

JOURNAL OF THE HOUSE.

Thursday, July 24, 2003.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Turkington of Falmouth 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 open our hearts and minds to You and to the reception of Your spiritual gifts of wisdom and understanding which, we believe, enables us to comprehend reality clearly and to make prudent decisions. In Your goodness grant us the patience to sift through, in a fair manner, the legislative proposals and the vast amount of information (some accurate, some not) which we evaluate daily. In addressing legislative issues, teach us to recognize both the immediate and future impact on people, society and communities. During these stressful and difficult times, inspire us to remain faithful to our ideals, principles, spiritual values and religious commitments. May we continue to be symbols of peace, trust, stability and goodwill. Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

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

House Standing Committee Appointments and Changes.

Under the provisions of Rules 18 and 18A, the Speaker announced that the Majority Party Caucus and Minority Party Caucus had ratified the following appointments:

Homeland Security and Federal Affairs. — Walsh of Boston, Nangle of Lowell, Story of Amherst, Murphy of Burlington, Smizik of Brookline, Coughlin of Dedham, L'Italien of Andover, Sanchez of Boston, Wallace of Boston, Hillman of Sturbridge and Humason of Westfield.

Medicaid. — Keenan of Southwick, O'Brien of Kingston, Ruane of Salem, Parente of Milford, Walrath of Stow, Galvin of Canton, Torrisi of North Andover, Haddad of Somerset, Spilka of Ashland, Gomes of Harwich and Kelly of Dalton.

The Speaker announced that Representative Hillman of Sturbridge had been removed (at his own request) from the committee on Science and Technology; and that Representative Polito of Shrewsbury had been appointed to the tenth position on said committee to fill the existing vacancy.

The joint standing committee on Local Affairs and Regional Government was appointed as follows:—

Senators Fargo of Middlesex, Shannon of Middlesex, Creem of Middlesex and Norfolk, Nuciforo of Berkshire, Hampden, Hampshire and Franklin, Tolman of Suffolk and Middlesex and Sprague of Bristol and Norfolk; Representatives Owens-Hicks of Boston, Verga of Gloucester, Goguen of Fitchburg, Khan of Newton, O'Brien of Kingston, Balser of Newton, Blumer of Framingham, Pignatelli of Lenox, Sanchez of Boston, Pope of Wayland and Perry of Sandwich.

Statement of Representative Connolly of Everett.

A statement of Mr. Connolly of Everett was spread upon the records of the House, as follows:
MR. SPEAKER: I would like to call to the attention of the House the fact that I was unable to be present in the House Chamber for the remainder of the session on Thursday last due to a 5:30 A.M. hospital appointment on Friday morning. Had I been present for the taking of yeas and nays numbers 391 to 415, inclusive, I would have voted, in each instance, in the affirmative. The roll calls that I missed that day was due entirely to the reason stated.

Resolutions.

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

Resolutions (filed by Mr. Finneran of Boston) honoring the O'Neill family;

Resolutions (filed by Representatives Bosley of North Adams and Story of Amherst) on the occasion of the eleven hundredth anniversary of the city of Pskov, Russia;

Resolutions (filed by Mr. Humason of Westfield) congratulating Senior Master Sergeant Ernest G. Smith on the occasion of his retirement;

Resolutions (filed by Representatives Teahan of Whitman and Nyman of Hanover) commemorating the fiftieth anniversary of the armistice that brought the Korean War to a conclusion; and

Resolutions (filed by Mrs. Walrath of Stow) congratulating Argeo R. Cellucci, Jr., on the occasion of his retirement;

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.

Communications.

Communications

From the Department of Environmental Protection submitting a copy of an application for assistance under the Biowatch Federal Grant Program;

From the Division of Health Care Finance and Policy submitting its fiscal year 2002 annual report;

From the Speaker of the House (under the provisions of House Rule 85A) relative to an audit of financial accounts of the House of Representatives for the fiscal year 2003;

From the Department of Environmental Protection submitting a copy of an application for assistance under the Particulate Monitoring Federal Grant Program;

From the Plymouth County Registry of Deeds (under Section 2KKK of Chapter 29 of the General Laws, as inserted by Section 4 of Chapter 4 of the Acts of 2003) submitting an initial plan of proposed technological improvements at said registry (copies of said communication forwarded, as required under said law, to the committee on Ways and Means and the committee on Post Audit and Oversight);

From the Executive Office for Administration and Finance (under the provisions of Section 3B of Chapter 7 of the General Laws) relative to proposed changes in fees for licenses, permits and

services to be charged by certain agencies;
Severally were placed on file.

