

JOURNAL OF THE HOUSE.

Monday, August 4, 2003.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Rodrigues of Westport 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, as we begin today's legislative session, we pause for a moment to turn our thoughts and attention to You, Our Creator. Inspire us to renew our dedication to implementing honorable goals as well as human and spiritual values in dealing with people, issues and policies. In evaluating our legislative and personal options grant us clarity of thought, wisdom to make correct ethical choices and the courage to recognize and serve the best interests of the people and the common good. Teach us to respect the civil, human and religious rights of all people. May we always be aware of the legislative accomplishments and the intellectual and moral tradition of our predecessors.

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

At the request of the Chair (Mr. Rodrigues), 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. Naughton of Clinton) honoring Susan Templeton on her sixteen years of outstanding service to the Wachusett Chamber of Commerce; and

Resolutions (filed by Mr. Nyman of Hanover) congratulating firefighter Joseph Connell on the occasion of his retirement;

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. Kaufman of Lexington, 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 Department of Telecommunications and Energy (under the provisions of Section 193 of Chapter 164 of the Acts of 1997) submitting a report on the installations of cogeneration, renewable energy, fuel cell, and on-site generation facilities for the year 2002; and

From the Secretary of Health and Human Services (under item 4408-1000 contained in Section 2 of Chapter 26 of the Acts of 2003) transmitting a determination of said secretary of insufficient funds in the appropriation account for emergency aid to the elderly, disabled and Children;

Severally were placed on file.

Petition.

Mr. Kocot of Northampton presented a petition (accompanied by bill, House, No. 4106) of Peter V. Kocot and Stanley C. Rosenberg (with the approval of the mayor and city council) relative to amending the charter of the city of Northampton to provide for the appointment of a city council clerk; and the same was referred to the committee on Local Affairs and Regional Government. Sent to the Senate for concurrence.

Papers from the Senate.

A Bill authorizing the merger of Moby Dick Council, Inc., Boy Scouts of America, into the Narragansett Council, Boy Scouts of America (Senate, No. 1993, amended by adding at the end of section 1 the following paragraph:

“This merger shall take effect only if the merged corporation files with the secretary of the commonwealth corrected and restated articles of merger, providing that (a) the merged corporation may be sued in the commonwealth for any prior obligation of the Moby Dick Council, Inc., and any other obligation incurred by the merged corporation, so long as any liability remains outstanding against the corporation in the commonwealth, and (b) the merged corporation shall be bound by, and the prior obligations under clause (a) shall include, any restrictions, whether in the nature of a contract or in the nature of an express or implied trust, on the use or disposition of assets held for charitable purposes by the Moby Dick Council, Inc., and the merged corporation shall irrevocably appoint the state secretary as its agent to accept service of process in any action for the enforcement of any such obligation, including taxes, in the manner provided in chapter 181 of the General Laws. These corrected and restated articles of merger may be effective as of the date that the original articles of merger were filed with the state secretary, but only if the corrected and restated articles state that the corporation has fully complied with the preceding sentence at all times after that date.”; and striking out section 2 (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Reports

Of the committee on Natural Resources and Agriculture, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1214) of John A. Hart, Jr. and Martin J. Walsh for legislation to direct the Division of Waterways to dredge the harbor area surrounding the Old Colony Yacht Club in the city of Boston; and

Of the petition (accompanied by bill, Senate, No. 1235) of Michael W. Morrissey and Bruce J. Ayers for legislation to authorize the Division of Waterways to dredge the harbor surrounding Quincy's Marina Bay;

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

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence, insomuch as relates to the discharge of the committee.

A petition (accompanied by bill, Senate, No. 2057) of Thomas G. Ambrosino, mayor, and Jarrett T. Barrios (with the approval of the mayor and city council) for legislation relative to the

issuance of certain bonds by the city of Revere, was referred, in concurrence, to the committee on Local Affairs and Regional Government.

Reports of Committees.

By Mr. Cabral of New Bedford, for the committee on Human Services and Elderly Affairs, on a petition, a Resolve providing for an investigation and study by a special commission relative to the needs of persons with agoraphobia and related disorders (House, No. 366).

By the same member, for the same committee, on a petition, a Resolve to establish a special commission to evaluate the status of Massachusetts's veterans long term care services (House, No. 1869).

By the same member, for the same committee, on a petition, a Resolve providing for an investigation and study by a special commission relative to the workforce in the those agencies serving persons with mental retardation (House, No. 3531).

Severally read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Cabral of New Bedford, for the committee on Human Services and Elderly Affairs, on a petition, a Bill to assure equal treatment for lawful immigrants in Massachusetts (House, No. 711).

By the same member, for the same committee, on a petition, a Bill authorizing reimbursement to the town of Easton for veterans' benefits expended in past years (House, No. 915).

By the same member, for the same committee, on a petition, a Bill to end child hunger in Massachusetts (House, No. 2981).

By Mr. Greene of Billerica, for the committee on Natural Resources and Agriculture, on a petition, a Bill relative to Spectacle Island (House, No. 3369).

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

By Mr. Greene of Billerica, for the committee on Natural Resources and Agriculture, on Senate, No. 1240 and House, No. 2849, a Bill authorizing the establishment of old growth forest reserves (House, No. 2849).

By the same member, for the same committee, on House, No. 1541, a Bill relative to requiring pilots for certain vessels (House, No. 4104).

Severally read; and referred, under Rule 33D, to the committee on Homeland Security.

Emergency Measures.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey an easement in certain land located in the town of Concord (see House, No. 1375, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

The engrossed Bill further extending the time for which certain land in Norfolk County may be used as a temporary minimum security alternative correction center (see House, No. 1625), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

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Authorizing the town of Milton to issue a license for the sale of all alcoholic beverages to be drunk on the premises (see Senate, No. 420) (which originated in the Senate); and

Relative to the preliminary elections in the city of Malden in the year 2003 (see House, No. 3740) (which 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.

House bills

Validating the actions taken at the annual election held in the town of Bridgewater (printed in House, No. 3931) (its title having been changed by the committee on Bills in the Third Reading); and

Validating the actions taken at certain special elections held in the town of Dedham (printed in House, No. 3932);

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 Thursday next at eleven o'clock A.M.

At eleven minutes after eleven o'clock A.M., on motion of Mr. Demakis of Boston (Mr. Rodrigues of Westport being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.
