Met according to adjournment, at eleven o'clock A.M.

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

Eternal God, we pause for a moment of reflection to consider our relationship and to ask for guidance in personal and legislative matters. Inspire us to explain clearly to the electorate the complex political, philosophical and ethical issues of the day, and to offer them rational and relevant solutions. Grant us the capacity and the patience to comprehend the apparent enormous human needs of the people and the physical needs of our communities. Trusting in Your concern and love for us, help us to face the challenges and decisions of this day with confidence and enthusiasm. May we continue to trust in You, in each other, and in good common sense.

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 submitting recommendations for making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-two to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5910) was filed in the office of the Clerk on Tuesday, June 30.

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.

Message from the Governor — Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill establishing a sick leave bank for a certain employee of the Boston Municipal Court [see House, No. 5735, amended] (for message, see House, No. 5911) was filed in the office of the Clerk on Tuesday, June 30.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mrs. Kehoe of Dedham, to the committee on Bills in the Third Reading.

Subsequently Mr. Cox of Lowell, for said committee, reported recommending that the amendment recommended by His Excellency be considered in the following form:
By striking out all after the enacting clause and inserting in place thereof the following:

"Notwithstanding the provisions of any general or special law, rule or regulation to the contrary, the Boston municipal court department of the trial court of the commonwealth is hereby authorized and directed to establish a sick leave bank for probation officer Daniel Griffin of the Boston municipal court department. Each employee of the trial court of the commonwealth may voluntarily contribute one or more of his personal or vacation days to said bank for use by said probation officer Daniel Griffin."

Under suspension of Rule 42, on motion of Mrs. Kehoe of Dedham, the amendment recommended by His Excellency the Governor was considered forthwith; and it was rejected. Sent to the Senate for its action.

Statement Concerning Representative Forman of Plymouth.

During consideration of the Orders of the Day, Mrs. McKenna of Holden asked unanimous consent to make a statement; and, there being no objection, she addressed the House as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Forman of Plymouth, will not be present in the House Chamber for the latter part of today's sitting due to official business in this district. If he had been present for the taking of Yea and Nay Nos. 219 and 220 (on adoption of certain amendments) he would have voted in the affirmative; and on Yea and Nay No. 221 (on passing to be engrossed the House Bill restoring solvency to the Unemployment Insurance Trust Fund), he would have voted in the negative.

Mrs. McKenna then moved that the statement made by her be spread upon the records of the House; and the motion prevailed.

Statement of Representative Gately of Waltham.

During consideration of the Orders of the Day, Mr. Gately of Waltham asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I will not be present in the House Chamber for a portion of today's sitting due to official business in my district. Any roll calls that I may miss today will be due entirely to the reason stated.

Mr. Gately then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

Resolutions.

Resolutions (filed with the Clerk by Mr. Voke of Chelsea) congratulating Mr. and Mrs. Max Rubin on the occasion of their fiftieth wedding anniversary, were referred, under Rule 85, to the committee on Rules.

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

**Communications.**

A communication from the Counsel to the Senate and Counsel to the House of Representatives submitting (under authority of Section 53 of Chapter 3 of the General Laws) proposed legislation making certain corrective changes in certain general and special laws (House, No. 5904) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

A communication from the Water Resources Commission (under Regulation 313 CMR 4.06[3]) submitting a report of the findings and justifications of its decision to approve an Interbasin Transfer Act application by the town of Natick, acting on behalf of the towns of Natick, Dover, Wellesley and Needham, to develop a water supply at the Elm Bank site in the town of Dover, was placed on file.

**Special Reports.**

Reports

Of the State Lottery Commission (under Section 24 of Chapter 10 of the General Laws) relative to the total revenues, prize disbursements and other expenses of the Arts Lottery and the Lottery for the month of May, 1992; and

Of the Department of Public Health as a result of inspections of police lockups in the Commonwealth during the years 1991 and 1992;

Severally sent to the Senate for its information.

A report from the Office of the Commissioner of Banks transmitting quarterly reports from credit card issuers relative to the annual percentage rate and the amount of any annual or other fee charged to its cardholders, was placed on file.

**Petitions.**

Petitions severally were presented and referred as follows:

- By Mr. Hodgkins of Lee, petition (accompanied by bill, House, No. 5913) of Christopher J. Hodgkins and Jane M. Swift (by vote of the town) for legislation to establish the board of selectmen/town manager form of administration in the town of Great Barrington;

- By Mrs. Lewis of Bridgewater, petition (accompanied by bill, House, No. 5914) of Jacqueline Lewis (by vote of the town) relative to motor vehicle fines collected by the town of Raynham; and

- By Mr. Ruane of Salem, petition (accompanied by bill, House, No. 5915) of J. Michael Ruane (with the approval of the mayor and city council) for legislation to establish the economic development and industrial corporation of the city of Salem;

Severally to the committee on Local Affairs. Severally sent to the Senate for concurrence.
Mr. Vellucci of Cambridge presented a petition (subject to Joint Rule 12) of Peter A. Vellucci and others for legislation to authorize the Division of Capital Planning and Operations to convey to the city of Cambridge a certain parcel of land located in said city and under the control of the Metropolitan District Commission; 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. Magnani of Framingham, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Ms. Brenton of Burlington (by request), petition (subject to Joint Rule 12) of Peter Cooper relative to the retirement rights of certain employees of the Department of Correction.