Annual and Special Reports.

Annual reports

Of the Statewide Emergency Telecommunications Board (under Section 18B(e) of Chapter 6A of the General Laws) relative to the implementation of the enhanced emergency 9-1-1 public safety answering system and related matters; and

Of the State Lottery Commission (under Section 38 of Chapter 10 of the General Laws) of charitable gaming as it relates to bingo, raffles and bazaars for the year 2002; and

A Special report of the Executive Office of Environmental Affairs (pursuant to Section 38 of Chapter 236 of the Acts of 2002) relative to potential environmental impacts of wind energy facilities to the Cape and Islands Ocean Sanctuary;

Severally were placed on file.

Petitions.

Petitions (deposited with the Clerk previously to five o'clock in the afternoon on Wednesday, December 4, 2002) were presented and they were severally referred, under Rule 24 and Joint Rule 13, as follows:

By Mr. Bradley of Hingham (by request), petition (accompanied by bill, House, No. 3971) of Norman Crawley relative to prescriptions for members of prescription advantage, so-called. To the committee on Health Care.

By Mr. Kulik of Worthington, petition (accompanied by bill, House, No. 3972) of Stephen Kulik, Stephen M. Brewer, Andrea F. Nuciforo Jr., Christopher J. Donelan and Stanley C. Rosenberg relative to transferring group health insurance of retired Franklin County employees to the Commonwealth. To the committee on Public Service.

By Mr. Demakis of Boston, petition (accompanied by bill, House, No. 3973) of Paul C. Demakis, Susan C. Fargo and Byron Rushing for legislation to reduce the surcharge on the rental of motor vehicles in the city of Boston; and

By the same member, petition (accompanied by bill, House, No. 3974) of Paul C. Demakis and Byron Rushing for legislation to reduce the surcharge on the rental of motor vehicles in the city of Boston;

Severally to the committee on State Administration.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mrs. Paulsen of Belmont, petition (accompanied by bill, House, No. 3975) of Anne M. Paulsen and Steven A. Tolman (by vote of the town) that the town of Belmont be authorized to place a certain question regarding the sale of alcoholic beverages on the town's election ballot. To the committee on Election Laws.

By Mr. Kujawski of Webster, petition (accompanied by bill, House, No. 3976) of Peter V. Kocot and Stanley C. Rosenberg (with the approval of the mayor and city council) that the licensing authority of the city of Northampton be authorized to issue additional licenses for the sale of wine and malt beverages to be drunk on the premises. To the committee on Government

Regulations.

By Mr. O'Flaherty of Chelsea, petition (accompanied by bill, House, No. 3977) of Eugene L. O'Flaherty and Kathi-Anne Reinstein (with the approval of the mayor and city council) relative to establishing the Chelsea affordable housing trust fund. To the committee on Housing and Urban Development.

By Mr. Straus of Mattapoisett, petition (accompanied by bill, House, No. 3978) of William M. Straus and Marc C. Montigny (by vote of the town) relative to the appointment of retired police officers in the town of Fairhaven. To the committee on Public Service.

By Mrs. Paulsen of Belmont, petition (accompanied by bill, House, No. 3979) of Anne M. Paulsen and Steven A. Tolman (by vote of the town) to authorize a tax check-off in the town of Belmont to add additional monies to the general fund;

By the same member, petition (accompanied by bill, House, No. 3980) of Anne M. Paulsen and Steven A. Tolman (by vote of the town) relative to the taxation of certain property in the town of Belmont;

By the same member, petition (accompanied by bill, House, No. 3981) of Anne M. Paulsen and Steven A. Tolman (by vote of the town) authorizing the modification of property tax billing in the town of Belmont;

By Mr. Coughlin of Dedham, petition (accompanied by bill, House, No. 3987) of Robert K. Coughlin (by vote of the town) relative to the taxation of certain real property in the town of Westwood; and

By the same member, petition (accompanied by bill, House, No. 3988) of Robert K. Coughlin and Marian Walsh (by vote of the town) that the town of Dedham be authorized to reimburse Rebecca M. Bowles for the payment of certain real estate taxes;

Severally to the committee on Taxation.

