor vehicle and homeowners insurance (House, No. 4406) reported, in part, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 763) of Richard T. Moore, Joan M. Menard, Charles E. Shannon and other members of the General Court for legislation to provide equitable coverage for the treatment of substance abuse; and

Of the petition (accompanied by bill, House, No. 2544) of David B. Sullivan and other members of the House relative to insurance coverage for substance abuse treatment;

And recommending that the same severally be recommitted to the committee on Insurance.

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

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning the issuance of distinctive license plates in the Commonwealth (House, No. 4582) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2777) of J. Michael Ruane that the Registrar of Motor Vehicles be authorized to issue distinctive license plates for constables,— and recommending that the same be recommitted to the committee on Public Safety. 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, asking to be discharged from further consideration of the Bill regulating public notice of meetings of municipal governmental bodies (House, No. 486),— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mrs. Simmons of Leominster, for the committee on Local Affairs, on a petition, a Bill relative to the charter of the town of Swampscott (House, No. 4720) [Local Approval Received]. 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.

Under suspension of the rules, on motion of Ms. Jehlen of Somerville, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mrs. Simmons of Leominster, for the committee on Local Affairs, on a petition, a Bill relative to the salary of the mayor of the city of Medford (House, No. 4740) [Local Approval Received]. 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.

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

By Mr. Bosley of North Adams, for the committee on Government Regulations, on House, Nos. 434, 803, 1580 and 3706, an Order relative to authorizing the committee on Government Regulations to make an investigation and study of certain House documents concerning the direct sale of alcoholic beverages (House, No. 4770). 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 asking to be discharged from further consideration of said order; and recommending that the same be referred to the House committee on Rules. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Broadhurst of Methuen, for the committee on Science and Technology, that the Bill to prevent fraudulent redemption of empty containers subject to the bottle law (House, No. 2513) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

By Mr. Casey of Winchester, for the committee on Taxation, on a recommitted petition, a Bill relative to the taxation of certain military organizations (House, No. 1888).

By the same member, for the same committee, on House, No. 3657, a Bill that certain towns of Barnstable County be eligible for certain grants under the Community Preservation Trust Fund (House, No. 4771).

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

By Mr. Toomey of Cambridge, for the committee on Public Safety, that the recommitted Bill relative to police mutual aid agreements (House, No. 1269) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4768). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

By Mr. Donnelly of Boston, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Maureen Craucher, an employee of the Probate and Family Court of the Commonwealth (House, No. 4750).

By Mr. Casey of Winchester, for the committee on Taxation, on a recommitted petition, a Bill relative to betterment assessments for sewerage facilities in the town of Millbury (House, No. 1507).

By the same member, for the same committee, on House, No. 755, a Bill providing real estate tax exemptions for the spouses of deceased veterans (House, No. 4769).

By Mr. Sullivan of Braintree, for the committee on Transportation, on a petition, a Bill designating a certain traffic island in the town of Dracut as the Captain John Ogonowski Memorial Island (House, No. 4749).

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

Orders of the Day.

House bills

Authorizing the certification and appointment of John F. Neville, III as a firefighter in the city of Newton (House, No. 4604); and

Authorizing the town of Tyngsborough to refund certain payments (House, No. 4661);

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