

JOURNAL OF THE HOUSE.

Thursday, July 15, 2004.

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, Our Creator, we are grateful for the material and spiritual blessings which You offer us daily. In Your goodness help us to use these gifts in a productive, wise and prudent manner for both our own good and the well being of others. In addressing current legislative issues and policies, and in planning for the future of our children and own communities, inspire us to make choices which promote the common good and the implementation of sound principles. Your guidelines for successful living and the relevance of Your spiritual values enable us to respond thoughtfully to our daily responsibilities and opportunities for serving You and constituents.

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.

Resolutions.

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

Resolutions (filed by Mr. Costello of Newburyport) congratulating Roger Shaheen on the occasion of his eighty-fourth birthday; and

Resolutions (filed by Mr. Kocot of Northampton) honoring the Glasgow Lands Scottish Festival;

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.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Bosley of North Adams, petition (accompanied by bill, House, No. 4984) of Daniel E. Bosley and Andrea F. Nuciforo, Jr., (by vote of the town) that the licensing authority of the town of Adams be authorized to issue and additional license for the sale of all alcoholic beverages to be drunk on the premises to Ericfly, Inc.; and

Adams,
liquor
license.

By the same member, petition (accompanied by bill, House, No. 4985) of Daniel E. Bosley and Andrea F. Nuciforo, Jr., (by vote of the town) that the licensing authority of the town of Adams be authorized to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises to Nicholas Enterprises, Inc.; Severally to the committee on Government Regulations. Severally sent to the Senate for concurrence.

Papers from the Senate.

Minors,
employment
hours.

The House Bill relative to child labor (House, No. 4891) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2424.

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.

Mr. Rodrigues then moved that the House concur with the Senate in its amendment with a further amendment striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text contained in House document numbered 4983.

The further amendment was adopted. The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendment.

Reports of Committees.

Erroneous
convictions.

Mr. O'Flaherty of Chelsea, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text of contained in Senate document numbered 2392) of the House Bill relative to compensation for certain erroneous convictions (House, No. 4255), reports recommending that the House recede from its non-concurrence with the Senate in its amendment and concur therein with a further amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4981; and that the Senate concur in the further amendment.

Under suspension of the rules, on motion of Ms. Jehlen of Somerville, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Northampton,
park land.

By Mrs. Owens-Hicks of Boston, for the committee on Local Affairs and Regional Government, on a petition, a Bill authorizing the city of Northampton to convey certain park land (House, No. 4885) [Local Approval Received]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Emergency Measures.

School
Building
Assistance.

The engrossed Bill relative to School Building Assistance (see House, No. 4977), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 10 to 0. Sent to the Senate for concurrence.

The engrossed Bill relative to School Building Assistance (see House, No. 4978), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

School
Building
Assistance.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 11 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Relative to the powers of trust companies (see Senate, No. 15);

Bills
enacted.

Relative to the estate of homestead (see Senate, No. 995);

(Which severally originated in the Senate); and

Relative to restrictive covenants (see House, No. 3532) (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.

The engrossed Bill relative to electric transmissions (see House, No. 4432) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Electric
transmissions.

Pending the question on passing the bill to be enacted, Mrs. Harkins of Needham moved that Rule 40 be suspended; and the motion prevailed.

The same member then moved that the bill be amended in section 1, in line 7 (as printed), by inserting after the word "selling" the words "or transmitting and selling, or transmitting only"; in section 3, in line 5 (as printed), by striking out the word "generating"; in section 6 (as printed), in line 5, by inserting after the word "company" (the third time it appears) the words "or any other entity"; in section 7 (as printed), in line 17, and also in section 8 (as printed), in lines 4 and 5, by striking out the words "or transmission company" and inserting in place thereof, in each instance, the words "distribution company, generation company, or transmission company or any other entity".

The amendments were adopted. Sent to the Senate for concurrence.

Orders of the Day.

The House Bill providing for an exemption for water charges of certain elderly persons (House, No. 3001), 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. Sent to the Senate for concurrence.

Third
reading
bill.

Third
reading
bill.

The House Bill relative to cooking facilities in lodging houses (House, No. 815), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to engrossed, Mr. DeLeo of Winthrop moved that it be amended by striking out all after the enacting clause and inserting place thereof the following: "Section 22A of chapter 140 of the General Laws, as appearing in the 2002 Official Edition, is hereby amended by striking out, in line 3, the words:— but less than twenty."

The amendment was adopted; and the bill (House, No. 815, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. Finneran of Boston,—

Next
sitting.

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

At eleven minutes before twelve o'clock noon, on motion of Ms. Jehlen of Somerville (Mr. Greene of Billerica being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.