By Mrs. Pope of Wayland, petition (accompanied by bill, House, No. 3989) of Susan W. Pope and Cheryl A. Jacques (by vote of the town) relative to the taxation of certain real property in the town of Wayland. To the committee on Federal Financial Assistance.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Correia of Fall River, petition (subject to Joint Rule 12) of Robert Correia and Joan M. Menard relative to the use of tobacco by police officers and firefighters.

By Miss Garry of Dracut, petition (subject to Joint Rule 12) of Colleen M. Garry for legislation to make certain changes in the law concerning low and moderate income housing.

By Ms. Kaprielian of Watertown, petition (subject to Joint Rule 12) of Rachel Kaprielian and Steven A. Tolman relative to the issuance of group health insurance policies to certain small businesses.

By Mr. Keenan of Southwick, petition (subject to Joint Rule 12) of Daniel F. Keenan relative to the classification of vendors of educational technology integration services by the Division of Operational Services.

By Mr. Koutoujian of Newton, petition (subject to Joint Rule 12) of Peter J. Koutoujian and other members of the General Court for legislation to grant leaves of absence to certain public employees serving as organ donors.

By Mr. Miceli of Wilmington, petition (subject to Joint Rule 12) of James R. Miceli for legislation to repeal the law relative to the disposition of surplus property by the Department of Capital Asset Management and Maintenance.

By Mr. Murphy of Burlington, petition (subject to Joint Rule 12) of Charles A. Murphy, Bradley H. Jones Jr., and Carol A. Donovan relative to designating a certain bridge in the town of Bedford as the Michael P. Lenihan Memorial Bridge.

By Mr. Sullivan of Fall River, petition (subject to Joint Rule 12) of David B. Sullivan, Walter F. Timilty and Reed V. Hillman that the Executive Office of Transportation and Construction be authorized to offer sponsorship rights for bridges throughout the Commonwealth.

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

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 designating a certain trail in Mansfield as the World War II veterans trail (Senate, No. 1897); and

Of the Bill relative to the metropolitan park system (House, No. 2973);

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

Of the Bill prohibiting the use of certain communication devices while operating a motor vehicle (House, No. 3919),— and recommending that the same be referred to the House committee on Ways and Means.

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, asking to be discharged from further consideration

Of the Bill establishing Juneteenth Independence Day (House, No. 1936); and

Of the Bill relative to the open meeting law (House, No. 3445);

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

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, asking to be discharged from further consideration of the Bill further regulating the open meeting law (House, No. 2158),— and recommending that the same be referred to the committee on Education, Arts and Humanities. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the reference.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sewer system capital improvement fund in the town of Chelmsford (House, No. 3805) [Local Approval Received] be scheduled for consideration by the House.

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

By Mr. Quinn of Dartmouth, for the committee on Banks and Banking, on House, No. 481, an Order relative to authorizing the committee on Banks and Banking to make an investigation and study of a certain House document concerning repossession of motor vehicles by creditors (House, No. 3982).

By Mr. Toomey of Cambridge, for the committee on Public Safety, on House, Nos. 399, 405,

409, 2500, 3374 and 3576, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning license plates and veterans' issues (House, No. 3983).

By the same member, for the same committee, on House, Nos. 1339, 1562, 2126, 2294 and 2651, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning recreational safety (House, No. 3984).

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. Quinn of Dartmouth, for the committee on Banks and Banking, on a petition, a Bill relative to money laundering (House, No. 2742).

By Mr. Scibak of South Hadley, for the committee on State Administration, on House, No. 3700, a Bill authorizing and directing the Commissioner of Capital Asset Management and Maintenance to place a conservation restriction on and transfer a certain parcel of land to the Kuzeja Real Estate Trust (House, No. 3985).

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

Engrossed Bills.

Engrossed bills

Designating Regatta Field in the city of Lowell as the Anne Dean Welcome Field (see House, No. 1535); and

Placing the fire department of the town of Dracut under the civil service law (see House, No. 3903);

(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 acting Speaker and sent to the Senate.

Orders of the Day.

The House Bill establishing a sick leave bank for John Nourse, an employee of the Department of Correction (House, No. 3822), 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 Monday next at eleven o'clock A.M.

At seventeen minutes after eleven o'clock A.M., on motion of Ms. Rogeness of Longmeadow (Mr. Turkington of Falmouth being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.
