
Met according to adjournment, at eleven o'clock A.M., in an Informal Session.

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Eternal God, we believe that Your compassion is infinite. We also believe that You have a personal interest in the material and spiritual well-being of all people. We pray for the strength to respond to Your concern for us by living up to Your expectations and precepts. May we, in turn, be aware of the needs of our neighbors and our communities, so that we, as a people, may live in racial, economic, political and religious peace.

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

At the request of the Speaker, 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 recommending legislation relative to establishing public counsel fees for residents of inpatient mental health facilities (House, No. 6021) was filed in the office of the Clerk on Friday last.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Human Services and Elderly Affairs. Sent to the Senate for concurrence.

Communication.

A communication to Speaker Charles F. Flaherty from the Ambassador from South Africa to the United States of America relative to "Resolutions (adopted by the House of Representatives on June 24, 1992) relating to ongoing violence connected with apartheid in South Africa.", received in the office of the Clerk, was read for the information of the House; and it was placed on file.

Papers from the Senate.

The engrossed Bill relative to prescription counseling (see Senate, No. 1552, amended) came from the Senate with the endorsement that it had been returned to said branch by His Excellency the Governor, in accordance with the provisions of Article LVI of the Amendments to the Constitution, with recommendation of amendment (for message, see Senate, No. 1664); and that the bill had been amended as follows:

Striking out, in line 17 (as engrossed), the word "shall" and inserting in place thereof the word "may".

Under suspension of the rules, on motion of Ms. Buell of

Prayer.

Pledge of allegiance.

Mental health facilities,—

public counsel fees.

South Africa,—

apartheid violence.

Pharma-

Prescrip-

Papers from the Senate.
Greenfield, the amendment was considered forthwith; and it was adopted, in concurrence.

A petition of Edward P. Kirby for legislation relative to sexually dangerous persons, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Judiciary.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1678) was referred, in concurrence, to the committee on the Judiciary.

Report of a Committee.

By Mr. Travis of Rehoboth, for the committee on Banks and Banking, on House, Nos. 4801 and 4802, a Bill relative to the revision of terms of mortgages (House, No. 6022), which was read.

Under suspension of the rules, on motion of the same member, 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.

The engrossed Bill authorizing the establishment of residents only parking areas in the town of Falmouth (see House bill printed in House, No. 5734, amended) (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 (more than two-thirds of the members having agreed to pass the same); and it was signed by the Speaker and sent to the Senate.

Engrossed bills
Relative to the qualifications and certification of inspectors of buildings, building commissioners and local inspectors (see Senate, No. 1431, amended) (which originated in the Senate);
Relative to the payment of certain claims to estates (see House, No. 2835);
Designating a portion of the Blackstone River and Canal Heritage State Park in the town of Uxbridge as the Grace Ballou Picnic Area (see House, No. 4606);
Relative to town meeting votes in the town of Lexington (see House, No. 5307);
Validating certain actions taken by the town of Tisbury relative to certain zoning by-laws (see House, No. 5459); and
Providing for the establishment of a special trust fund by the town of Tisbury (see House, No. 5609);
(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 Speaker and sent to the Senate.
Recess.

At eight minutes after eleven o’clock A.M., the Speaker declared a recess subject to the call of the Chair, there being no objection; and at sixteen minutes before twelve o’clock noon the House was called to order.

Engrossed Bill.

The engrossed Bill relative to prescription counseling (see Senate, No. 1552, 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 Speaker and sent to the Senate.

Orders of the Day.

The House Bill directing the State Secretary to place a certain nonbinding question on the biennial state election ballot in the city of Worcester in the current year (House, No. 5994), 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. Mr. O’Sullivan of Worcester moved that this vote be reconsidered; and the motion to reconsider was negatived. Sent to the Senate for concurrence.

At a quarter before twelve o’clock noon, on motion of Mr. Collaro of Worcester, the House adjourned, to meet on Thursday next at eleven o’clock A.M., in an Informal Session.
Thursday, August 6, 1992.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session.

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 bestow upon us daily. We are thankful, too, for our human and material resources which benefit us, our country and Commonwealth. Teach us to use Your blessings wisely, so that we, as a people, may live in our communities in peace, security and racial harmony.

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

At the request of the Speaker, 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:

Mr. and Mrs. Robert Kelley.

Resolutions (filed by Speaker Flaherty of Cambridge) congratulating Mr. and Mrs. Robert Kelley on the occasion of their silver wedding anniversary;

Andover.—baseball team.

Resolutions (filed by Mr. Coon of Andover) commending the Andover High School baseball team for winning the nineteen hundred and ninety-two Division One State Championship;

Frances May.

Resolutions (filed by Ms. Hornblower of Groton) congratulating Frances May on the occasion of her eightieth birthday;

Orleans.—Snow's Library.

Resolutions (filed by Mr. Lawless of Orleans) on the occasion of the dedication of the new addition to "Snow's Library" in the town of Orleans;

Mr. and Mrs. Frederick C. Saunders.

Resolutions (filed by Mr. Rushing of Boston) congratulating Mr. and Mrs. Frederick C. Saunders on the occasion of their fiftieth anniversary; and

William Capone.

Resolutions (filed by Mr. Serra of Boston) honoring William "Goody" Capone;

Mr. Serra, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of Rule 41, in each instance, on motion of Mr. Lawless, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Annual Reports.

The first semi-annual report of the Insurance Fraud Bureau (under Section 99(k) of Chapter 398 of the Acts of 1992) on the disposition of matters referred to said bureau; and
The annual report of the Massachusetts Housing Partnership Fund (under Section 35(g) of Chapter 405 of the Acts of 1985) relative to the activities and accomplishments of said fund;
Severally sent to the Senate for its information.

Petitions.

