

JOURNAL OF THE HOUSE.

Thursday, September 30, 2004.

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

Prayer.

God of Goodness and Truth, Your gift of wisdom and Your daily guidance help us to comprehend and address thoughtfully our opportunities and responsibilities in a conscientious manner. As elected leaders inspire us to be good listeners with an openness to the process of gathering accurate and reliable data. In this information age may we be also open to the daily news sound bites, but wise enough to keep them in proper context. In our daily struggle to do what is right, honorable and ethical, strengthen our commitment to our own political, philosophical and religious principles and values.

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

Pledge of allegiance.

At the request of the Chair (Mr. Rogers), 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:

Ann B. Koczera.

Resolutions (filed by Mr. Koczera of New Bedford) congratulating Dr. Ann B. Koczera on receiving the Polish American United Organization of Greater New Bedford's Person of the Year Award; and

James M. McQuillan.

Resolutions (filed by Mr. Miceli of Wilmington) honoring James M. McQuillan, National President of the Benevolent and Protective Order of Elks of the United States of America;

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

Communications.

Communications

End of Life Care.

From the Commission on End of Life Care (under the provisions of Section 480 of Chapter 159 of the Acts of 2000) submitting a copy of its annual report for the fiscal year 2004;

Renewable fuels and energy.

From the Department of Telecommunications and Energy (under the provisions of Section 193 of Chapter 164 of the Acts of 1997) submitting a report on the installations of cogeneration, renewable

energy, fuel cell, and on-site generation facilities for the year 2003; and

From the Fall River District Registry of Deeds (under the provisions of Section 2KKK of Chapter 29 of the General Laws) submitting a plan of proposed technological improvements at said registry (copies of said communication forwarded, as required by said law, to the committee on Ways and Means and the committee on Post Audit and Oversight);

Fall River Deeds Registry.

Severally were placed on file.

Annual and Special Reports.

Annual Reports

Of the Executive Office for Administration and Finance (under the provisions of Section 40K of Chapter 7 of the General Laws) relative to the real property possessed by the Commonwealth for fiscal year 2004;

Real property report.

Of the Boston University/Chelsea Partnership (under the provisions of Section 13 of Chapter 133 of the Acts of 1989) for the fiscal year 2004;

BU/Chelsea Partnership.

Of the Capital Resource Company (under the provisions of Section 12 of Chapter 816 of the Acts of 1977) for the period of September 1, 2003 to August 31, 2004;

Capital Resource Company report.

Of the Group Insurance Commission (under the provisions of Section 20 of Chapter 32A of the General Laws) relative to vendor quality improvement program activities for the fiscal year 2004; and

Vendor quality improvement.

Of the committee on Long-Term Debt and Capital Expenditures (under the provisions of House Rule 17D) for the fiscal year 2004; and

Long-Term Debt & Capital Expenditures.

A semi-annual report of the Insurance Fraud Bureau (under the provisions of Chapter 338 of the Acts of 1990, as amended by Chapter 398 of the Acts of 1991 and Chapter 427 of the Acts of 1996) on the disposition of matters referred to said bureau; and

Insurance Fraud report.

Quarterly Reports

Of the Massachusetts Bay Transportation Authority (under Section 17 of Chapter 125 of the Acts of 2000) on the pilot program for improvements on the Greenbush Commuter Line Corridor of the Old Colony Railroad Rehabilitation Project for the quarter ending June 31, 2004;

Greenbush Commuter Line.

Of the Massachusetts Turnpike Authority (under the provisions of Section 9 of Chapter 87 of the Acts of 2000) on the status of the Central Artery/Ted Williams Tunnel Project; and

Central Artery/Tunnel Project.

Of the MassHighway Department (under the provisions of item 6010-0001 contained in Section 2 of Chapter 184 of the Acts of 2004) of its expenditures for the quarter ending June 30, 2004; and

Mass Highways, expenditures.

Monthly reports

Of the Division of Unemployment Assistance (under the provisions of Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Trust Fund for June, 2004; and

Unemployment Trust Fund.

Of the Division of Unemployment Assistance (under the provisions of Chapter 142 of the Acts of 2003) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund for July, 2004; and

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Greylock
Glen
Project.

A report of the Department of Conservation and Recreation (under the provisions of Section 6 of Chapter 676 of the Acts of 1985) submitting an amended report on the proposed development of the Greylock Center project; Severally were placed on file.