By Mr. Constantino of Clinton, petition (subject to Joint Rule 12) of William Constantino, Jr., Mary Jane McKenna, Peter I. Blute, Robert A. Antonioni, Arthur E. Chase and Robert D. Wetmore relative to the protection of the metropolitan water supply.

By Mr. Haley of Weymouth, petition (subject to Joint Rule 12) of Paul R. Haley relative to establishing a sick leave bank for Patricia Caddick, an employee of the District Court Department.

By Mr. Hynes of Marshfield, petition (subject to Joint Rule 12) of Frank M. Hynes relative to establishing employment standards for public employees dealing with bloodborne pathogens.

By the same member, petition (subject to Joint Rule 12) of Frank M. Hynes relative to the distribution of information on the estate tax lien.

By the same member, petition (subject to Joint Rule 12) of Frank M. Hynes and other members of the House for legislation to protect the coastline of the Commonwealth.

By Mr. Kafka of Sharon, petition (subject to Joint Rule 12) of Louis L. Kafka and William R. Keating relative to the retirement rights of certain former investigators employed by the Alcoholic Beverages Control Commission.

By Mr. Klimm of Barnstable, petition (subject to Joint Rule 12) of John C. Klimm relative to the conveyance of a certain parcel of land in the town of Barnstable by the Division of Capital Planning and Operations.

By Ms. Rourke of Lowell, petition (subject to Joint Rule 12) of Susan F. Rourke, Edward A. LeLacheur and John F. Cox for legislation to establish certain drug free zones.

By Ms. Walsh of Boston, petition (subject to Joint Rule 12) of Marian Walsh relative to the operation of banking institutions in the Commonwealth.

By the same member, petition (subject to Joint Rule 12) of Marian Walsh relative to the term of incarceration for possession of weapons.

Severally, under Rule 24, to the committee on Rules.
Papers from the Senate.

The engrossed Bill relative to the retirement system of the city of Chelsea (see House, No. 5880) came from the Senate with the following amendment:

In section 3 (as printed) by striking out the paragraph contained in lines 66 to 88, inclusive.

Under suspension of Rule 35, on motion of Mr. Voke of Chelsea, 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.

The House Bill relative to criminal offender record information in foster care placements (House, No. 4684, changed) 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:

"Chapter 28A of the General Laws is hereby amended by inserting after section 10 the following section:

Section 10A. Notwithstanding any general or special law, rule or regulation to the contrary, no child shall be placed in a foster home prior to the approval of the home by the office or by any individual or agency licensed pursuant to section ten by the office, except an emergency placement in a foster home limited to relatives or long-term friends of the child's family. Said approval shall include a criminal offender record information check on all persons eighteen years of age or older residing at the home. In the event of any emergency placement, a criminal offender record information check shall be completed on all persons eighteen years of age or older residing at said home within ten working days of placement.

If the result of any of said checks shows that any occupant of said home has a criminal record involving violence, abuse, or exploitation against any person, which bears adversely upon the person's ability to assume and carry out the responsibilities of a foster parent or poses a serious threat of harm to a child, the home shall not be approved by the office, no child shall be placed in said home, and any emergency placement shall be removed forthwith.

Under suspension of Rule 35, on motion of Mrs. Parente of Milford, 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.

The House Bill relative to the reporting of child abuse and neglect (House, No. 5537, amended) came from the Senate passed to be engrossed, in concurrence, with the following amendments:

In section 1 striking out, in line 5, the words "false or", and also in line 5 striking out the word "less" and inserting in place thereof the word "more"; in section 2 striking out, in line 7, the words "unfounded, frivolous, false" and inserting in place thereof the word "frivolous"; and in section 3 (inserted by amendment by the House)
striking out, in line 6, the words "unfounded, frivolous, false" and inserting in place thereof the word "frivolous".

Under suspension of the Rule 35, on motion of Mrs. Parente of Milford, 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.

A Bill providing for a five member board of selectmen in the town of Swampscott (Senate, No. 1596, changed in section 3 by striking out, in line 2, the words "annual town election" and inserting in place thereof the words "November state elections"; and by striking out, in line 5, the words "ballot to be used for the election of town officers: — ‘Shall an" and inserting in place thereof the words "state ballot to be used for the election of state officers: — ‘Shall an") (reported on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was placed in the Orders of the Day for the next sitting for a second reading.