Petitions severally were presented and referred as follows:
By Mr. Palumbo of Newbury, petition (accompanied by bill, House, No. 6023) of Thomas G. Palumbo and Robert C. Buell (by vote of the town) for legislation to authorize the board of selectmen of the town of Groveland to appoint the tax collector;
By the same member, petition (accompanied by bill, House, No. 6024) of Thomas G. Palumbo and Robert C. Buell (by vote of the town) for legislation to authorize the board of selectmen of the town of Groveland to appoint the town treasurer; and
By Ms. Resor of Acton, petition (accompanied by bill, House, No. 6025) of Lucile P. Hicks and Pamela P. Resor (by vote of the town) relative to the use of a certain parcel of land in the town of Concord for housing purposes;
Severally to the committee on Local Affairs.
Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:
By Mr. Binienda of Worcester, petition (subject to Joint Rule 12) of John J. Binienda, William J. Glodis, Jr., and another relative to regulating labor disputes.
By Mr. Brewer of Barre, petition (subject to Joint Rule 12) of James F. Baird and Stephen M. Brewer relative to the payment of water and sewer bills for leased premises.
By the same member, petition (subject to Joint Rule 12) of Stephen M. Brewer for legislation to authorize certain reimbursements to cities and towns for police career incentive pay program.
By Ms. Buell of Greenfield, petition (subject to Joint Rule 12) of Carmen D. Buell relative to a sales tax exemption for certain medicine and medical equipment and supplies.
By Mr. Cabral of New Bedford, petition (subject to Joint Rule 12) of Antonio F. D. Cabral, Joseph B. McIntyre, William Q. MacLean, Jr., Robert M. Koczera and Bruce E. Tarr relative to the Schooner Ernestina Commission.
By Mr. Cahir of Bourne, petition (subject to Joint Rule 12) of Thomas S. Cahir relative to the definition of the word “elevator”.
By Mr. Cangiamila of Billerica, petition (subject to Joint Rule 12) of Brion M. Cangiamila for legislation to authorize the Department of Highways to establish a sick leave bank for Charles J. McPherson, an employee of said department.
By Ms. Kerans of Danvers, petition (subject to Joint Rule 12) of Sally P. Kerans, Frederick E. Berry and Thomas P. Walsh (with the approval of the mayor and city council) for legislation to authorize the city of Peabody to establish a retirement system funding schedule.
By Mrs. Menard of Somerset, petition (subject to Joint Rule 12) of Joan M. Menard for legislation to authorize the Department of Public Health to promulgate rules and regulations for the testing for radon gas emissions in municipal and state residential dwellings.

By Mr. Mariano of Quincy, petition (subject to Joint Rule 12) of Ronald Mariano for legislation to establish workfare in the Commonwealth.

By Miss O’Brien of Easthampton (by request), petition (subject to Joint Rule 12) of Kim O’Connor relative to the removal of lead paint in public schools.

By Mr. Wagner of Chicopee, petition (subject to Joint Rule 12) of Joseph F. Wagner for legislation to exempt former prisoners of war from fees for use of state parks and recreational land.

By the same member, petition (subject to Joint Rule 12) of Joseph F. Wagner relative to motor vehicle insurance surcharges.

By Mrs. Walrath of Stow, petition (subject to Joint Rule 12) of Patricia A. Walrath and other members of the General Court for an investigation by a special commission (including members of the General Court) relative to establishing a high speed surface transportation system in the Commonwealth.

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

**Paper from the Senate.**

The House Bill relative to bungee jumping (House, No. 5908) came from the Senate passed to be engrossed, in concurrence, with the following amendment:

Striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1675.

Under suspension of Rule 35, on motion of Mr. Caron of Springfield, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith.

The same member then moved that the House concur with the Senate in its amendment with a further amendment striking out section 2 and inserting in place thereof the following section:

“SECTION 2. Chapter 149 of the General Laws is hereby amended by inserting after section 129C the following section:

Section 129D. No person shall be prohibited from riding in a department of public safety approved man-basket carried by any hoisting machinery for the purpose of bungee jumping or for any other department of public safety approved activity.”.

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.**

By Mr. Serra of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rules 12 and 9 be suspended on the petition of Ronald Mariano, Michael W. Morrissey, Paul D. Harold and A. Stephen
Tobin for legislation to establish the United States Naval shipbuilding museum corporation. Under suspension of Rule 42, on motion of Mr. Mariano of Quincy, the report was considered forthwith. Joint Rules 12 and 9 were suspended; and the petition (accompanied by bill) was referred to the committee on State Administration. Sent to the Senate for concurrence.

By Mr. Serra of Boston, for the committee on Rules and the committees on Rules of the two branches acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Marian Walsh relative to the operation of banking institutions in the Commonwealth. To the committee on Banks and Banking.

Petition (accompanied by bill) of Marian Walsh relative to the term of incarceration for possession of weapons. To the committee on Criminal Justice.

Petition (accompanied by bill) of Charles N. Decas for legislation to authorize the Wareham Fire District to rescind a certain vote. To the committee on Local Affairs.

Under suspension of Rule 42, on motion of Mr. Mariano of Quincy, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Finneran of Boston, for the committee on Ways and Means, that the Bill further regulating the State Lottery (printed as House, No. 5449) ought to pass.

Under suspension of the rules, on motion of Mr. Clancy of Lynn, the bill was read a second and a third time forthwith; and it was passed to be engrossed, in concurrence.

By Mr. Finneran of Boston, for the committee on Ways and Means, on a petition, a Resolve in favor of Pacita Bradford and Pearl Jackson-Holder (House, No. 2583), which was read.

Under suspension of the rules, on motion of Ms. Fox of Boston, the resolve 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.

The engrossed Bill relative to establishing a funding schedule for the retirement system of the city of Somerville (see House, No. 6015) (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 Speaker and sent to the Senate.

Orders of the Day.

The Senate Bill relative to investments in bank premises (printed as House, No. 24), 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.

House bills
Relative to the penalties for killing, maiming or poisoning of an animal (House, No. 5599, amended);
Authorizing the town of Lynnfield to expend a certain fund (House, No. 5754); and
Designating the reconstructed state boat ramp on the Back River in the town of Weymouth as the Joseph F. Carven, Sr. Boat Ramp (House, No. 5985);
Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Order.

On motion of Ms. Donovan of Woburn, —
Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.; and that, notwithstanding the provisions of House Rule 12, the Clerk be authorized to dispense with the printing of a Calendar for said sitting.

At nine minutes after eleven o'clock A.M., on motion of Ms. Kerans of Danvers, the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.
Monday, August 10, 1992.

