JOURNAL OF THE HOUSE.
Thursday, October 16, 2003.

Met at seven minutes after eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford 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, whose gift of wisdom we seek and whose gift of love fills our hearts and minds with peace, we look to You for guidance in evaluating this day's opportunities, challenges and responsibilities. We pray for strength at times of discouragement, endurance in trials, gratitude in prosperity and composure in times of stress. Inspire us to be seekers of truth and integrity as we sift through the vast amount of information at our finger tips. In Your goodness, teach us to serve You, Our Creator, conscientiously and the people fairly so that our communities and our basic institutions are well served today and protected in the future.

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

At the request of the Chair (Mr. Donato), 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 Messrs. Finneran of Boston and Timilty of Milton) congratulating Dr. Mary Grassa O'Neill on her years of service to the Milton Public Schools;

Resolutions (filed by Mr. Galvin of Canton) honoring Edward J. Lynch, Jr.;

Resolutions (filed by Mr. Hall of Westford) congratulating Robert Daniel Bennett on the occasion of his retirement;

Resolutions (filed by Mr. Hill of Ipswich) on the retirement of Adele McConaghy;

Resolutions (filed by Mr. Kocot of Northampton) honoring Ann Courtney as Democrat of the Year;

Resolutions (filed by Mr. Kocot of Northampton) honoring Michael Vito as Democrat of the Year;

Resolutions (filed by Mr. Rush of Boston) recognizing Brother Anthony Cavet, CFC, as a 2003 inductee into the Massachusetts Forensic League Hall of Fame; and

Resolutions (filed by Mr. Scaccia of Boston) congratulating Thomas B. Materazzo on the occasion of his retirement as Commissioner of Veterans' Services;

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. Turkington of Falmouth, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communications.

The following communications were read for the information of the House:

From the Norfolk County Registry of Deeds (under Section KKK of Chapter 29 of the General Laws as inserted by Section 4 of Chapter 4 of the Acts of 2003) submitting an initial plan for technological improvements at said registry (copies of said communication referred, as required

under said law, to the committee on Ways and Means and the committee on Post Audit and Oversight); and
From the Secretary of 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 state agencies;
Severally placed on file.

Annual and Special Reports.

Annual Reports
Of the Group Insurance Commission (under the provisions of Section 20 of Chapter 32A of the General Laws) relative to vendor quality improvement program activities for the fiscal year 2003; and
Of the Merrimack Valley and Nantucket Regional Transit Authorities (under the provisions of Section 8 of Chapter 161B of the General Laws) for the fiscal year 2003;
A bi-monthly report of the Executive Office of Transportation and Construction (under the provisions of Section 178 of Chapter 653 of the Acts of 1989) submitting an account of the costs incurred in connection with the depression of the Central Artery and construction of the Ted Williams Tunnel; and
A quarterly report of the Massachusetts Bay Transportation Authority (under Section 17 of Chapter 125 of the Acts of 2000) on the pilot program for improvements on the Greenbush Commuter Line Corridor of the Old Colony Railroad Rehabilitation Project for the quarter ending December 31, 2002;
Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:
By Mr. Petersen of Marblehead, petition (accompanied by bill, House, No. 4235) of Douglas W. Petersen (by vote of the town) relative to authorizing the town of Marblehead to establish fines for certain parking violations. To the committee on Public Safety.
By Mr. Kelly of Dalton, petition (accompanied by bill, House, No. 4236) of Shaun P. Kelly and Andrea F. Nuciforo, Jr. (by vote of the town) relative to the retirement and health benefits of certain officials of the town of Richmond;
By Mr. Swan of Springfield, petition (accompanied by bill, House, No. 4237) of Benjamin Swan and other members of the General Court (with the approval of the mayor and city council) that certain demoted fire fighters in the city of Springfield by authorized to take promotional examinations; and
By Mr. Toomey of Cambridge, petition (accompanied by bill, House, No. 4238) of Sean T. O'Donovan, Dorothy A. Kelly Gay (mayor) and others (with the approval of the board of aldermen) that the city of Somerville be authorized to appoint special police officers;
Severally to the committee on Public Service.
Severally sent to the Senate for concurrence.