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

Petition (accompanied by bill, Senate, No. 1648) of Robert D. Wetmore for legislation to allow safety and emissions inspections of automobiles on Sundays. To the committee on Commerce and Labor.

Petition (accompanied by bill, Senate, No. 1649) of Robert D. Wetmore for legislation relative to the veteran status of Anthony E. Wolski. To the committee on Human Services and Elderly Affairs.

Petition (accompanied by bill, Senate, No. 1650) of Robert D. Wetmore and Frederick L. Bennett for legislation to require school buses to have their headlights illuminated while in operation. To the committee on Public Safety.

Petition (accompanied by bill, Senate, No. 1652) of Charles E. Shannon, Vincent P. Ciampa, Patricia D. Jehlen and others (with the approval of the mayor and board of aldermen) for legislation to establish a funding schedule for the city of Somerville retirement system. To the committee on Public Service.

Reports of Committees.

By Mr. Voke of Chelsea, 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 Barbara Gardner, David P. Magnani, Edward L. Burke and Barbara E. Gray relative to the cost of special education programs at residential schools and the obligations of school committees. Under suspension of Rule 42, on motion of Mr. Magnani of Framingham, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Education, Arts and Humanities. Sent to the Senate for concurrence.
By Mr. Mara of Brockton, for the committee on Insurance, asking to be discharged from further consideration.

Of the petition (accompanied by bill, House, No. 3919) of the Massachusetts AFL-CIO Council and Stephen M. Brewer relative to the establishment of the workers' compensation insurance fund, — and recommending that the same be referred to the committee on Commerce and Labor; and

Of the petition (accompanied by bill, House, No. 4893) of Edward M. Lambert, Jr., for legislation to further regulate eligibility for Medicaid, — and recommending that the same be referred to the committee on Human Services and Elderly Affairs.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

By Mr. Mara of Brockton, for the committee on Insurance, on a petition, a Bill relative to public disclosure by health insurers (House, No. 937).

By the same member, for the same committee, on House, Nos. 1156, 3923, 3924, 3928 and 3929, a Bill relative to insurance and increasing access to medical care for the subscribers of medical service corporations (House, No. 1156).

By the same member, for the same committee, on a petition, a Bill relative to health insurance provided to students at state colleges and universities (House, No. 1916).

By the same member, for the same committee, on House, Nos. 3035, 4116 and 4117, a Bill requiring notice to employees prior to cancellation of health benefits (House, No. 3035).

By the same member, for the same committee, on House, Nos. 90 and 92, a Bill relative to the notification of third parties in nonrenewal and cancellation of certain insurance policies held by elderly consumers (House, No. 5905).

By the same member, for the same committee, on House, Nos. 1154, 1516, 2488 and 3747, a Bill providing for accessibility to pharmaceutical services (House, No. 5906).

By the same member, for the same committee, on House, No. 5183, a Bill establishing long term care insurance standards (House, No. 5907).

By Mr. Caron of Springfield, for the committee on Public Safety, on House, No. 5884, a Bill relative to bungee jumping (House, No. 5908).

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

By Mr. Finneran of Boston, for the committee on Ways and Means, that the Bill authorizing the State Retirement Board to grant a certain pension to Beverly Boyle (House, No. 2712) ought to pass. Placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Mara of Brockton, for the committee on Insurance, on a petition, a Bill regarding savings bank life insurance beneficiaries (House, No. 2835).
By the same member, for the same committee, on a petition, a Bill amending the exemption of benefits from attachment and execution (House, No. 3177).

By Mr. Rushing of Boston, for the committee on Local Affairs, on a petition, a Bill authorizing the Mendon-Upton Regional School District to convey a certain parcel of land (House, No. 5856).

By Mr. Blanchette of Lawrence, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for an employee of the Department of Social Services (House, No. 5850).

By Ms. Kerans of Danvers, for the same committee, on a petition, a Bill establishing a sick leave bank for an employee of the Department of Social Services (House, No. 5850).

By Mr. Karol of Attleboro, for the committee on Transportation, on a petition, a Bill designating a certain corner in the town of Hingham as Muzzi’s Corner (House, No. 5852).

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

By Mr. Mara of Brockton, for the committee on Insurance, ought NOT to pass, on the petition (accompanied by bill, House, No. 2314) of David B. Cohen relative to insurance offered by telephone companies.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 5062) of Thomas P. Kennedy for legislation to further regulate contractual arrangements of medical service corporations.

Severally placed in the Orders of the Day for the next sitting, the question, in each instance, being on acceptance.

Engrossed Bills.

