

# JOURNAL OF THE HOUSE.

Thursday, August 5, 2004.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Ms. Peisch of Wellesley 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:

Prayer.

God of Goodness and Truth, Your assistance and guidance enable us to carry our personal and legislative responsibilities and to recognize our daily opportunities for serving You and people in a conscientious way. In these uneasy times of possible terrorist threats, violence and uncertainties, help us to remain clearly focused on our goals, priorities and principles. Inspire us to remain faithful to You, Your ways for successful living and to the human and spiritual values which You have made known to us.

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

Pledge of allegiance.

At the request of the Chair (Ms. Peisch), the members, guests and employees joined with her 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:

Korean War Memorial.

Resolutions (filed by Representatives Lepper of Attleboro and Poirier of North Attleborough) on the occasion of the dedication of the North Attleboro Korean War Memorial, July 25, 2004; and

Ashley Smith.

Resolutions (filed by Mr. Walsh of Boston) congratulating Ashley Smith on being the 2004 Irish Step Dancing World Champion;

Mr. Petrolati of Ludlow, 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. Lepper of Attleboro, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

### Petition.

Winthrop, teachers retirement.

Mr. DeLeo of Winthrop presented a petition (subject to Joint Rule 12) of Robert A. DeLeo (by vote of the town) relative to creditable service for certain employees of the Winthrop Public Schools; and the same was referred, under Rule 24, to the committee on Rules.

### Papers from the Senate.

A Bill authorizing the town of Westborough to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (Senate, No. 2326) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Westborough, liquor license.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to an inspection of the Middlesex County House of Correction and Jail, in the town of Billerica, was spread upon the records of the House; and returned to the Senate.

Middlesex County Jail, inspection.

### Reports of Committees.

By Mr. Koczera of New Bedford, for the committee on Public Service, on a petition, a Bill providing for an early retirement incentive program for the city of Medford (House, No. 4961) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Medford, early retirement.

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. Rogers of Norwood, for the committee on Ways and Means, that the Bill authorizing the city of Medford to use certain land for memorial purposes (House, No. 4864) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Medford, land use.

Mr. Kujawski of Webster, for said committee, reported that the matter 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. Koczera of New Bedford, for the committee on Public Service, recommending that the communication from the Public Employee Retirement Commission (under the provisions of Section 50 of Chapter 7 of the General Laws) relative to rules and regulations governing retirement of public employees in Massachusetts (Senate, No. 2379) be placed on file.

PERAC, rules and regulations.

Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Mrs. Owens-Hicks of Boston, for the committee on Local Affairs and Regional Government on the part of the House, that the Bill clarifying the eligibility of the employees of the Montachusett Regional Planning Commission to participate in the Commonwealth's group insurance plan (Senate, No. 1399) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Montachusett Regional Planning Commission, group insurance.

Fagota  
Tupe,  
sick leave  
bank.

By Mr. Rogers of Norwood, for the committee on Ways and Means, that the Bill establishing a sick leave bank for Fagota Tupe, an employee of the Department of Correction (Senate, No. 2405) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

*Orders of the Day.*

Senate bills

Relative to municipal light plant department security deposits (Senate, No. 2211); and

Relative to the disposition of certain land in the city of Lowell (Senate, No. 2421, changed);

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, in concurrence.

House bills

Relative to fair contracts (House, No. 1383) (its title having been changed by the committee on Bills in the Third Reading);

Relative to money laundering (House, No. 2742);

Relative to the protection of inland waters (House, No. 3561);

Relative to kayaks (House, No. 4456, changed);

Establishing the Mattapoissett River Valley water district (House, No. 4839); and

Prohibiting the recording of certain productions (House, No. 4863) (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.

Third  
reading  
bills.

Third  
reading  
bills.

Coyotes,  
capture.

The House Bill relative to the control of coyotes (House, No. 4946) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Greene of Billerica and other members of the House moved that it be amended by striking out all after the enacting clause and inserting in place thereof the following:

“Chapter 131 of the Massachusetts General Laws, as appearing in the 2002 Official Edition, is hereby amended by adding the following new section after 80A:—

80B. Notwithstanding the provisions of section 80A, the director, or persons permitted by the director, may use the most effective means possible for the purpose of capturing a coyote that presents an imminent threat to human health or safety; provided that concurrence with the mayor, city council, or the board of selectmen, whatever the case may be, is achieved in the city or town where action is deemed by the director to be necessary.

In addition, the provisions of sections 80A shall not apply to the use of prohibited devices, by the director or persons permitted by the director, for legitimate scientific research projects.

Coyotes,  
capture.

Nothing in this section shall be construed to allow the use of the steel jaw leghold trap, and/or snares.

The director shall promulgate regulations and report annually to the Joint Committee on Natural Resources and Agriculture on the frequency and location of such imminent threats, the criteria used to determine an imminent threat and the number and method to take coyotes.

The Division, as part of its responsibility under this section, shall be required to provide information to local Boards of Health for dissemination to educate citizens about the ways in which they can participate in avoiding the presence of coyotes and other wildlife in their neighborhoods.”

The amendment was adopted; and the bill (House, No. 4946, amended) was passed to be engrossed. Sent to the Senate for concurrence.

*Engrossed Bill.*

The engrossed Bill relative to the sale of municipal tax receivables (see House, No. 4872, 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; and it was signed by the acting Speaker and sent to the Senate.

Bill  
enacted.

*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.

Next  
sitting.

At twenty-three minutes after eleven o'clock A.M., on motion of Ms. Story of Amherst (Ms. Peisch of Wellesley being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.