Mr. Buoniconti of West Springfield presented a petition (subject to Joint Rule 12) of William Francis Galvin, Stephen J. Buoniconti and Linda J. Melconian for legislation to authorize cities

and towns to lease or purchase certain automatic tabulating equipment for elections; and the same was referred, under Rule 24, to the committee on Rules.
Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Smizik of Brookline, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Election Laws. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:
By Mr. deMacedo of Plymouth, petition (subject to Joint Rule 12) of Viriato Manuel deMacedo for legislation to ensure that residents of nursing homes be assured of beds after non-medical leaves of absences.
By Mr. Fresolo of Worcester, petition (subject to Joint Rule 12) of John P. Fresolo and Michael F. Kane for legislation to further define the term "electric company" for the siting of electric transmission facilities in the Commonwealth.
By Mr. Naughton of Clinton, petition (subject to Joint Rule 12) of Harold P. Naughton, Jr., for an investigation by a special commission (including members of the General Court) relative to the appointment of counsels for indigent defendants in the court proceedings in the Commonwealth.
Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

The House Bill authorizing the town of Hingham to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3886) came from the Senate passed to be engrossed, in concurrence, with an amendment in line 3 by striking out the words "Boston Golf Club".
Under suspension of Rule 35, on motion of Mr. Rodrigues of Westport, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

A report of the Senate committee on Ethics and Rules, asking to be discharged from further consideration of the Senate Order relative to authorizing the joint committee on Local Affairs and Regional Government to make an investigation and study of Senate document numbered 1178, relative to affordable elderly rental housing in Ipswich (Senate, No. 2075), and recommending that the same be recommitted to the committee on Local Affairs and Regional Government,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

A petition of Pamela P. Resor and Geoffrey D. Hall for legislation to further regulate trade, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Commerce and Labor.
The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2110) was referred, in concurrence, to the committee on Commerce and Labor.

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 Marie J. Parente relative to making certain designations of public properties. Under suspension of the rules, on motion of Mr. Smizik of Brookline, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration. Sent to the Senate for concurrence.

By Mr. Toomey of Cambridge, for the committee on Public Safety, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3215) of Kathi-Anne Reinstein and others relative to surcharges on car rental transactions in cities and towns,— 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. Sent to the Senate for concurrence in the discharge of the committee.

By Mr. Toomey of Cambridge, for the committee on Public Safety, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2656) of Peter J. Koutoujian that the Department of Corrections be required to test all inmates for Hepatitis C prior to being paroled,— and recommending that the same be referred to the committee on Health Care. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Mr. Rogers of Norwood, for the committee on Ways and Means, that the Bill authorizing the Commissioner of Capital Asset Management and Maintenance to grant an easement to the county of Nantucket (Senate, No. 2082, amended) ought to pass. 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 Rule 7A, on motion of Mr. Turkington of Falmouth, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mrs. Owens-Hicks of Boston, for the committee on Local Affairs and Regional Government, on a message from His Excellency the Governor, a Bill authorizing the sale of certain conservation land in the town of North Reading (printed in House, No. 4131, changed by striking out section 2 and inserting in place thereof the following section:

"SECTION 2. This act shall take effect as of October 1, 2003."). 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. Carron of Southbridge, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mrs. Owens-Hicks of Boston, for the committee on Local Affairs and Regional Government, on a petition, a Bill prohibiting certain vehicles from West Street in the town of Reading (House, No. 4151) [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 Mr. Koczera of New Bedford, for the committee on Public Service, on a petition, a Bill authorizing the city of Methuen to pay certain employees thereof wages due them for fiscal year 2001 (House, No. 2133) [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. Hill of Ipswich, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Scaccia of Boston, for the committee on Rules, that the Bill providing evaluation of the health care services and environmental conditions at M.C.I. Framingham (House, No. 1911, changed) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

