

JOURNAL OF THE HOUSE.

Tuesday, June 22, 2004.

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

Eternal God, Lord of Heaven and Earth, we try each day to use our human and spiritual talents and gifts wisely as we endeavor to serve You, the people and our communities. In our diverse society with a variety of complex issues, selecting the right legislative choices and making the right personal decisions are often difficult tasks. Your assistance and guidelines for successful living help us to make the right choices. In these busy and stressful times, teach us to take a time out, on occasion, to evaluate and reflect on our own personal priorities as we struggle to resolve all the other issues which come before us.

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

At the request of the Chair (Mr. Rodrigues of Westport), 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 Ms. Atkins of Concord) recognizing the two hundredth anniversary of the birth of internationally acclaimed American author, Nathaniel Hawthorne;

Resolutions (filed by Mr. Atsalis of Barnstable) congratulating Benjamin P. Erhard on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Atsalis of Barnstable) congratulating Brendan M. Erhard on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Representatives Fagan of Taunton, Canavan of Brockton, Flynn of Bridgewater and Creedon of Brockton) congratulating Chief Stanley Bates on the occasion of his retirement from the Easton Police Department; and

Resolutions (filed by Mr. Scibak of South Hadley) congratulating John F. Cullinan on the occasion of his retirement;

Mr. Scaccia of Boston, 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.

*Papers from the Senate.*Webster,
land.

The House Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land to the town of Webster (House, No. 4711) came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in lines 0 and 0, striking out the words "approved as to form by the attorney general".

Under suspension of Rule 35, on motion of Mr. Kaufman of Lexington, 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.

Suffolk
County
Jail,
inspection.

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 Suffolk County Jail, in the city of Boston, was spread upon the records of the House; and returned to the Senate.

*Reports of Committees.*Automobiles,
mercury
emissions.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill to eliminate mercury emissions from automobiles (House, No. 4517),— and recommending that the same be referred to the committee on Science and Technology. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration

Legal or
medical
runners.

Of the Bill relative to the crime of engaging in legal or medical running (Senate, No. 170); and

Volunteer
fire fighters.

Of the Bill providing for killed-in-line-of-duty benefits for call and volunteer firefighters (House, No. 4528);

And recommending that the same severally be referred to the committee on Ways and Means.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Weapons,
regulate.

By Mr. Rogers of Norwood, for the committee on Ways and Means, that the Bill further regulating certain weapons (Senate, No. 2367) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kujawski of Webster, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Peterson of Grafton, the bill was read a second time forthwith; and it was ordered to a third reading.

Mortgage
lending.

By Mr. Rogers of Norwood, for the committee on Ways and Means, that the Bill prohibiting abusive practices in home mortgage lending (House, No. 4606) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4880). 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. Kaufman of Lexington, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

By Mrs. Owens-Hicks of Boston, for the committee on Local Affairs and Regional Government, on House, Nos. 187, 795, 1904 and 4073, an Order relative to authorizing the committee on Local Affairs and Regional Government to make an investigation and study of certain House documents concerning cities and towns funding, emergency finance boards and other related matters (House, No. 4876).

Municipal
finance
boards.

By the same member, for the same committee, on House, Nos. 194, 386, 797, 4017, 4025, 4065 and 4607, an Order relative to authorizing the committee on Local Affairs and Regional Government to make an investigation and study of certain House documents concerning municipal appointments and regulations (House, No. 4877).

Municipal
appointments.

By the same member, for the same committee, on House, Nos. 675, 676, 677, 678, 2598, 2727, 4010, 4011, 4023, 4030, 4035, 4044, 4071, 4083 and 4174, an Order relative to authorizing the committee on Local Affairs and Regional Government to make an investigation and study of certain House documents concerning counties, councils, elected officials and other related matters (House, No. 4878).

Counties
and
councils.

By the same member, for the same committee, on House, Nos. 959, 962, 4012 and 4068, an Order relative to authorizing the committee on Local Affairs and Regional Government to make an investigation and study of certain House documents concerning municipal and town fiscal years, town warrants and other related matters (House, No. 4879). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Municipalities.

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. Toomey of Cambridge, for the committee on Public Safety, on House, No. 3384, a Bill relative to the safety of junior operators (House, No. 4881). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Junior
operators,
safety.