Met according to adjournment, at eleven o’clock A.M., in an Informal Session, with Mr. Serra of Boston 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:

Gracious God, we pause for a moment to reflect on Your reality and on our relationship to You. We humbly ask for guidance in our effort to promote causes which enhance human dignity, respect the rights of all and encourage people to use their talents for self-improvement and the common good. May we be concerned with making our communities safe, open to all and free of violence.

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

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

Petitions.

Petitions severally were presented and referred as follows:

By Mr. O’Sullivan of Worcester, petition (accompanied by bill, House, No. 6026) of Jordan Levy (mayor), Kevin O’Sullivan, William J. Glodis, Jr., Andrew Collaro, John J. Binienda, David J. Lionett and another (with the approval of the mayor and city council) for legislation to authorize the city of Worcester to lease a certain building in Newton Hill Park located in said city;

By Mr. Ruane of Salem, petition (accompanied by bill, House, No. 6027) of J. Michael Ruane (with the approval of the mayor and city council) relative to institutional master planning in the city of Salem; and

By Mrs. Walrath of Stow, petition (accompanied by bill, House, No. 6028) of Patricia A. Walrath and Nancy Achin Sullivan (by vote of the town) relative to the construction of a police station and public works facility in the town of Shirley;

Severally to the committee on Local Affairs.
Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Klimm of Barnstable, petition (subject to Joint Rule 12) of John C. Klimm and another relative to the issuance of licenses for the operation of motor vehicles to persons sixty-five years of age or older.

By the same member, petition (subject to Joint Rule 12) of John C. Klimm and another relative to the assessment of betterments.

By Mrs. Menard of Somerset, petition (subject to Joint Rule 12) of Joan M. Menard relative to antenuptial agreements.
By Mr. Rohan of Holyoke, petition (subject to Joint Rule 12) of
Robert J. Rohan for legislation to credit William T. McGurk with
certain service for purposes of retirement.

By Mr. Scibelli of Springfield, petition (subject to Joint Rule 12)
of Robert T. Markel (mayor) and Anthony M. Scibelli (with the
approval of the mayor and city council) relative to the enforcement
of law prohibiting disposal of rubbish on or near highways, public
land or inland waters or on the property of another in the city of
Springfield.

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

A Bill providing for the development of educational related
research and biotechnology in the Commonwealth (Senate,
No. 1645) (reported on Senate, No. 1526), passed to be engrossed
by the Senate, was read; and it was referred, under Rule 33, to the
committee on Ways and Means.

By Mr. Serra of Boston, for the committee on Rules and the
committees on Rules of the two branches, acting concurrently, that
Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of John J. Binienda, William J.
Glodis, Jr., and another relative to regulating labor disputes. To the
committee on Commerce and Labor.

Petition (accompanied by resolve) of Patricia A. Walrath and
other members of the General Court for an investigation by a special
commission (including members of the General Court) relative to
establishing a high speed surface transportation system in the
Commonwealth. To the committee on Transportation.

Under suspension of Rule 42, on motion of Mr. Binienda of
Worcester, the reports were considered forthwith. Joint Rule 12
then was suspended, in each instance. Severally sent to the Senate
for concurrence.

The engrossed Bill authorizing the State Retirement Board to
grant a certain pension to Beverly Boyle (see House, No. 2712),
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.

Engrossed bills
Relative to investments in bank premises (see Senate bill printed
as House, No. 24);
Further regulating the State Lottery (see Senate bill printed as House, No. 5449);
(Which severally originated in the Senate);
Relative to borrowing by the Salem and Beverly Water Supply Board (see House, No. 5343, amended);
Relative to the charter of the city of Newton (see House, No. 5789);
Relative to the charter of the city of Newton (see House, No. 5790);
Relative to certain betterment assessments in the town of Barnstable (see House, No. 5795);
Establishing a funding schedule for the retirement system of the town of Danvers (see House, No. 5849); and
Directing the State Secretary to place a certain nonbinding question on the biennial state election ballot in the city of Worcester in the current year (see House, No. 5994);
(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.

The House Bill relative to the retirement contributions of John Sheehan, a member of the retirement system of the city of Cambridge (House, No. 5649) (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.

Order.

On motion of Ms. Tracy of Boston,—
Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.; and that, notwithstanding the provisions of House Rule 12, the Clerk be authorized to dispense with the printing of a Calendar for said sitting.

At ten minutes after eleven o'clock A.M., on motion of Ms. Donovan of Woburn (Mr. Serra of Boston being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.
Thursday, August 13, 1992.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session.

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Lord, our Creator, we believe that You are the ultimate source of goodness and compassion. Teach us, members of the one human family, to appreciate the good deeds, good intentions and good will of friends, neighbors and constituents whom we meet each day. Bestow upon us the wisdom and patience to work with others in planning for a peaceful, prosperous and orderly society. Let the common good be our common goal.

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

At the request of the Speaker, the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Messages from the Governor.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to civil service positions in the city of Chelsea (House, No. 6034) was filed in the office of the Clerk on Tuesday, August 4.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Public Service. Sent to the Senate for concurrence.

A message from His Excellency the Governor recommending legislation relative to the retail sale of alcoholic beverages (House, No. 6035) was filed in the office of the Clerk on Wednesday, August 12.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Government Regulations. 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. DeLeo of Winthrop) congratulating Robert C. Crawford of the Winthrop Police Department on the occasion of his retirement; and

Resolutions (filed by Mr. DiMasi of Boston) congratulating Frederick R. Petrigno on the occasion of his retirement;

Mr. Serra of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of Rule 41, in each instance, on motion of Mr. DeLeo,
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.

The engrossed Bill relative to the maintenance of personnel records (see House, No. 5494) came from the Senate with an amendment striking out all after the enacting clause and inserting in place thereof the following:

"SECTION 1. The definition of ‘Personnel record’ in section 52C of chapter 149 of the General Laws, as appearing in the 1990 Official Edition, is hereby amended by adding the following two sentences: — Without limiting the applicability or generality of the foregoing, the following information or documents regarding an employee of an employer, shall be included in the personnel record for that employee; the name, address, date of birth, job title and description; rate of pay and any other compensation paid to the employee; starting date of employment; the job application of the employee; resumes or other forms of employment inquiry submitted to the employer in response to his advertisement by the employee; all employee performance evaluations, including but not limited to, employee evaluation documents and supervisor’s notes; written warnings of substandard performance; lists of probationary periods; waivers signed by the employee; copies of dated termination notices; any other documents relating to disciplinary action regarding the employee. A personnel record shall be maintained in typewritten or printed form or may be handwritten in indelible ink.