The engrossed Bill validating the acts and proceedings of the annual and special town meetings held on May fifth, nineteen hundred and ninety-two and continued on May sixth, nineteen hundred and ninety-two in the town of Topsfield (see House bill printed in House, No. 5749) (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 possession of alcohol by minors (see Senate, No. 184) (which originated in the Senate);
Relative to persons approved to assist family day care providers (see House, No. 33);
Providing civil service status for certain employees of the municipal lighting plant of the city of Taunton (see House, No. 5440); and
Relative to reduction in rank for certain public employees in the city of Lynn (see House, No. 5769);
(Which severally originated in the House); Severally having been certified by the Clerk to be rightly and truly
Third reading bill.

Orders of the Day.

The Senate Bill exempting the position of administrative assistant to the executive director of the council on aging in the city known as the town of Methuen from the provisions of civil service law (printed as House, No. 5516), 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

Requiring physician assistants to report elder abuse (House, No. 96) (its title having been changed by the committee on Bills in the Third Reading);

Further regulating reductions in force under civil service (House, No. 2180);

Relative to the membership of the Advisory Council for the Deaf and Hard of Hearing (House, No. 2294);

Preventing fraudulent receipt of welfare benefits (House, No. 2299, amended);

Regulating the notification requirements of the Department of Social Services in child abuse cases (House, No. 2466);

Relative to informing tenants of the quality of the drinking water (House, No. 4878);

Relative to the removal of children from foster care placements (House, No. 5625, changed);

Relative to local by-laws and ordinances regulating antenna structures used by federally licensed amateur radio operators (House, No. 5657);

Authorizing the town of Westford to borrow money to update its comprehensive master plan (House, No. 5755);

Relative to the charter of the town of Dedham (House, No. 5756);

Relative to the eligibility for public safety promotional examinations (House, No. 5765);

Establishing a funding schedule for the retirement system of the city of Taunton (House, No. 5876) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to the practice of public accountancy (House, No. 5897) (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.

The House Bill relative to an identification system for the purchase of kegs of beer, ale or malt beverages (House, No. 2994, amended) (its title having been changed by the committee on Bills in the Third Reading) was read a third time.

Said committee reported recommending that the bill be amended by striking out section 5.
The amendment was adopted; and the bill (House, No. 2994, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the determination of regular interest by the Commissioner of Public Employee Retirement Administration (House, No. 5658) was read a third time.

The committee on Bills in the Third Reading reported recommending that the bill be amended by substitution of a bill with the same title (House, No. 5912), which was read.

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

House bills
Relative to the issuance of certain licenses (House, No. 97, changed); and
Authorizing certain cities and towns to borrow for costs connected to a landfill site in the town of Tyngsborough (House, No. 5900);
Severally were read a second time; and they were ordered to a third reading.

The House Bill relative to certain bank investment powers (House, No. 2226) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Brett of Boston moved that it be amended by inserting after the word "investment", in line 23, the following: "; provided, further, that either (1) the investment advisory fees, commissions or similar fees to which the trustee or fiduciary is entitled to receive as trustee or fiduciary shall be reduced by the amount of any investment advisory fees, commissions or similar fees paid to the trustee or fiduciary by the investment company or investment trust or (2) the investment advisory fees, commissions or similar fees paid to the trustee or fiduciary by the investment company or investment trust shall be received in lieu of any investment advisory fees, commissions or similar fees that the trustee or fiduciary would otherwise be entitled to receive for the investment management of the trust or fiduciary account."

The amendment was adopted; and the bill (House, No. 2226, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the party enrollment of unenrolled voters at primary elections (House, No. 714, amended) was considered.

Pending the question on concurring with the Senate in its amendment, as amended, further consideration thereof was postponed, on motion of Mr. Moore of Uxbridge, until after disposition of the remaining matters in the Orders of the Day.
At twenty-three minutes after eleven o'clock A.M., on motion of Mr. Brett of Boston, the House recessed until the hour of two o'clock P.M.; and at that time the House was called to order with Mrs. Menard of Somerset in the Chair.

**Engrossed Bill — Land Taking.**

The engrossed Bill authorizing the town of Barnstable to convey a certain parcel of land (see House, No. 5888) (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.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 204 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

**Reports of Committees.**

By Mr. Flaherty of Cambridge, for the committees on Rules of the two branches, acting concurrently, on a petition, a Bill establishing Congressional districts (House, No. 5889), which was read.

Under suspension of the rules, on motion of Mr. Brett of Boston, the bill was read a second time forthwith.

Pending the question on ordering the bill to a third reading, further consideration thereof was postponed, on further motion of the same member, until the hour of two o'clock P.M.

Subsequently, the noon recess having terminated, Mr. Miceli of Wilmington moved that the bill be amended by inserting after section 3 the following section:

"SECTION 3A. Notwithstanding any general or special law to the contrary, there shall be a fourteen day period commencing on the effective date of this act in which persons may obtain signatures on nomination papers to be candidates for representative in congress in the biennial state election to be held in the year nineteen hundred and ninety-two. Any candidate who shall obtain in the aggregate two thousand signatures from the district in which he or she is a candidate on his nomination papers shall be listed on the primary ballot by the state secretary. An unenrolled candidate who shall obtain in the aggregate two thousand signatures on his nomination papers shall be listed on the ballot for the general election.