By Mr. Toomey of Cambridge, for the committee on Public Safety, on a petition, a Bill relative to the transportation of persons in wheelchairs (House, No. 2650). Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill to provide access to forensic and scientific analysis (House, No. 750).
By the same member, for the same committee, on a petition, a Bill regarding notarization of documents including electronic notarization (House, No. 4217, changed in line 44 and also in line 52 by striking out the word "digitally" and inserting in place thereof, in each instance, the word "electronically", in line 46, by striking out, the word "digital" and inserting in place thereof the word "electronic", and in lines 49 and 50, by striking out the words "a digital" and inserting in place thereof the words "an electronic").
Severally read; and referred, under Rule 33B, to the committee on Science and Technology.

By Mrs. Owens-Hicks of Boston, for the committee on Local Affairs and Regional Government on the part of the House, that the Bill relative to community preservation (House, No. 1509) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mrs. Owens-Hicks of Boston, for the committee on Local Affairs and Regional Government, on a petition, a Bill authorizing the town of Mendon to establish a capital expenditure fund (House, No. 192) [Local Approval Received].
By the same member, for the same committee, on a petition, a Bill relative to the geriatric authority of the town of Milford (House, No. 193) [Local Approval Received].
By the same member, for the same committee, on a petition, a Bill relative to the Dighton Water District (House, No. 387).
By the same member, for the same committee, on a petition, a Bill increasing the number of selectmen in the town of Foxborough from 3 to 5 (House, No. 583) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the town of Monroe to lease certain land (House, No. 3993, changed in section 1, in line 3, by striking out the figure: "4" and inserting in place thereof the figure: "3", in line 4, by striking out the following: "LLA" and inserting in place thereof the following: "LLC", and in line 6, by striking out the words "and all lots" and inserting in place thereof the words "said lots being") [Local Approval Received].
By the same member, for the same committee, on a petition, a Bill providing for a selectmen-town manager form of government in the town of Foxborough (House, No. 4018, changed in section 3, in line 6, by inserting after the word "Town" the words "in accordance with law") [Local Approval Received].
By the same member, for the same committee, on a petition, a Bill relative to the extension of municipal sewer and water services to Plum Island (House, No. 4070).
By the same member, for the same committee, on a petition, a Bill establishing an infrastructure and town property Capital Improvements Fund in the city known as the town of Franklin (House, No. 4072) [Local Approval Received].
By the same member, for the same committee, on a petition, a Bill relative to the off-street parking board in the city of Worcester (House, No. 4082) [Local Approval Received].
By the same member, for the same committee, on a petition, a Bill authorizing the town of North Andover to grant a certain easement (House, No. 4090) [Local Approval Received].
By the same member, for the same committee, on a petition, a Bill authorizing the town of Florida to lease certain land (House, No. 4163, changed in section 1, in line 4, by striking out the following: "LLA for the purposes of a wind farm for in" and inserting in place thereof the following: "LLC for the purposes of a wind farm for a") [Local Approval Received].
By the same member, for the same committee, on House, No. 388, a Bill relative to the town administrator of the town of West Boylston (House, No. 4230) [Local Approval Received].
By Mr. Wagner of Chicopee, for the committee on Transportation, on House, No. 3733, a Bill designating portions of Interstate 90 and Interstate 93 (House, No. 4231) [Senator Hedlund, and Representative Evangelidis of Holden, dissenting].
Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Dempsey of Haverhill, for the committee on Science and Technology, on a petition, Resolutions relative to the adoption of a comprehensive public policy and strategy for the preservation and advancement of science and technology based economic development throughout the Commonwealth (House, No. 4182). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bills.

Engrossed bills
Authorizing the town of Abington to transfer certain funds (see Senate, No. 2038);
Authorizing the town of Abington to pay a certain unpaid bill (see Senate, No. 2039);
(Which severally originated in the Senate); and
Relative to the issuance of pension funding bonds by the city of Fall River (see House, No. 3996) (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.

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 twenty-two minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.