SECTION 2. Said section 52C of said chapter 149, as so appearing, is hereby amended by striking out the last two paragraphs and inserting in place thereof the following two paragraphs: —

An employer of twenty or more employees shall retain the complete personnel record of an employee without deletions or expungement of information from the date of employment of such employee to a date three years after the termination of employment by the employee with such employer. In any cause of action brought by an employee against such employer of twenty or more employees in any administrative or judicial proceeding, including but not limited to, the Massachusetts Office of Affirmative Action, the Massachusetts Commission Against Discrimination, Massachusetts Civil Service Commission, Massachusetts Labor Relations Commission, Department of Labor and Industries, or a court of appropriate jurisdiction, such employer shall retain any personnel record required to be kept under this section which is relevant to such action until the final disposition thereof.

Whoever violates the provisions of the section shall be punished by a fine of not less than five hundred nor more than twenty-five hundred dollars.”.

Under suspension of Rule 35, on motion of Ms. Bump of Braintree, the amendment was considered forthwith.

The committee on Bills in the Third Reading reported
recommendating that the House non-concur with the Senate in its amendment; and the report was accepted.

Mr. Lambert of Fall River then moved that the House concur with the Senate in its amendment with a further amendment by striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the following:

"SECTION 1. The definition of 'Personnel record' in section 52C of chapter 149 of the General Laws, as appearing in the 1990 Official Edition, is hereby amended by adding the following two sentences:

Without limiting the applicability or generality of the foregoing, the following information or documents regarding an employee of an employer of twenty or more employees, if in the possession of such employer, shall be included in the personnel record for that employee: the name, address, date of birth, job title and description; rate of pay and any other compensation paid to the employee; starting date of employment; the job application of the employee; resumes or other forms of employment inquiry submitted to the employer in response to his advertisement by the employee; all employee performance evaluations, including but not limited to, employee evaluation documents and supervisor's notes; written warnings of substandard performance; lists of probationary periods; waivers signed by the employee; copies of dated termination notices; any other documents relating to disciplinary action regarding the employee. A personnel record shall be maintained in typewritten or printed form or may be handwritten in indelible ink.

SECTION 2. Said section 52C of said chapter 149, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following three paragraphs:

An employer of twenty or more employees shall retain the complete personnel record of an employee as required to be kept under this section without deletions or expungement of information from the date of employment of such employee to a date three years after the termination of employment by the employee with such employer. In any cause of action brought by an employee against such employer of twenty or more employees in any administrative or judicial proceeding, including but not limited to, the Massachusetts office of affirmative action, the Massachusetts commission against discrimination, Massachusetts civil service commission, Massachusetts labor relations commission, department of labor and industries, or a court of appropriate jurisdiction, such employer shall retain any personnel record required to be kept under this section which is relevant to such action until the final disposition thereof.

If an employer of twenty or more employees elects to have a written personnel policy regarding the terms and conditions of employment, such personnel policy, as the same may be amended from time to time, shall be continuously maintained at the office of such employer where personnel matters are administered.

Whoever violates the provisions of this section shall be punished
by a fine of not less than five hundred nor more than twenty-five hundred dollars.”.

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.

The engrossed Bill authorizing the town of Ashfield to construct a wastewater treatment facility (see Senate bill printed as House, No. 5689, changed) came from the Senate with the following amendment:

In section 1 striking out, in lines 1 and 2, the words “Notwithstanding the provisions of any general or special law to the contrary,” and inserting in place thereof the following: “Notwithstanding the provisions of sections thirty-eight A ½ to thirty-eight O, inclusive, of chapter seven of the General Laws, section thirty-nine M of chapter thirty of the General Laws, chapter thirty B of the General Laws, sections forty-four A to forty-four M, inclusive, of chapter one hundred and forty-nine of the General Laws and any other general or special law or regulation providing for the advertising or bidding of contracts relating to the improvements to, or the acquisition or disposition of interests in, real or personal property,”.

Under suspension of Rule 35, on motion of Mr. Healy of Charlemont, 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.

Reports of Committees.

By Mr. Flaherty of Cambridge, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Bruce P. Eaton for legislation to increase the penalty for unlawful damage to a water meter belonging to a city, town, district or company engaged in supplying water. To the committee on Government Regulations.

Petition (accompanied by bill) of Christopher Sabella for legislation to authorize the Commissioner of the Department of Public Health to establish procedures for the regulation of persons performing tattooing. To the committee on Health Care.

Petition (accompanied by bill) of Vincent P. Ciampa and others relative to the Water Resources Authority. To the committee on Natural Resources and Agriculture.

Petition (accompanied by bill) of Sally P. Kerans, Frederick E. Berry and Thomas P. Walsh (with the approval of the mayor and city council) for legislation to authorize the city of Peabody to establish a retirement system funding schedule. To the committee on Public Service.

Petition (accompanied by bill) of Vincent P. Ciampa and others for legislation to authorize an income tax exemption for charges paid to cities and towns for water and sewer use by homeowners within the Water Resources Authority area. To the committee on Taxation.

Under suspension of Rule 42, on motion of Mr. Walsh of
Peabody, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Supplementary appropriations.

Mr. Finneran of Boston, for the committee on Ways and Means, on a message from His Excellency the Governor (House, No. 5330), reports, in part, a Bill making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-three to provide for certain other activities and projects (House, No. 6033), which was read.

Under suspension of the rules, on motion of Mr. Finneran, 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.

Correction Department,—retirement.

Mr. Finneran of Boston, for the committee on Ways and Means, on a message from His Excellency the Governor (House, No. 5910), reports, in part, a Bill further regulating retirement benefits of certain employees of the Department of Correction (House, No. 6036), which was read.

