

**JOURNAL OF THE HOUSE.**  
**Monday, November 3, 2003.**

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Greene of Billerica 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:

God of Forgiveness and Truth, we depend upon Your gift of wisdom to assist us in fulfilling our personal responsibilities and addressing current complex, often emotional and sensitive, legislative issues and new public policy initiatives. Sometimes we substitute our own human for your spiritual gift of wisdom and fail to recognize You as Our Creator and Guide. Each day we try to offer You and the people who depend upon our conscientious decisions, our best intentions and best efforts. On occasion we may fail to live-up to our high standards and ideals. Inspire us to be guided by sound principles, solid spiritual values and our religious beliefs in our quest for personal peace, happiness and meaning.  
Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

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

**Message from the Governor — Section of  
Inland Fisheries and Game Fund Bill Returned  
with Recommendation of Amendment.**

A message from His Excellency the Governor returning section 14A of the engrossed Bill relative to the Inland Fisheries and Game Fund [see House, No. 4248, amended] (for message, see House, No. 4299) with recommendation of amendment, was filed in the office of the Clerk on Thursday, October 30.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, section 14A, printed as a Bill relative to fiscal relief funds (House, No. 4302), was thereupon “before the General Court and subject to amendment and re-enactment”.

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Rodrigues of Westport, to the committee on Bills in the Third Reading.

**Message from the Governor — Bill Returned  
with Recommendation of Amendment.**

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill authorizing the town of Braintree to transfer a certain parcel of town park land [see House, No. 4129] (for message, see House, No. 4300) with recommendation of amendment, was filed in the office of the Clerk on Thursday, October 30.

The message was read; and, under the provisions of Article LVI of the Amendments to the

Constitution, the bill was thereupon “before the General Court and subject to amendment and re-enactment”.

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Driscoll of Braintree, to the committee on Bills in the Third Reading.

### **Message from the Governor.**

A message from His Excellency the Governor recommending legislation relative to providing for the transfer of a parcel of conservation/recreation land owned by the Department of Conservation and Recreation in the town of Erving to the Massachusetts Highway Department for highway purposes (House, No. 4301) was filed in the office of the Clerk on Thursday, October 30.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on State Administration. Sent to the Senate for concurrence.

### **Resolutions.**

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

Resolutions (filed by Representatives Haddad of Somerset, Fagan of Taunton and Howland of Freetown) congratulating Elizabeth Bedard on receiving the Gold Award of the Girls Scouts of America;

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Jennifer Patten on receiving the Gold Award of the Girls Scouts of America;

Resolutions (filed by Mr. Kocot of Northampton) congratulating Robert Patrick Cahillane on the occasion of his retirement;

Resolutions (filed by Mr. Koczera of New Bedford) congratulating Joseph Theodore “Mr. Flag” on receiving the Veteran of the Year Award;

Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) on the occasion of the dedication of the Center for Arts in Natick;

Resolutions (filed by Mrs. Owens-Hicks of Boston) congratulating Joan M. Martin on the occasion of her retirement;

Resolutions (filed by Mr. Quinn of Dartmouth) honoring Joseph Theodore for his many accomplishments on behalf of veterans in the Commonwealth; and

Resolutions (filed by Ms. Stanley of West Newbury) congratulating Alix McArdle on the occasion of her 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. 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.

### **Paper from the Senate.**

A Bill authorizing the town of Palmer to establish a special revenue fund (Senate, No. 1947) (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.

### **Reports of Committees.**

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing a ballot question in the town of Belmont relative to the granting of licenses for the sale of alcoholic beverages (House, No. 3975) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mrs. Paulsen of Belmont, 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 establishing a sick leave bank for Donna M. Tansey, an employee of the Division of Employment and Training (House, No. 4250). 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. Fagan of Taunton, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill relative to mortgages (House, No. 2731),— and recommending that the same be recommitted to the committee on Banks and Banking. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mrs. Owens-Hicks of Boston, for the committee on Local Affairs and Regional Government, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1982) of Pamela P. Resor, James B. Eldridge and Cory Atkins (by vote of the town) for legislation to authorize the Board of Selectmen of Acton to send certain information to the registered voters in the town of Acton,— and recommending that the same be referred to the committee on Election Laws. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Mr. Rodrigues of Westport, for the committee on Commerce and Labor, on Senate, No. 43 and House, Nos. 489, 2383, 2923 and 2929, an Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain Senate and House documents concerning family leave and other related matters (House, No. 4288).