Papers from the Senate.

Elderly,
water
charges.

The House Bill providing for an exemption for water charges of certain elderly persons (House, No. 3001) came from the Senate passed to be engrossed, in concurrence, with amendments in lines 15, 17 and 20, by inserting after the word "for", in each instance, the words "at least"; in lines 22 and 58, by striking out the figures "\$6,000" and inserting in place thereof, in each instance, the figures "16,000"; in lines 23 and 60, by striking out the figures "\$7,000" and inserting in place thereof, in each instance, the figures "\$24,000"; in line 48, by striking out the figures "\$40,000" and inserting in place thereof the figures "\$60,000"; and in line 49, by striking out the figures "\$45,000" and inserting in place thereof the figures "\$80,000".

Under suspension of Rule 35, on motion of Mr. Donato of Medford, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

Public
Health,
inspection
reports.

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 inspection of the Western Massachusetts Correctional Alcohol Center, was spread upon the records of the House; and returned to the Senate.

The following notice was received from the Clerk of the Senate, to wit:

September 30, 2004.

Honorable Salvatore DiMasi
Speaker of the House of Representatives
Room 356 – State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that Senate President Robert E. Travaglini has made the following appointments to the following special commissions:

Senate
appointments.

Senator Richard T. Moore, Senate Chairman of the Joint Committee on Health Care, Dr. Eric M. Well, Board of Health Director, City of Revere/Unit Chief of Adult Medicine, Massachusetts General Hospital Revere, and Mr. Ernest P. Gates, Jr., R.Ph., F.A.S.C.P., Pharmacy Consultant, to the special commission established (pursuant to Section 355 of Chapter 149 of the Acts of 2004) to make an investigation and study of the impact and effects on youth of the abuse of OxyContin and other prescription and illicit drugs; and

Senators Brian P. Lees and Dianne Wilkerson and Mr. Patrick Moscaritolo to the special commission established (pursuant to Section 299 of Chapter 149 of the Acts of 2004) to study the use, reuse, lease, sale, conveyance, or any disposition of any interest in the Hynes Memorial Auditorium and the Boston Common Parking Garage.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

Reports of Committees.

By Mr. Wagner of Chicopee, for the committee on Transportation, on a petition, a Bill designating a certain overpass in the town of Milford as the Gunnery Sergeant Elia P. Fontecchio Memorial Overpass (House, No. 5095). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Milford,
Elia P.
Fontecchio
overpass.

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 Mrs. Parente of Milford, the bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Wagner of Chicopee, for the committee on Transportation, on a petition, a Bill designating a certain overpass in the town of Milford as the Greater Milford Veterans Memorial Overpass (House, No. 5096). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Milford,
veterans
overpass.

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 Mrs. Parente of Milford, the bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Increasing the retirement allowance for certain retirees of the town of Arlington (see Senate, No. 1931) (which originated in the Senate);

Bills
enacted.

Relative to dental hygienists (see House, No. 4653); and Providing creditable service to certain research faculty funded by research institutes and foundations under agreement with the University of Massachusetts (see House, No. 2873);

(Which severally 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.

*Orders of the Day.*Third
reading
bill.

The House Bill relative to pre-marital testing (House, No. 75), 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.

Recess.

Recess.

At five minutes after twelve o'clock noon, on motion of Mr. Lepper of Attleboro (Mr. Rogers of Norwood being in the Chair), the House recessed until the hour of two o'clock P.M.; and at twenty-seven minutes after two o'clock the House was called to order with Mr. Petruccelli of Boston in the Chair.

*Engrossed Bills.*Bills
enacted.

Engrossed bills
 Providing for an exemption for water charges of certain elderly persons (see House, No. 3001, amended);
 Designating a certain overpass in the town of Milford as the Gun-
 nery Sergeant Elia P. Fontecchio Memorial Overpass (see House,
 No. 5095); and
 Designating a certain overpass in the town of Milford as the Greater
 Milford Veterans Memorial Overpass (see House, No. 5096);
 (Which severally 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.

*Order.*Next
sitting.

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

At half past two o'clock P.M., on motion of Mr. Lepper of Attle-
 boro (Mr. Petruccelli of Boston being in the Chair), the House
 adjourned, to meet on Monday next at eleven o'clock A.M., in an
 Informal Session.