Under suspension of the rules, on motion of Mr. Finneran, the bill was read a second and a third time forthwith; and it was passed to be engrossed. The same member moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill (House No. 6036) then was sent to the Senate for concurrence.

Cosmetologists,—registration.

Mr. Flaherty of Cambridge, for the committees on Rules of the two branches, acting concurrently, on the Order relative to authorizing the committee on Government Regulations to make an investigation and study of certain House documents concerning the licensing of occupations and professions in the Commonwealth (House, No. 5792), reports, in part, a Bill further regulating the registration of cosmetologists and aestheticians (House, No. 718). Read; and referred, under Rule 33, to the committee on Ways and Means.

Engrossed Bills.

The engrossed Bill authorizing the State Retirement Board to grant a certain pension to Beverly Boyle (see House, No. 2712) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

The engrossed Bill authorizing the town of Sharon to convey a certain parcel of conservation land (see House, No. 5894) (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.

Pending the question on passing the bill to be enacted, Mr. Kafka of Sharon moved that Rule 40 be suspended; and the motion
prevailed. The same member then moved that the bill be amended by adding at the end thereof the following section: “SECTION 3. This act shall take effect upon its passage.”. The amendment was adopted. Sent to the Senate for concurrence.

Orders of the Day.

The Senate Bill authorizing the town of Manchester-by-the-Sea to reimburse Wilber Stanley for certain injuries sustained as a firefighter (Senate, No. 1633), 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.

House bills
Relative to the penalty for tendering certain insufficient funds checks (House, No. 4725);
Authorizing the town of Harwich to pay a certain unpaid bill (House, No. 5787); and
Authorizing the town of Orleans to adopt a by-law relative to the upgrading of septic systems (House, No. 5788) (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.

Recess.

At a quarter before twelve o'clock noon, the Speaker declared a recess subject to the call of the Chair, there being no objection; and at twenty-six minutes before one o'clock the House was called to order.

Emergency Measure.

The engrossed Bill further regulating retirement benefits of certain employees of the Department of Correction (see House, No. 6036), 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 21 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bill.

The engrossed Bill making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-three to provide for certain other activities and projects (see House, No. 6033) (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. Mr. Finneran of Boston moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill then was signed by the Speaker and sent to the Senate.

Recess.

At twenty minutes before one o'clock P.M., the Speaker declared a recess subject to the call of the Chair; and at one o'clock the House was called to order with Ms. Donovan of Woburn in the Chair.

Emergency Measure.

The engrossed Bill relative to bungee jumping (see House, No. 5908), 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 8 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Order.

On motion of Mrs. McKenna of Holden,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.; and that, notwithstanding the provisions of House Rule 12, the Clerk be authorized to dispense with the printing of a Calendar for said sitting.

At twelve minutes after one o'clock P.M., on motion of Mr. Flaherty of Cambridge (Ms. Donovan of Woburn being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.
Monday, August 17, 1992.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Serra of Boston 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, we turn our thoughts to You in prayer to reflect on Your reality and on our relationship with You. We ask for the gift of wisdom to comprehend the concerns of the people and the needs of society. May we have the humility to evaluate our own political and legislative successes and failures and to learn from the experiences of our predecessors. Encourage us to unite constituents and colleagues in good causes which enhance the dignity of all people.

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

At the request of the Chair (Mr. Serra), 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 recommending legislation relative to a bond authorization for the management and disposal of low level radioactive waste (House, No. 6045) was filed in the office of the Clerk on Friday, August 14.

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.

Resignation of Representative John C. Bradford of Rochester.

The following communication, received by the Clerk from the office of the Speaker of the House, was read for the information of the House; and placed on file.

August 14, 1992.

The Honorable CHARLES F. FLAHERTY
Speaker of the House of Representatives
Commonwealth of Massachusetts
State House
Boston, MA 02133

Dear Mr. Speaker:

For the past seven years, it has been both a privilege and my pleasure to serve as a member of the Great and General Court of the Commonwealth of Massachusetts. I feel that the experience of public service has made me a more complete person in many ways and I am very proud to have served with this distinguished body.
Due to my recent appointment as Administrative Judge for the Industrial Accident Board, I hereby resign my position as State Representative for the 10th Bristol District of the Commonwealth of Massachusetts. My resignation will be effective on Monday, August 17, 1992 at 12 noon.

With thanks and warm regards, I remain.

Very truly yours,

JOHN C. BRADFORD,
State Representative.

Papers from the Senate.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 1681) of Christopher M. Lane, David H. Locke, James P. Jajuga, Richard R. Tisei and Erving H. Wall, Jr., for legislation relative to filling vacancies in the General Court. To the committee on Election Laws.

Petition (accompanied by bill, Senate, No. 1682) of Jane M. Sisto for legislation relative to enhancing certain health care coverage. To the committee on Insurance.

Petition (accompanied by bill, Senate, No. 1683) of Lucile P. Hicks and Stephen W. Doran (by vote of the town) for legislation to authorize the town of Lincoln to pay certain unpaid bills. To the committee on Local Affairs.

Petition (accompanied by bill, Senate, No. 1684) of Robert C. Buell, Bruce E. Tarr and Vaughan Howley for legislation relative to the sales tax for certain commercial vessels. To the committee on Taxation.

Report of a Committee.

By Mr. DiMasi of Boston, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for a certain employee of the Trial Court (House, No. 6018), which was read. Under suspension of the rules, on motion of Mr. Haley of Weymouth, 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
Authorizing the town of Manchester-by-the-Sea to reimburse Wilber Stanley for certain injuries sustained as a firefighter (see Senate, No. 1633);
Authorizing the town of Ashfield to construct a wastewater treatment facility (see Senate bill printed as House, No. 5689, changed and amended);
(Which severally originated in the Senate);
Relative to the office of municipal building officials (see House, No. 3617);
Relative to the maintenance of personnel records (see House, No. 5494); and
Relative to the retirement contributions of John Sheehan, a member of the retirement system of the city of Cambridge (see House, No. 5649);
(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.
On motion of Ms. Jehlen of Somerville, —
Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.; and that, notwithstanding the provisions of House Rule 12, the Clerk be authorized to dispense with the printing of a Calendar for said sitting.