By the same member, for the same committee, on Senate, Nos. 55 and 59 and House, Nos. 1807 and 1992, an Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain Senate and House documents concerning business corporations and other related matters (House, No. 4289).

By the same member, for the same committee, on Senate, Nos. 58 and 114 and House, Nos. 298, 859 and 1994, an Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain Senate and House documents concerning motor vehicle transactions and other related matters (House, No. 4290).

By the same member, for the same committee, on House, Nos. 1054, 1618, 1620 and 1991, an

Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain House documents concerning discrimination (House, No. 4291).

By Mr. Binienda of Worcester, for the committee on Energy, on House, Nos. 8 and 30, an Order relative to authorizing the committee on Energy to make an investigation and study of a certain House document concerning addressing the siting of electric transmission in Massachusetts (House, No. 4292).

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. Binienda of Worcester, for the committee on Energy, on a petition, a Bill relative to certain utility regulations (House, No. 1458).

By the same member, for the same committee, on House, No. 523, a Bill clarifying a minimum threshold for the purchase of existing renewable power for the purposes of the renewable portfolio standard regulation (House, No. 4293).

By Mr. Koczera of New Bedford, for the committee on Public Service, on a petition, a Bill to fund collective bargaining agreements for higher education employees working at the university of Massachusetts and the state college and community colleges in Massachusetts (House, No. 2153, changed by adding at the end thereof the following section:

“Section 34. Notwithstanding any provision to the contrary, the above sections shall be fully funded in accordance with the negotiated terms.”).

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

By Mr. Koczera of New Bedford, for the committee on Public Service, on a petition, a Bill allowing certain county employees to buy back additional years for retirement purposes (House, No. 220). Read; and referred, under Rule 33, to the committee on Local Affairs and Regional Government on the part of the House.

By Mrs. Owens-Hicks of Boston, for the committee on Local Affairs and Regional Government on the part of the House, that the following bills ought to pass:

Authorizing Martha’s Vineyard affordable housing covenants (House, No. 1510); and

Relative to a certain parcel of land in the town of Hinsdale (House, No. 4199);

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

By Mr. Rodrigues of Westport, for the committee on Commerce and Labor, on Senate, No. 120 and House, No. 1240, a Bill relative to fees charged for the sending of bills and invoices by postal mail (House, No. 4294).

By Mr. Koutoujian of Waltham, for the committee on Health Care, on House, Nos. 702, 904 and 1485, a Bill relative to the purchase of tobacco by minors (House, No. 702).

By the same member, for the same committee, on a petition, a Bill relative to speech-language pathologists (House, No. 3957).

By Mr. Cabral of New Bedford, for the committee on Human Services and Elderly Affairs, on Senate, No. 768 and House, Nos. 1116, 2064 and 2072, a Bill regarding elderly abuse (House,

No. 2072).

By the same member, for the same committee, on a petition, a Bill clarifying restrictive covenants (House, No. 3532).

By Mr. Mariano of Quincy, for the committee on Insurance, on House, No. 1696, a Bill relative to group marketing plans (House, No. 4295).

By Mr. Koczera of New Bedford, for the committee on Public Service, on a petition, a Bill relative to the survivor benefits of George Calder (House, No. 3868) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill exempting the position of deputy chief of police in the town of Milford from the provisions of civil service law (House, No. 3880) [Local Approval Received].

Mr. Casey of Winchester, for the committee on Taxation, on House, No. 4116, reported, in part, a Bill authorizing the town of Salisbury to make an appeal to the Appellate Tax Board (House, No. 4296). [Local Approval Received].

By the same member, for the same committee, on the residue of House, No. 4116, a Bill relative to the time allowed for local assessors to appeal the valuation of state-owned lands to the Appellate Tax Board (House, No. 4297). [Local Approval Received].

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

### **Orders of the Day.**

The Senate Bill authorizing the Commissioner of Capital Asset Management and Maintenance to grant an easement to the county of Nantucket (Senate, No. 2082, amended), 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, in concurrence.

The House Bill relative to affordable housing in the town of Provincetown (House, No. 3842, changed) was read a second time; and it was ordered to a third reading.

### **Order.**

On motion of Mr. Finneran of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at two o'clock P.M.

At sixteen minutes after eleven o'clock A.M., on motion of Mr. Hynes of Marshfield (Mr. Greene of Billerica being in the Chair), the House adjourned, to meet on Wednesday next at two o'clock P.M., in an Informal Session.