

JOURNAL OF THE HOUSE.

Tuesday, January 20, 2004.

Met according to adjournment, at eleven o'clock A.M., with Mr. Driscoll of Braintree 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, Our Creator, Your gift of wisdom enables us to address correctly the complex and sensitive philosophical, political and religious issues which we face daily. Human wisdom frequently offers us pragmatic or easy answers to current political question, but Your gift of wisdom helps us to make the right, ethical and conscientious decisions. In our desire to serve You and the people who depend upon our good judgment, good intentions and good sense, let our minds and hearts remain open to You and Your ways. Grant us the courage to remain faithful to our highest ideals, Your eternal values and our religious commitments. Inspire us to work together to improve the quality of life for all and to respect the dignity, needs and rights of all people in our changing and diverse communities.

Prayer.

Bestow Your blessings on the Speaker, the members and employees of this House and their families. Amen.

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

Pledge of
allegiance.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to further creating and protecting jobs, easing the unemployment insurance burden on employers and preserving the solvency of the trust fund (House, No. 4446) was filed in the office of the Clerk on Friday, January 16.

Unemployment
insurance.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Commerce and Labor. 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 Mr. Finneran of Boston) congratulating the Grand Lodge of Massachusetts Order Sons of Italy in America on the occasion of its ninetieth anniversary;

Sons of
Italy.

Resolutions (filed by Messrs. Galvin of Canton and Kafka of Stoughton) congratulating Martin Badoian;

Martin
Badoian.

Resolutions (filed by Mr. Linsky of Natick and other members of the House) recognizing January as Stalking Awareness Month; and

Stalking
Awareness
Month.

Resolutions (filed by Mrs. Teahan of Whitman) honoring Reverend John W. Corcoran on the occasion of his retirement;

John W.
Corcoran.

Mr. Miceli of Wilmington, 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. Hynes of Marshfield, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Annual Report.

Comptroller, annual report.

The printed abstract of the annual report of the Comptroller (under the provisions of Section 12 of Chapter 7A of the General Laws) exhibiting a statement of the financial condition and transactions of the Commonwealth for the fiscal year ending June 30, 2002 (House, No. 500), was referred to the committee on Ways and Means.

Petitions.

Petitions severally were presented and referred as follows:

Dennis, bonds.

By Mr. George of Yarmouth, petition (accompanied by bill, House, No. 4448) of Thomas N. George and Robert A. O'Leary (by vote of the town) relative to the use of bond proceeds in the town of Dennis;

Hamilton, convey land.

By Mr. Hill of Ipswich, petition (accompanied by bill, House, No. 4449) of Bradford Hill and Bruce E. Tarr (by vote of the town) relative to authorizing the town of Hamilton to convey certain land;

Wayland, high school.

By Mrs. Pope of Wayland, petition (accompanied by bill, House, No. 4450) of Susan W. Pope (by vote of the town) relative to incurring debt for the construction or reconstruction to Wayland High School located in said town; and

Gloucester, land sales.

By Mr. Verga of Gloucester, petition (accompanied by bill, House, No. 4451) of Anthony J. Verga and Bruce E. Tarr (with the approval of the mayor and city council) relative to the sale of certain land in the city of Gloucester;

Severally to the committee on Local Affairs and Regional Government.

Methuen, retirement.

By Mr. Broadhurst of Methuen, petition (accompanied by bill, House, No. 4452) of Arthur J. Broadhurst, Stephen A. Baddour and another (with the approval of the mayor and city council) relative to authorizing the Methuen Retirement System to grant a superannuation pension to W. Philip Barrett and Claire Salois an employee of the city of Methuen. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Firefighters, line of duty benefits.

By Mr. Binienda of Worcester, petition (subject to Joint Rule 12) of John J. Binienda and other members of the General Court for legislation to provide for killed in line of duty benefits for call and volunteer firefighters.

Mary Hoar, retirement benefits.

By Ms. Candaras of Wilbraham, petition (subject to Joint Rule 12) of Gale D. Candaras relative to requiring the Springfield Retirement Board to grant certain retirement benefits to Mary Hoar, surviving spouse of Edmond Hoar.

By Mr. Donelan of Orange, petition (subject to Joint Rule 12) of Christopher J. Donelan and Stanley C. Rosenberg relative to authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the town of Erving.

Erving, convey land.

By Mr. Knuuttila of Gardner, petition (subject to Joint Rule 12) of Brian Knuuttila and Stephen M. Brewer relative to the punishment of criminal defendants concealing their face during courtroom proceedings.

Criminal defendants.