Mr. Rohan of Holyoke then moved that as a mark of respect to the memory of John J. Cavanaugh, a member of the House from Holyoke from 1955 to 1962, inclusive, the House adjourn; and the motion prevailed.
Accordingly, at six minutes after eleven o'clock A.M., on motion of Mr. Collaro of Worcester (Mr. Serra of Boston being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.
Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Ms. Bump 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, we ask You to open our minds to appreciate the beauty and mystery of the world around us and to open our hearts to recognize the good deeds and intentions of the many people whom we meet each day. Teach us to be optimists and not pessimists as we plan for the future of the people and the state. Grant us the wisdom and strength to cope with the complex social, economic and cultural issues of the day.

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

At the request of the Chair (Ms. Bump), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

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

- Resolutions (filed by Representatives Jordan of Springfield, Fox of Boston, Merced of Boston, Owens-Hicks of Boston, Rushing of Boston and Thompson of Cambridge) congratulating "Say Brother" on the occasion of its twenty-fifth anniversary; and
- Resolutions (filed by Mr. Krekorian of Reading) recognizing and honoring Anthony V. "Tony" Fletcher on the occasion of his retirement;

Mr. Serra of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of Rule 41, in each instance, on motion of Mrs. Walrath of Stow, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

A communication from the Water Resources Commission (under Section 8C of Chapter 21 of the General Laws) submitting its findings, justifications and decisions for approval of construction of a well by the Dedham-Westwood Water District at the Fowl Meadow site in the town of Dedham, was placed on file.

A report of the special commission (under Chapter 4 of the Resolves of 1989 and most recently revived and continued by
Section 60 of Chapter 495 of the Acts of 1991) established to make an investigation and study relative to the practice of nursing in the Commonwealth (House, No. 6039) was referred to the committee on Health Care. Sent to the Senate for concurrence.

Petition.

Mrs. Murray of Cohasset presented a petition (subject to Joint Rule 12) of Mary Jeanette Murray, Edward G. Connolly, Paul C. Casey, Athan Catjakis and A. Stephen Tobin for legislation to provide suitable recognition of those residents of Massachusetts who served in the armed forces of the United States during the Persian Gulf Conflict; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Voke of Chelsea, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of Rule 42, on motion of Mr. Tolman of Watertown, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Human Services and Elderly Affairs. Sent to the Senate for concurrence.

Orders of the Day.

The House Bill establishing the board of selectmen/town manager form of administration in the town of Great Barrington (House, No. 6005) was read a third time.

The committee on Bills in the Third Reading reported asking to be discharged from further consideration of the bill; and the report was accepted.

Pending the question on passing the bill to be engrossed, Mr. Rushing of Boston moved that it be amended by adding at the end thereof the following section:

"SECTION 10. This act shall take effect upon its passage."

The amendment was adopted; and the bill (House, No. 6005, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At seven minutes after eleven o'clock A.M., on motion of Mr. DeFilippi of West Springfield (Ms. Bump of Braintree being in the Chair), the House recessed until half past eleven o'clock A.M.; and at twelve minutes before twelve o'clock noon the House was called to order with Ms. Bump in the Chair.

Reports of Committees.

By Mr. Walsh of Agawam, for the committee on Government Regulations, on House, Nos. 5383 and 6035, a Bill authorizing the retail sale of alcoholic beverages not to be drunk on the premises on Sundays in certain cities and towns (House, No. 6046), which was read.
Under suspension of the rules, on motion of the same member, 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. Rushing of Boston, for the committee on Local Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 6028) of Patricia A. Walrath and Nancy Achin Sullivan (by vote of the town) relative to the construction of a police station and public works facility in the town of Shirley, — and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the discharge of the committee.

Order.

On motion of Mr. Flaherty of Cambridge, —

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.; and that, notwithstanding the provisions of House Rule 12, the Clerk be authorized to dispense with the printing of a Calendar for said sitting.

At nine minutes before twelve o'clock noon, on motion of Mr. DeFilippi of West Springfield (Ms. Bump of Braintree being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.
Monday, August 24, 1992.

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

Lord, Our Creator, we pause for a moment to remind ourselves of Your reality and to ask for guidance in legislative and personal matters. Inspire us to make wise and prudent legislative decisions, so that both the needs of the people and of society will be adequately addressed. Teach us to respect people and their philosophies even when we disagree with them. May we remain firm in our personal and religious convictions.

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

At the request of the Chair (Mr. Honan), 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. Hawke of Gardner) honoring Leighton S. Cheney on his many accomplishments; and

Resolutions (filed by Mrs. McKenna of Holden) congratulating John D. McDonald on the occasion of his eighty-fifth birthday;

Mr. Voke of Chelsea, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of Rule 41, in each instance, on motion of Mrs. McKenna, 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.

A Resolve providing for an investigation and study by a special commission relative to pain management procedures (Senate, No. 1679, amended by striking out, in line 12, the words "terminally ill") (on Senate, No. 461), passed to be engrossed by the Senate, was read.

Under suspension of the rules, on motion of Mrs. Owens-Hicks of Boston, the resolve was read a second time forthwith; and it was ordered to a third reading.

Under suspension of the rules, on motion of Ms. Fox of Boston, the resolve (having been 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.
A petition (accompanied by bill, Senate, No. 1685) of Nancy Achin Sullivan and Augusta Hornblower (by vote of the town) for legislation to provide for recall elections in the town of Groton, was referred, in concurrence, to the committee on Election Laws.

A petition of Robert D. Wetmore and Stephen M. Brewer for legislation to provide payment in lieu of taxes for the Massachusetts State Police Academy, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Taxation.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1687) was referred, in concurrence, to the committee on Taxation.

Report of a Committee.

By Mr. Rushing of Boston, for the committee on Local Affairs, on a message from His Honor the Lieutenant-Governor, Acting Governor, a Bill authorizing the town of Concord to change the permitted uses of certain lands abutting state highway Route 2 (printed in House, No. 5999), which was read.

Under suspension of the rules, on motion of Ms. Resor of Acton, 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

Exempting the position of field coordinator in the department of public works in the town of Swampscott from the provisions of civil service law (see House bill printed as Senate, No. 1614); and

Exempting the position of head custodian in the administration building in the town of Swampscott from the provisions of the civil service law (see House bill printed as Senate, No. 1615);

(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.