Candidates for representative in congress placed on ballots under the provisions of this act shall be in addition to such candidates previously placed on such ballots by the state secretary for the nineteen hundred and ninety-two primary and general elections."
After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Miceli; and on the roll call 50 members voted in the affirmative and 102 in the negative.

[See Yea and Nay No. 205 in Supplement.]

Therefore the amendment was rejected.

Mr. Correia of Fall River then moved that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of House document numbered 1993.

After debate (Mr. Cox of Lowell being in the Chair) Mrs. Menard of Somerset moved that the proposed new text be amended in section 1 by striking out, in lines 73 to 80, inclusive, the following: "Somerset (including Precinct 5 (VTD 0700, Tract 5442 including Blocks 406-411, 419, 422-424, Blocks 902, 905 and 906A, and Tract 6442)), Swansea (including Precinct 1 (VTD 0705, Tract 6442 and Tract 6451 including Block Groups 1 and 2, Blocks 804, 805, 825, 826, 828-832, 836-840, and 843-846), Precinct 2 (VTD 0710), Precinct 3 (VTD 0715), Precinct 4 (VTD 0720, Tract 6451, Block Groups 7 and 9, Blocks 806, 810-816, 818, 819, 822, 833, 834, 835, 849 and 851));" and inserting in place thereof the following: "Somerset, Precincts 1, 2, 3, 4 and 5"; and by striking out, in lines 170 to 176, inclusive, the following: "Somerset (including Precinct 1 (VTD 0680), Precinct 2 (VTD 0685), Precinct 3 (VTD 0690), Precinct 4 (VTD 0695) and Precinct 5 (VTD 0700, Tract 6442, Block Groups 5-8, Blocks 401-405, 412-418, 420, 421, and Blocks 901, 903 and 904)), Swansea (including Precinct 1 (VTD 0705, Tract 6451, Blocks 801-803, 808, 809, 820, 821, 823, 824 and 827), Precinct 4 (VTD 0720, Tract 6451, Blocks 807, 817 and 848))" and inserting in place thereof the following: "Swansea, Precincts 1, 2, 3 and 4".

After debate the further amendments were adopted.

On the question on adoption of the amendment offered by Mr. Correia of Fall River, as amended, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call (Mrs. Menard being in the Chair) 28 members voted in the affirmative and 124 in the negative.

[See Yea and Nay No. 206 in Supplement.]

Therefore the amendment was rejected.

There being no objection, — Messrs. Binienda of Worcester, Hall of Westford and Lionett of Worcester moved that the bill be amended in section 2 by striking out, in lines 26 to 30, inclusive, the following: "(including Precinct 2, VTD 2210, Tract 3181 and 3182 — Block Group 9, Blocks 101-107, 108A, 109-120, 124-127; Precinct 3, VTD 2215, Tract 3181, Blocks 104, 105, 107, 108, 110-116, 201-205, 207, 209, 210, 302-316, 319, 401-407, 411, 412, 415-417 and 423)"; by striking out, in line 35, the word "Clinton,"; by striking out, in line 36, the word "Leicester," and inserting in place thereof the following: "Bolton, Littleton, Boxborough and Stow (including VTD 2415, Tract 3231, Blocks 206, 208 and 210)"; by striking out, in line 45, the word "Boxborough,"; by striking out, in line 46, the word "Littleton,"; by striking out, in line 47, the word...
Amendment rejected,—
yea and nay
No. 207.

"Stow,"; by striking out, in line 47, the following: "Westford (including Precinct 1, VTD 2205; Precinct 2, VTD 2210, Tract 3182, Block 132, Precinct 3, VTD 2215, Tract 3181, Blocks 101-103, 106, 109, 117-121, 122B, 206, 211-214, 216, 217, 301, 413, 414, 418-421; Precinct 4, VTD 2220); and by striking out, in line 52, the word "Bolton" and inserting in place thereof the words "Leicester and Clinton".

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Binienda of Worcester; and on the roll call 35 members voted in the affirmative and 114 in the negative.

[See Yea and Nay No. 207 in Supplement.]

Therefore the amendments were rejected.

