

JOURNAL OF THE HOUSE.

Thursday, February 19, 2004.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Connolly of Everett 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 always available assistance and guidance enables us to focus clearly our attention and intellect on the day's legislative issues. We depend upon Your help in comprehending and addressing both straight-forward and complex legislative matters and their long-term consequences for society. As members of Your one human family and created by You for a specific purpose and a defined destiny, inspire us to be familiar with the many serious human and spiritual needs of the people in our districts, from the youngest child to the oldest adult. May our commitment to high ideals, values and ethical standards engender trust and hope for the future in the minds and hearts of the people.

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

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

Message from the Governor.

A message from His Excellency the Governor submitting requests for making appropriations for the fiscal year 2004 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4520) was filed in the office of the Clerk on Wednesday, February 18.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Resolutions.

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

Resolutions (filed by Mr. Connolly of Everett) commemorating the "Irish-American Heritage" in the United States of America;

Resolutions (filed by Mr. Connolly of Everett) congratulating Frank Nuzzo on being selected as the 2003 Gatorade Massachusetts High School Football Player of the Year;

Resolutions (filed by Mr. Coppola of Foxborough and other members of the House) congratulating the New England Patriots on winning Super Bowl XXXVIII;

Resolutions (filed by Mr. Frost of Auburn) honoring Richard N. Kenary;

Malia
Matson. Resolutions (filed by Mrs. Paulsen of Belmont) congratulating Malia Matson on receiving the Gold Award of the Girl Scouts of America;

Cymyrrah
Mohammed. Resolutions (filed by Mrs. Paulsen of Belmont) congratulating Cymyrrah Mohammed on receiving the Gold Award of the Girl Scouts of America; and

Tanya
Nawrocka. Resolutions (filed by Mrs. Paulsen of Belmont) congratulating Tanya Nawrocka on receiving the Gold Award of the Girl Scouts of America;

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

Petition.

Lowell,
payment. Mr. Murphy of Lowell presented a petition (accompanied by bill, House, No. 4521) of Kevin J. Murphy, David M. Nangle and Thomas A. Golden, Jr., (with the approval of the city council) relative to the payment of a certain unpaid bill by the city of Lowell; and the same was referred to the committee on Local Affairs and Regional Government. Sent to the Senate for concurrence.

Paper from the Senate.

Route
128. A petition of Brian A. Joyce, Jo Ann Sprague, Marian Walsh and other members of the General Court for legislation to authorize the Executive Office of Transportation and Construction and the Massachusetts Highway Department to complete the route 128 add-a-lane and route I-95/128/University Avenue interchange project utilizing an alternative form of procurement, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Transportation.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2220) was referred, in concurrence, to the committee on Transportation.

Reports of Committees.

Forensic
analysis. By Mr. Dempsey of Haverhill, for the committee on Science and Technology, that the Bill to provide access to forensic and scientific analysis (House, No. 750) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Cosmetology. By Mr. Bosley of North Adams, for the committee on Government Regulations, on House, Nos. 1459, 1460 and 1461, a Bill relative to cosmetology rules and regulations (House, No. 1461).

Attorney,
registration
fees. By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill regulating fees for the registration of attorneys employed by the Commonwealth (House, No. 3362, changed in line 3 by striking out the words "shall not assess an" and inserting in place thereof the following: "shall assess a \$50.00").

Small
claims. By the same member, for the same committee, on Senate, No. 1081 and House, No. 3548, a Bill relative to small claims procedure (House, No. 3548).

By Mr. Greene of Billerica, for the committee on Natural Resources and Agriculture, on Senate, No. 1270 and House, No. 1327, a Bill to promote efficiency and fairness in environmental law enforcement (House, No. 1327, changed by striking out sections 14 and 15).

Environmental
law
enforcement.

By the same member, for the same committee, on House, Nos. 589 and 3562, a Bill defining coal ash as solid waste (House, No. 3562, changed in section 3, in line 7, by inserting after the word "for" the following: "(1)", in line 8, by inserting after the word "act" the following: "or (2) the placement of coal ash in association with remedial activities carried out in compliance with applicable state or federal law", in line 35, by striking out the following: "January 1, 2004" and inserting in place thereof the words "the effective date of this act", and in line 36, by inserting after the word "fill," the words "disposal in a land fill, disposal by burial, or otherwise requires a site assignment,").

Coal
ash.

By the same member, for the same committee, on a petition, a Bill establishing the lake restoration and preservation fund and program (House, No. 3563).

Lake
restoration.

By the same member, for the same committee, on Senate, Nos. 1194 and 1249 and House, No. 849, a Bill to protect local food supplies, farmland and farm viability (House, No. 4516).

Food
supplies.

By the same member, for the same committee, on House, Nos. 1906 and 3003, a Bill to eliminate mercury emissions from automobiles (House, No. 4517).

Automobile
emissions.

By the same member, for the same committee, on House, No. 4415, a Bill relative to the posting of fish advisories (House, No. 4518).

Fish
advisories.

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

By Mr. Bosley of North Adams, for the committee on Government Regulations, on a petition, a Bill regarding information records of the Commonwealth (House, No. 143). Read; and referred, under Rule 33D, to the committee on Homeland Security and Federal Affairs.

Registry,
social
security
numbers.

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 the Wampanoag Tribe of Gay Head (Aquinnah) (House, No. 1586) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Wampanoag
Tribe.

By Mr. Bosley of North Adams, for the committee on Government Regulations, on a petition, a Bill relative to the licensing of fortune tellers (House, No. 144).

Fortune
tellers.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill clarifying the removal statute (House, No. 2101).

Children.

By Mr. Greene of Billerica, for the committee on Natural Resources and Agriculture, on a petition, a Bill relative to the protection of inland waters (House, No. 3561).

Inland
waters.

By the same member, for the same committee, on a petition, a Bill to replace the existing harborline and to establish a new harborline in Gloucester Harbor (House, No. 4265).

Gloucester.

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

*Engrossed Bill.*Bill
enacted.

The engrossed Bill authorizing the town of North Andover to discontinue a certain public way (see House, No. 3911) (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
bills.

House bills

Requiring pilots for certain vessels (House, No. 4104) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a sick leave bank for Sheila Mahan, an employee of the Trial Court of the Commonwealth (House, No. 4481) (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.

Proposition
2½,
seniors
exemptions.

The House Bill establishing an exemption for low-income seniors from proposition 2½ overrides (House, No. 4470) (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. Jones of North Reading and other members of the House moved that it be amended by substitution of a bill with the same title (House, No. 4519), which was read.

The amendment was adopted and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

*Order.*Next
sitting.

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