The House Bill providing for recall elections in the town of Millis (printed as Senate, No. 1620) (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.

Order.

On motion of Mrs. Cleven of Chelmsford, —

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.; and that, notwithstanding
the provisions of House Rule 12, the Clerk be authorized to dispense with the printing of a Calendar for said sitting.

Ms. Brenton of Burlington then moved that as a mark of respect to the memory of Robert A. Vigneau, a member of the House from Burlington from 1969 to 1986, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at a quarter after eleven o'clock A.M., on motion of Mrs. Cleven of Chelmsford (Mr. Honan of Boston being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.
Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Honan of Boston 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:

Gracious God, we depend upon You to grant us the good sense and the courage to make sound judgments as we respond to our daily obligations. Inspire us to propose thoughtful legislation to relevant programs in our efforts to meet the needs of the people and communities. Grant us the patience to work with others in resolving today's complex social, economic and cultural challenges.

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

At the request of the Chair (Mr. Honan), 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. Lawless of Orleans) commending Daniel E. Shay, Eastham's nineteen hundred and ninety-two Windmill Weekend Honoree;
- Resolutions (filed by Mr. Sullivan of Abington) congratulating William R. Quealy on the occasion of his retirement as a member of the Abington Board of Health; and
- Resolutions (filed by Mrs. Walrath of Stow) congratulating Richard F. Pope on the occasion of his retirement from the Hudson Police Department;

Mr. Serra of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of Rule 41, in each instance, on motion of Mrs. Walrath, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Mr. Karol of Attleboro presented a petition (subject to Joint Rule 12) of Stephen J. Karol, David H. Locke, Kevin Poirier, Barbara C. Hyland, Philip Travis and William R. Keating for legislation to designate the court house in the city of Attleboro as the Justice Ernest I. Rotenberg Court House; and the same was referred, under Rule 24, to the committee on Rules.

Mrs. Menard of Somerset, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then
reported recommending that Joint Rule 12 be suspended. Under suspension of Rule 42, on motion of Mr. Karol, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Counties. Sent to the Senate for concurrence.

Miss O’Brien of Easthampton presented a petition (subject to Joint Rule 12) of Shannon P. O’Brien for legislation to make certain changes in the charter for Hampshire County; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Flaherty of Cambridge, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of Rule 42, on motion of Miss O’Brien of Easthampton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Counties. Sent to the Senate for concurrence.

Mr. Rushing of Boston presented a petition (subject to Joint Rule 12) of Byron Rushing, J. James Marzilli, Jr., and John E. McDonough relative to the licensing of certain public establishments in cities and towns and the installation of condom vending machines on the premises of such establishments; and the same was referred, under Rule 24, to the committee on Rules.

Reports of Committees.

By Mr. Flaherty of Cambridge, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Joan M. Menard for legislation to authorize the Department of Public Health to promulgate rules and regulations for the testing for radon gas emissions in municipal and state residential dwellings. To the committee on Health Care.

Petition (accompanied by bill) of Joan M. Menard relative to antenuptial agreements. To the committee on the Judiciary.

Under suspension of Rule 42, on motion of Mrs. Menard of Somerset, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mrs. Menard of Somerset, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Robert C. Lawless relative to further regulating controlled substances. To the committee on Criminal Justice.

Petition (accompanied by bill) of Charles W. Silvia relative to the issuance of seasonal all alcoholic beverages licenses or seasonal wine and malt beverages licenses; and
Petition (accompanied by bill) of Charles W. Silvia relative to the issuance of alcoholic beverages licenses by local authorities; Severally to the committee on Government Regulations.

Petition (accompanied by bill) of Robert C. Lawless and Henri S. Rauschenbach relative to the reimbursement of county jails and houses of correction for medical and health services provided to inmates during their incarceration;

Petition (accompanied by bill) of Robert C. Lawless for legislation to establish a women’s restitution program for inmates of county correctional facilities; and

Petition (accompanied by bill) of Robert C. Lawless for legislation to make inmates responsible for reimbursing county jails and houses of correction for medical and health services provided during their incarceration;

Severally to the committee on Public Safety.

Petition (accompanied by bill) of Robert C. Lawless relative to the tax rate on certain income; and

Petition (accompanied by bill) of Keith A. Bergman (by vote of the town) for legislation to exempt the Fine Arts Work Center of the town of Provincetown from taxation;

Severally to the committee on Taxation.

Under suspension of Rule 42, on motion of Mrs. Menard of Somerset, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Rushing of Boston, for the committee on Local Affairs, on a petition, a Bill designating a certain family housing project in the city of Salem as Farrell Court (House, No. 6016), which was read [Local Approval Received].

Under suspension of the rules, on motion of Mr. Ruane of Salem, 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 Ms. Bump of Braintree, for the committee on Commerce and Labor, on House, No. 5270, a Bill further regulating manufactured housing communities (House, No. 6047).

By Mr. Walsh of Agawam, for the committee on Government Regulations, on House, Nos. 42 and 50, a Bill to change the name of the Community Antenna Television Commission and to conform the cable television statute to federal law (House, No. 50).

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

Engrossed Resolve.

The engrossed Resolve providing for an investigation and study by a special commission relative to pain management procedures (see Senate, No. 1679, amended) (which originated in the Senate),
having been certified by the Clerk to be rightly and truly prepared for final passage, was passed; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The House Bill authorizing the town of Bellingham to reimburse Vincent R. Thayer, executor of the estate of L. F. Thayer, a sum of three thousand seven hundred sixty-two dollars and seventy cents paid to said town as real estate taxes in error (House, No. 5965) (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.

Recess.

At sixteen minutes after eleven o’clock A.M., the Chair (Mr. Honan of Boston) declared a recess, subject to the call of the Chair, there being no objection; and at twenty-nine minutes before twelve o’clock noon the House was called to order with Mr. Honan in the Chair.

Paper from the Senate.

