

JOURNAL OF THE HOUSE.

Tuesday, June 24, 2003.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Torrissi of North Andover 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: Holy Spirit God, we pause for a moment of spiritual reflection by bowing our heads in prayer as we seek Your assistance and guidance in addressing legislative and personal matters. When responsibilities and occasions of stressful situations seem to discourage or even overwhelm us, we believe that You are at our side and on our side. In our capacity as elected leaders, grant us a clear and realistic vision that sees beyond the issues of the day and prepares us to plan for future generations. In our complex diverse society, teach us to respect the rights and the dignity of all people and to remain faithful to our own high ideals, moral values and religious belief. Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Torrissi), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to certain capital spending authorizations (House, No. 3920) was filed in the office of the Clerk on Monday, June 23.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on House Long-Term Debt and Capital Expenditures.

Resolutions.

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

Resolutions (filed by Miss Reinstein of Revere) congratulating Michael W. Jozsa on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Miss Reinstein of Revere) congratulating Michael D. Mugford on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Miss Reinstein of Revere) congratulating Joseph J. Vasapolli on receiving the Eagle Award of the Boy Scouts of America;

Mrs. Harkins of Needham, 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. Donato of Medford, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Miceli of Wilmington, petition (accompanied by bill, House, No. 3921) of James R. Miceli, Charles A. Murphy and Bruce E. Tarr (by vote of the town) relative to making special provisions for an election to fill a vacancy in the board of selectmen of the town of Wilmington. To the committee on Election Laws.

By Miss Garry of Dracut, petition (accompanied by bill, House, No. 3922) of Colleen M. Garry (by vote of the town) that the licens-ing authority of the town of Dracut be authorized to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises. To the committee on Government Regulations.

By Mr. Koczera of New Bedford, petition (accompanied by bill, House, No. 3923) of Robert M. Koczera and Mark C. Montigny (by vote of the town) relative to authorizing the appointment of certain special police officers in the town of Acushnet. To the committee on the Judiciary.

By Mr. Larkin of Pittsfield, petition (accompanied by bill, House, No. 3924) of Peter J. Larkin, Shaun P. Kelly, Andrew F. Nuciforo, Jr., and William Smitty Pignatelli (with the approval of the mayor and city council) that certain positions in the city of Pittsfield be exempt from the civil service law. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Papers from the Senate.

The House Bill to protect federal transportation funding and strengthen drunk driving laws (House, No. 3873, printed as amended) came from the Senate passed to be engrossed, in concurrence, with certain amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2013; and inserting before the enacting clause the follow-ing emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to avoid the loss of life and the loss of federal highway aid funds pursuant to the federal Transportation Equity Act, 23 U.S.C. section 163, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

Under suspension of the rules, on motion of Mrs. Walrath of Stow, the amendments were considered forthwith.

The House then non-concurred with the Senate in its amendments; and, on motion of Mr. Vallee of Franklin, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Vallee, O’Flaherty of Chelsea and Hillman of Sturbridge were appointed as the committee on the part of the House. Sent to the Senate to be joined.

The House Bill providing relief and flexibility to municipal officials (House, No. 4003) came from the Senate with the endorsement that said branch had insisted on its amendment (in which the House had non-concurred).

The bill bore the further endorsement that the Senate had concurred with the House in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Rosenberg, Tollman and Knapik had been joined as the committee on the part of the Senate.

Bills

Designating a certain trail in Mansfield as the World War II veterans trail (Senate, No. 1897) (on a petition);

Designating a portion of state highway Routes 1A and 133 in the towns of Newbury, Rowley, Ipswich and Essex and the cities of Newburyport and Gloucester as a scenic byway (Senate, No. 1898) (on a petition);

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.

A petition of Andrea F. Nuciforo, Jr., Jarrett T. Barrios, Robert M. Koczera and other members of the General Court for legislation to expand certain definitions under the so-called bottle bill, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Energy. The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2020) was referred, in concurrence, to the committee on Energy.

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 7B be suspended on the petition of Philip Travis, Patricia A. Haddad and Joan M. Menard relative to health and life insurance for certain part-time elected officials of the town of Swansea. Under suspension of the rules, on motion of Mr. Driscoll of Braintree, the report was considered forthwith. Joint Rule 7B was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

By Mr. Rodrigues of Westport, for the committee on Commerce and Labor, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1242) of Martin J. Walsh, Brian P. Wallace, Jeffrey Sánchez and Michael F. Rush relative to the definition of a modular building,— and recommending that the same be referred to the committee on State Administration. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the city of Medford to issue additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3865) [Local Approval Received] be scheduled for consideration by the House.

Under suspension of Rule 7A, 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. Rodrigues of Westport, for the committee on Commerce and Labor, on House, Nos. 8 and 27, a Bill affirming the standard for commercially used weights and measures devices (House, No. 27).

By Mr. Hall of Westford, for the committee on State Administration, on a petition, a Bill to authorize a grant program for the preservation of historic records (House, No. 624).

By the same member, for the same committee, on a petition, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey an easement in certain land located in

the town of Concord (House, No. 1375).

By the same member, for the same committee, on a petition, a Bill concerning a cost-benefit analysis for new rules and regulations (House, No. 2156).

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

By Mr. Binienda of Worcester, for the committee on Energy, on a petition, a Bill relative to energy conservation measures (House, No. 535) [Representative Patrick of Falmouth dissenting].

By Mr. Honan of Boston, for the committee on Housing and Urban Development, on a petition, a Bill relative to the metropolitan park system (House, No. 2973).

By Mr. Atsalis of Barnstable, for the committee on Public Safety, on Senate, No. 1390 and House, Nos. 1172, 2291, 2489, 2497, 2658, 3207, 3402, 3566 and 3820, a Bill prohibiting the use of certain communication devices while operating a motor vehicle (House, No. 3919).

By Mr. Koczera of New Bedford, for the committee on Public Service, on House, No. 2667, a Bill authorizing the certification of David E. Jones to a civil service list for police officer notwithstanding the maximum age requirement (House, No. 3918) [Local Approval Received].

By Mr. Hall of Westford, for the committee on State Administration, on a petition, a Bill concerning conflict of interest (House, No. 620).

By the same member, for the same committee, on a petition, a Bill relative to records open to public inspection (House, No. 626).

By the same member, for the same committee, on a petition, a Bill placing certain providers of services to the Commonwealth under the ethics law (House, No. 838).

By the same member, for the same committee, on a petition, a Bill relative to private non-profit agencies (House, No. 839).

By the same member, for the same committee, on a petition, a Bill relative to including private non-profit corporations which receive public funds under the provisions of the open meeting and open records laws (House, No. 840).

By the same member, for the same committee, on a petition, a Bill further regulating the open meeting law (House, No. 2158).

By the same member, for the same committee, on a petition, a Bill relative to the open meeting law (House, No. 3445).

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

Orders of the Day.

The House Bill relative to certain school construction debt in the town of Reading (House, No. 3900), 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. 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 Thursday next at eleven o'clock A.M.

At a quarter after eleven o'clock A.M., on motion of Mr. Driscoll of Braintree (Mr. Torrasi of North Andover being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.