By Mr. Petrolati of Ludlow, petition (subject to Joint Rule 12) of Thomas M. Petrolati for legislation to grant Toni Mancuso certain creditable service in the teachers' retirement system.

Toni Mancuso, creditable service.

By the same member, petition (subject to Joint Rules 12 and 9) of Thomas M. Petrolati relative to the Belchertown economic development industrial corporation.

Belchertown Economic Development.

By the same member, petition (subject to Joint Rule 12) of Carmine Angeloni relative to authorizing the State Retirement Board to retire Carmine Angeloni.

Carmine Angeloni.

By Mr. Pignatelli of Lenox, petition (subject to Joint Rule 12) of William Smitty Pignatelli and Michael R. Knapik relative to authorizing the Springfield water and sewer commission to convey certain land.

Springfield, water and sewer.

By Ms. Spiliotis of Peabody, petition (subject to Joint Rule 12) of Joyce A. Spiliotis and other members of the House relative to traffic regulations of cities and towns.

Traffic regulations.

By Representatives Spilka of Ashland and Blumer of Framingham (by request), petition (subject to Joint Rule 12) of Charles Sisitsky relative to health insurance premium contributions by cities and towns.

Cities and towns, health insurance.

By Mr. Straus of Mattapoiset, petition (subject to Joint Rule 12) of William M. Straus relative to credit backed or bank issued gift cards.

Bank issued credit cards.

By Mrs. Teahan of Whitman, petition (subject to Joint Rule 12) of Kathleen M. Teahan and Robert S. Creedon, Jr., that the Division of Capital Asset Management and Maintenance be directed to convey a certain parcel of land located in the town of Whitman to said town.

Whitman, land.

By Mr. Vallee of Franklin, petition (subject to Joint Rule 12) of James E. Vallee relative to the use of an audiovisual recording device in movie theaters.

Movie theaters, audiovisual recording.

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

Papers from the Senate.

A Bill authorizing a transfer from to the unemployment compensation fund in the town of Gill (Senate, No. 2104, amended by striking out section 1 and inserting in place thereof the following section:

Gill, unemployment.

“SECTION 1. Notwithstanding section 5E of chapter 40 of the General Laws, the selectboard of the town of Gill may transfer a sum of money from the unemployment compensation fund to police officers wages for the purpose of supplementing that account in an effort to retain the current level of police protection.”) (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.

Rockland,
charter.

A petition (accompanied by bill, Senate, No. 2189) of Michael W. Morrissey and Robert J. Nyman for legislation relative to the charter of the town of Rockland, was referred, in concurrence, to the committee on Local Affairs and Regional Government.

Reports of Committees.

Supplemental
appropriations,
disapproval.

Mr. Rogers of Norwood, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 4365), returning with His disapproval of certain items and sections and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2004 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4330), reported, in part, that section 65 stand (as passed by the General Court):

“SECTION 65. Said item 6033-9917 of said section 2B of said chapter 235 of the acts of 2000, as amended by section 21 of chapter 246 of the acts of 2002, is hereby further amended by inserting after the words “B & M railroad in the town of Montague” the following words:— ; provided further, that funds shall be expended for the construction of sound barriers in the towns of Billerica and Lexington as follows: in the town of Billerica on the northerly side of Route 3 from a point 500 yards south of the Eliot Street bridge and extending 700 yards north of the Eliot Street bridge on the Northerly side of Route 3; provided, further, that said barriers in the town of Lexington shall be from the off-ramp from Route 3 accessing Route 128 south and extending to the Grove Street Bridge; provided, further, that funds shall be expended for the construction of sound barriers at designated Area Number 21, Waterford Place in Chelmsford, designated Area 1, Ledgewood/Lido Land in Bedford, as defined by HMMH Report Number 298280 as prepared for said document.”

[The Governor had vetoed said section.]

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, the question being on whether said section stand as passed by the General Court.

Engrossed Bill.

Bill
enacted.

The engrossed Bill providing for the annual observance of certain Civil War infantry regiments days (see House, No. 1764) (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.

Orders of the Day.

Third
reading
bill.

The Senate Bill exempting the position of chief of police in the town of East Longmeadow from the civil service law (Senate,

No. 2163), 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 authorizing the town of Fairhaven to issue an additional license for the sale of alcoholic beverages (House, No. 4148) (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; and it was passed to be engrossed. Sent to the Senate for concurrence.

Third
reading
bill.

Order.

On motion of Mr. Finneran of Boston,—
Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Next
sitting.

Mr. Peterson of Grafton then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-seven minutes before twelve o'clock noon (Mr. Driscoll of Braintree being in the Chair) the House adjourned, to meet tomorrow at eleven o'clock A.M.