A petition of David H. Locke, Stephen J. Karol, Philip Travis, Kevin Poirier, Barbara C. Hyland and William R. Keating for legislation to designate a certain court facility in the city of Attleboro as a memorial to the late Justice Ernest I. Rotenberg, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1689) was referred, in concurrence, to the committee on State Administration.

Order.

On motion of Mr. DeFilippi of West Springfield, —

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o’clock A.M.; and that, notwithstanding the provisions of House Rule 12, the Clerk be authorized to dispense with the printing of a Calendar for said sitting.

Mr. Scaccia of Boston then moved that as a mark of respect to the memory of Michael Herbert Cantwell, a member of the House from Boston (Hyde Park) from 1955 to 1962, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at twenty-seven minutes before twelve o’clock noon, on motion of Mr. Draisen of Boston (Mr. Honan of Boston being in the Chair), the House adjourned, to meet on Monday next at eleven o’clock A.M., in an Informal Session.
Monday, August 31, 1992.

The House was called to order, there being no objection, later than the time to which it had adjourned, at half past eleven o'clock A.M., in an Informal Session, with Mr. Serra of Boston 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, You are the ultimate source of goodness and compassion. Teach us to be men and women of good will and kind thoughts towards all. Let our hearts and minds be filled with compassion towards friends and neighbors who are hurting and discouraged. May we look to the future with enthusiasm and confidence as we struggle to build safe programs and peaceful communities for all people.

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

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

Semi-Annual and Quarterly Reports.

The first semi-annual report of the Attorney General (under Section 99(k) of Chapter 398 of the Acts of 1991) relative to criminal prosecutions for insurance fraud and related crimes, was sent to the Senate for its information.

A quarterly report of Commissioner of the Division of Capital Planning and Operations (under Paragraph 1 of Section 40D of Chapter 7 of the General Laws) relative to the progress of all capital facility projects subject to the jurisdiction of said division, was placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mrs. Murray of Cohasset, petition (accompanied by bill, House, No. 6060) of Mary Jeanette Murray (by vote of the town) relative to violations of the rules and regulations of the board of sewer commissioners of the town of Cohasset. To the committee on Local Affairs.

By the same member, petition (accompanied by bill, House, No. 6061) of Mary Jeanette Murray and Robert L. Hedlund (by vote of the town) for legislation to exempt the position of chief of the fire department of the town of Hingham from the provisions of civil service law; and

By Mr. Tobin of Quincy, petition (accompanied by bill, House, No. 6062) of A. Stephen Tobin (with the approval of the mayor and
city council) relative to reduction in rank for employees of the police force of the city of Quincy;

Severally to the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:
By Mr. Catjakis of Springfield, petition (subject to Joint Rule 12) of Athan Catjakis for legislation to authorize the Department of Social Services to establish a sick leave bank for Annette Pellegrino, an employee of said department.

By Ms. Hildt of Amesbury, petition (subject to Joint Rule 12) of Barbara Hildt and another relative to the funding of public education.

By Mr. Teague of Yarmouth, petition (subject to Joint Rule 12) of Edward B. Teague III for legislation to repeal the law authorizing an early retirement program for certain judges.

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

Papers from the Senate.

The House Bill further regulating the classification into retirement groups of individuals employed by the Massachusetts Port Authority (House, No. 5767) 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 following:

“Section 3 of chapter 32 of the General Laws, as appearing in the 1990 Official Edition, is hereby amended by inserting after the word ‘employees’, in line 333, the first time it appears, the following words: —; employees of the Massachusetts Port Authority who are employed as licensed electricians and utility technicians, and supervisors of such employees; employees of said Massachusetts Port Authority who are employed at an electrical generating or distribution plant as steam engineers, watch engineers, boiler operators, steam fireman, and supervisors of said employees.”.

Under suspension of Rule 35, on motion of Mr. Clancy of Lynn, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn, as changed) was considered forthwith; and it was adopted, in concurrence.

A petition (accompanied by bill, Senate, No. 1688) of William Q. MacLean, Jr., and Leonard Gonsalves (by vote of the town) for legislation to make a corrective change in the law relative to the landfill capping expense fund in the town of Dartmouth, was referred, in concurrence, to the committee on Local Affairs.

A petition of Nancy Achin Sullivan for legislation to establish a sick leave bank for Michael Donovan, an employee of the Parole Board, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1692) was referred, in concurrence, to the committee on Public Service.
Reports of Committees.

By Mr. Serra of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Michael W. Merrill, John A. Businger, Marc D. Draisen, Lois G. Pines and others (by vote of the town) for legislation to authorize the town of Brookline to establish a retirement system funding schedule. Under suspension of Rule 42, on motion of Mr. Businger of Brookline, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Motorcycles, — headlights.

Handicapped persons, — parking.

Boston, — park land.

By Mr. Caron of Springfield, for the committee on Public Safety, on a petition, a Bill relative to modulating headlights on motorcycles (House, No. 5389).

By the same member, for the same committee, on a petition, a Bill further regulating parking of motor vehicles of handicapped and disabled persons (House, No. 5563).

By Mr. Hodgkins of Lee, for the committee on State Administration, on a petition, a Bill authorizing the city of Boston to take an easement in two parcels of parkland and to convey a certain parcel of parkland in the city of Boston (House, No. 5515).

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

Suicide prevention programs.

By Mr. Caron of Springfield, for the committee on Public Safety, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 5200) of James T. Brett and others for an investigation and study by the Division of Capital Planning and Operations relative to suicide prevention programs at county jails in the Commonwealth, — and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the discharge of the committee.

Recess.

At fourteen minutes before twelve o'clock noon, the Chair (Mr. Serra of Boston) declared a recess subject to the call of the Chair, there being no objection; and at nineteen minutes after twelve o'clock the House was called to order with Mr. Draisen of Boston in the Chair.

Engrossed Bill.

The engrossed Bill further regulating the classification into retirement groups of individuals employed by the Massachusetts Port Authority (see House, No. 5767, amended) (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.
Order.

On motion of Mr. Voke of Chelsea, —

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.; and that, notwithstanding the provisions of House Rule 12, the Clerk be authorized to dispense with the printing of a Calendar for said sitting.

At twenty-seven minutes after twelve o'clock noon, on motion of Ms. Donovan of Woburn (Mr. Draisen of Boston being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.