By Mr. Bosley of North Adams, for the committee on Government Regulations, on House, No. 4378, a Bill relative to the sale of alcoholic beverages to be drunk on the premises of clubs or war veterans' organizations in the town of Natick (House, No. 4882) [Local Approval Received].

Natick,
liquor
licenses.

Haverhill, public auction. By Mr. Scaccia of Boston, for the committee on Rules, on House No. 4854, reports, in part, a Bill authorizing the city of Haverhill to expedite the sale of real estate by public auction (House, No. 4596) [Local Approval Received].

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

Natural gas, transmission. By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey easements for the transmission of natural gas over lands formerly under the control of the county of Essex in the town of Middleton and the cities of Peabody and Salem to Maritimes & Northeast Pipeline, L.L.C. (Senate, No. 1678, amended) ought to pass with an amendment.

Special Investigations. By the same member, for the committee, that the Bill relative to the authority of the Bureau of Special Investigations (House, No. 6) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4737).

Plumbers and gasfitters. By the same member, for the committee, that the Bill requiring continuing education for licensed plumbers and gas fitters acting in the capacity of a self-employed contractor (House, No. 549) ought to pass with an amendment substituting therefor a Bill requiring continuing education for licensed plumbers and gas fitters (House, No. 4750).

Skate boards, helmet use. By the same member, for the committee, that the Bill to require the use of safety helmets for persons under the age of sixteen while operating bicycles, in-line skates, scooters, and skateboards (House, No. 1920) ought to pass with an amendment.

Injury, spinal cord trust. By the same member, for the committee, that the Bill establishing a spinal cord injury trust fund (House, No. 2434) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4738).

Severally placed in the Orders of the Day for the next sitting for a second reading, with the amendments pending.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Senate bills

Cemeteries. Relative to the public disclosure of ownership of a cemetery corporation (Senate, No. 478, amended);

Shellfish. Relative to the shellfish wardens training program (Senate, No. 1238); and

Relocating certain harbor lines in the Fairhaven and New Bedford harbors (Senate, No. 2170); and

House bills

Division of Banks. Establishing uniform enforcement provisions and making other changes applicable to certain licensees under the jurisdiction of the Division of Banks (House, No. 14);

County employees. Allowing certain county employees to buy back additional years for retirement purposes (House, No. 220);

Environment. Relative to the Environmental Trust (House, No. 395);

Relative to the appointment of a guardian ad litem to institute contempt proceedings involving the care, custody or maintenance of minor children (House, No. 729);

Relative to the appointment of a guardian ad litem to investigate the facts of any proceeding involving the care, custody or maintenance of minor children and domestic relations matters (House, No. 730);

Relative to the sale of food products (House, No. 862);
To promote fair contract provisions (House, No. 1383);
Relative to the budget of the Up-Island Regional School District of Martha's Vineyard (House, No. 1455);

Relative to money laundering (House, No. 2742);
Relative to debt exclusion ballot questions with the town of Groveland (House, No. 2782, changed) [Local Approval Received];

Relative to providing fairness and equity in the retirement benefits of employees of water departments, water districts, sewer departments, sewer districts, water and sewer departments and districts, and wastewater facilities (House, No. 3225);

Relative to the Massachusetts Sheriffs' Association (House, No. 4013);

Further regulating reporting requirements of constables (House, No. 4038, changed);

Authorizing the town of Brookline to fix reasonable fees for permits granted by the chief of its fire department (House, No. 4403);

Relative to workers' compensation (House, No. 4459);
To prevent the fraudulent misclassification of employees (House, No. 4460);

Relative to stormwater assessments (House, No. 4673); and
Authorizing the town of Swansea to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4742) [Local Approval Received];

Severally placed in the Orders of the Day for the next sitting for a second reading.

Engrossed Bill.

The engrossed Bill relative to special veterans plates (see Senate, No. 2338, amended) (which originated in the Senate), 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.

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.

At twenty-five minutes after eleven o'clock A.M., on motion of Mr. Casey of Winchester (Mr. Rodrigues of Westport being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M.

Minors, guardian ad litem.

ii

Food.
Contracts.
Up-Island district.

Laundering.
Groveland.

Municipal employees, Group 2.

Sheriff's Association.
Constables.

Brookline.
Workers compensation.
Employees.

Stormwater.
Swansea, liquor license.

Bill enacted.

Next sitting.