Ms. Bump of Braintree then moved that the bill be amended in section 2 by striking out, in line 164, the words "Berkley, Dighton"; by striking out, in line 167, the word "Freetown"; by inserting in line 167 after the word "Raynham" the words "(including Ward 00, Precinct 1, VTD 0630, Tract 6122, Block Group 1, Blocks 202, 204, 206, 208, 209, Precinct 2, VTD 0635, Tract 6121, Block Groups 1 and 2, Blocks 901-908, 913 and 916, Precinct 3, VTD 0640, Tract 6122, Blocks 201, 301-304, 306, 903 and 908)"; by inserting after the word "Avon," in line 168, the word "Braintree,"; by striking out, in line 172, the word "Lakeville,"; by striking out, in line 173, the word "Rochester,"; by striking out, in line 176, the word "Easton" and inserting in place thereof the words "Berkley, Dighton, Easton, Freetown"; by striking out, in line 180, the words "and Norton" and inserting in place thereof the following: ", Norton and Raynham (including Ward 00, Precinct 1, VTD 0630, Tract 6122, Blocks 207 and 214, Precinct 2, VTD 0635, Tract 6121, Block 909, Precinct 3, VTD 0640, Tract 6122, Blocks 203, 205, 210-213, 215, 216, 305, 307-338, 901, 902, 904-907, 909-935, 939, 946, 949 and Tract 6141)"; by striking out, in line 181, the word "Braintree,"; and by inserting after the word "Westwood," in line 186, the following sentence: "In the county of Plymouth, the towns of Lakeville and Rochester."

After debate on the question on adoption of the amendments (Mr. Serra of Boston being in the Chair), the sense of the House was taken by yeas and nays, at the request of Mr. Morrissey of Quincy; and on the roll call 36 members voted in the affirmative and 113 in the negative.

[See Yea and Nay No. 208 in Supplement.]

Therefore the amendments were rejected.

Ms. Hornblower of Groton then moved that the bill be amended by substitution of a bill with the same title, which was read.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 46 members voted in the affirmative and 104 in the negative.

[See Yea and Nay No. 209 in Supplement.]

Therefore the amendment was rejected.

The bill then was ordered to a third reading.
Under suspension of the rules, on motion of Mr. Brett of Boston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

On the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 94 members voted in the affirmative and 57 in the negative.

[See Yea and Nay No. 210 in Supplement.]

Therefore the bill was passed to be engrossed, Mr. Brett moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill (House, No. 5889, amended) then was sent to the Senate for concurrence.

Subsequently Mr. Stoddart of Natick asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

Madam Speaker: During the taking of the above yeas and nays, I was absent from the House Chamber on official business outside the State House. Had I been present when the vote was taken, I would have voted in the negative.

Mr. Stoddart then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

By Mr. Bosley of North Adams, for the committee on Commerce and Labor, on House, No. 99, a Bill relative to restoring solvency to the Unemployment Insurance Trust Fund (House, No. 5909), which was read.

Under suspension of the rules, on motion of Ms. Bump of Braintree, the bill was read a second time forthwith.

Pending the question on ordering the bill to a third reading, further consideration thereof was postponed, on further motion of the same member, until a quarter after two o'clock P.M.

Subsequently the bill was considered further.

There being no objection, — Messrs. Bosley of North Adams and Cabral of New Bedford moved that the bill be amended by striking out section 3 and inserting in place thereof the following section:

"SECTION 3. Paragraph (1) of subsection (i) of section 14 of said chapter 151A, as appearing in section 14 of chapter 26 of the acts of 1992, is hereby amended by adding the following paragraph:

Notwithstanding the foregoing provisions of this paragraph, the experience rate of an employer qualifying therefor under subsection (b) shall be the rate which appears in the column designated ‘C’ for calendar year nineteen hundred and ninety-two, and the rate which appears in the column designated ‘D’ for calendar year nineteen hundred and ninety-three, for the applicable employer account reserve percentage, as set forth in the following table:
Unemployment
Insurance
Trust Fund,—
solvency.

## EXPERIENCE RATE TABLE

### Employer Account

<table>
<thead>
<tr>
<th>Reserve Percentage</th>
<th>14 or more</th>
<th>13.0 but less than 14.0</th>
<th>12.0 but less than 13.0</th>
<th>11.0 but less than 12.0</th>
<th>10.0 but less than 11.0</th>
<th>9.0 but less than 10.0</th>
<th>8.0 but less than 9.0</th>
<th>7.0 but less than 8.0</th>
<th>6.0 but less than 7.0</th>
<th>5.0 but less than 6.0</th>
<th>4.0 but less than 5.0</th>
<th>3.0 but less than 4.0</th>
<th>2.0 but less than 3.0</th>
<th>1.0 but less than 2.0</th>
<th>0.0 but less than 1.0</th>
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<tr>
<td></td>
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<td>C-</td>
<td>D-</td>
<td>C-</td>
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<td>C-</td>
<td>D-</td>
<td>C-</td>
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<tr>
<td>Negative Percentage</td>
<td></td>
<td>7.2</td>
<td>7.9</td>
<td>7.0</td>
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<td>6.9</td>
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<td>7.0</td>
<td>6.5</td>
<td>6.9</td>
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<tr>
<td>Positive Percentage</td>
<td></td>
<td>0.0 but less than 0.5</td>
<td>5.2</td>
<td>5.5</td>
<td>1.0 but less than 1.0</td>
<td>5.0</td>
<td>5.4</td>
<td>1.5 but less than 2.0</td>
<td>4.9</td>
<td>5.3</td>
<td>2.0 but less than 2.5</td>
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<td>5.0 but less than 6.0</td>
<td>3.9</td>
<td>4.3</td>
<td>5.5 but less than 8.0</td>
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<td>6.0 but less than 8.5</td>
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<td>3.6</td>
<td>4.0</td>
<td>8.0 but less than 8.5</td>
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<td>4.0</td>
<td>8.5 but less than 9.0</td>
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<td>3.9</td>
<td>9.0 but less than 9.5</td>
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<td>2.9</td>
<td>3.3</td>
<td>11.5 but less than 12.0</td>
<td>2.8</td>
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</tbody>
</table>
and in section 9 by adding at the end thereof the following paragraph:

"The report of the commissioner of the department of employment and training provided each October fifteenth shall include a recommendation regarding the amount of contributions necessary for the succeeding calendar year to achieve a positive trust fund balance, at reasonable increments, by December thirty-first, nineteen hundred and ninety-five and shall include a statement, if applicable, that the total contributions for the succeeding calendar year may exceed one and seventy-five hundredths percent of total wages in such year and any recommendations to prevent the same."

On the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Forman of Plymouth; and on the roll call 109 members voted in the affirmative and 42 in the negative.

[See Yea and Nay No. 211 in Supplement.]

Therefore the amendments were adopted.

Mr. Walsh of Agawam then moved that the bill be amended by inserting after section 9 the following section:

"SECTION 9A. That a pilot program be instituted for standard industrial classification number 7996 to examine and implement changes regarding benefits for seasonal employees, and for certain low-wage workers."

After debate the amendment was adopted.

The bill, as amended, then was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Bosley of North Adams, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Mr. Forman of Plymouth then moved that the bill be amended by substitution of a Bill relative to the Unemployment Insurance Trust Fund, which was read.

After remarks on the question on adoption of the amendment, Mrs. McKenna of Holden asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Serra of Boston), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 132 members were recorded as being in attendance.

[See Yea and Nay No. 212 in Supplement.]

Therefore a quorum was present.
After debate on the question on adoption of the amendment offered by Mr. Forman of Plymouth (Mrs. Menard of Somerset being in the Chair), the sense of the House was taken by yeas and nays, at the request of Mr. Forman; and on the roll call 60 members voted in the affirmative and 92 in the negative.

[See Yea and Nay No. 213 in Supplement.]

Therefore the amendment was rejected.

**Engrossed Bill.**

There being no objection, — the engrossed Bill establishing Congressional districts (see House, No. 5889, amended) (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.

After remarks on the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, at the request of Mr. Forman of Plymouth; and on the roll call 93 members voted in the affirmative and 60 in the negative.

[See Yea and Nay No. 214 in Supplement.]

Therefore the bill was passed to be enacted. Mr. Brett of Boston moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill then was signed by the acting Speaker and sent to the Senate.

**Orders of the Day.**

The House Bill relative to restoring solvency to the Unemployment Insurance Trust Fund (House, No. 5909, amended) was considered further, the main question being on passing it to be engrossed.

Mr. Forman of Plymouth then moved that the bill be amended by striking out section 3 and inserting in place thereof the following two sections:

"SECTION 3. Subsection (a) of section 14 of chapter 151A of the General Laws, as most recently amended by section 9 of chapter 26 of the acts of 1992, is hereby amended by striking out paragraph (4) and inserting in place thereof the following paragraph: —

(4) ‘Unemployment insurance taxable wage base', with respect to calendar years beginning on January first, nineteen hundred and ninety-two, the term ‘unemployment insurance taxable wage base' shall mean ten thousand eight hundred dollars. With respect to calendar years beginning on January first, nineteen hundred and ninety-four, the term ‘unemployment insurance taxable wage base' shall mean twelve thousand dollars.

SECTION 3A. Paragraph (1) of subsection (i) of section 14 of chapter 151A, as most recently amended by section 14 of chapter 26 of the acts of 1992, is hereby further amended by adding the following paragraph: —

Notwithstanding the foregoing the provisions of this paragraph, the experience rate of an employer qualifying therefore under subsection (b) shall be the rate which appears in the column designated ‘B' for calendar years nineteen hundred and ninety-two,
nineteen hundred and ninety-three, and the rate which appears in the column designated 'C' for calendar years nineteen hundred and ninety-four, nineteen hundred and ninety-five, nineteen hundred and ninety-six, for the applicable employer account reserve percentage, as set forth in the following table:

**EXPERIENCE RATE TABLE**

<table>
<thead>
<tr>
<th>UNEMPLOYMENT COMPENSATION FUND RESERVE PERCENTAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AA</strong> 3.0% and over</td>
</tr>
<tr>
<td>Employer Account Reserve Percentage</td>
</tr>
<tr>
<td><strong>Negative Percentage</strong></td>
</tr>
<tr>
<td>14 or more</td>
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<tr>
<td>13.0 but less than 14.0</td>
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<td>12.0 but less than 13.0</td>
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<td>11.0 but less than 12.0</td>
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<td>1.0 but less than 2.0</td>
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<tr>
<td>0.0 but less than 1.0</td>
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<tr>
<td><strong>Positive Percentage</strong></td>
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<td>0.0 but less than 0.5</td>
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<td>0.5 but less than 1.0</td>
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<td>1.0 but less than 1.5</td>
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<td>9.0 but less than 9.5</td>
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<td>9.5 but less than 10.0</td>
</tr>
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</table>

WEDNESDAY, JULY 1, 1992.
Unemployment Insurance Trust Fund,— solvency.

<table>
<thead>
<tr>
<th>Positive Percentage</th>
<th>AA  3.0%</th>
<th>A  2.6%</th>
<th>B  2.2%</th>
<th>C  1.7%</th>
<th>D  1.4%</th>
<th>E  1.1%</th>
<th>F  0.8%</th>
<th>G less than or over 0.8%</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.0 but less than 10.5</td>
<td>1.5</td>
<td>1.9</td>
<td>2.3</td>
<td>2.7</td>
<td>3.1</td>
<td>3.5</td>
<td>3.9</td>
<td>4.3</td>
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<tr>
<td>10.5 but less than 11.0</td>
<td>1.4</td>
<td>1.8</td>
<td>2.2</td>
<td>2.6</td>
<td>3.0</td>
<td>3.4</td>
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<td>11.0 but less than 11.5</td>
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<td>1.7</td>
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<td>2.9</td>
<td>3.3</td>
<td>3.7</td>
<td>4.1</td>
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<td>11.5 but less than 12.0</td>
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<td>1.6</td>
<td>2.0</td>
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<td>2.8</td>
<td>3.2</td>
<td>3.6</td>
<td>4.0</td>
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<tr>
<td>12.0 but less than 12.5</td>
<td>1.1</td>
<td>1.5</td>
<td>1.9</td>
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<td>2.7</td>
<td>3.1</td>
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<tr>
<td>12.5 but less than 13.0</td>
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<td>1.8</td>
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<td>2.6</td>
<td>3.0</td>
<td>3.4</td>
<td>3.8</td>
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<tr>
<td>13.0 but less than 13.5</td>
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<td>1.3</td>
<td>1.7</td>
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<td>2.5</td>
<td>2.9</td>
<td>3.3</td>
<td>3.7</td>
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<tr>
<td>13.5 but less than 14.0</td>
<td>.8</td>
<td>1.2</td>
<td>1.6</td>
<td>2.0</td>
<td>2.4</td>
<td>2.8</td>
<td>3.2</td>
<td>3.6</td>
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<tr>
<td>14.0 but less than 14.5</td>
<td>.7</td>
<td>1.1</td>
<td>1.5</td>
<td>1.9</td>
<td>2.3</td>
<td>2.7</td>
<td>3.1</td>
<td>3.5</td>
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<tr>
<td>14.5 or more</td>
<td>.6</td>
<td>1.0</td>
<td>1.4</td>
<td>1.8</td>
<td>2.2</td>
<td>2.6</td>
<td>3.0</td>
<td>3.4</td>
</tr>
</tbody>
</table>

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Teague of Yarmouth, and on the roll call 43 members voted in the affirmative and 105 in the negative.

[See Yea and Nay No. 215 in Supplement.]

Therefore the amendment was rejected.

Mr. Coon of Andover then moved that the bill be amended by inserting after section 5 the following section:

"SECTION 5A. Section 30 of chapter 151A, as appearing in the 1988 Official Edition, is hereby amended by striking out in line 3 the word 'thirty' and inserting in place thereof the word: — twenty-six."

After debate on the question on adoption of the amendment (Mr. Serra of Boston being in the Chair), the sense of the House was taken by yeas and nays, at the request of Mr. Coon; and on the roll call 34 members voted in the affirmative and 115 in the negative.

[See Yea and Nay No. 216 in Supplement.]

Therefore the amendment was rejected.

There being no objection, — Messrs. Coon of Andover and Sullivan of Abington then moved that the bill be amended by inserting after section 5 the following section:

"SECTION 5A. Chapter 151A is amended by adding the following new section: —

Section 30D. (a) except for a week of unemployment which falls in an extended benefit period as defined in paragraph (a) of subsection (1) of section 30A, an individual who, with respect to the applicable benefit year, has received regular benefits as defined in paragraph (g) of subsection (1) of section 30A equal to or greater than twenty-six times an individual weekly benefit rate will be eligible for additional benefits, as provided by paragraph (c), during an additional benefit period under the same terms and conditions
as provided for receipt of regular benefits; provided further that, such individual has exhausted all rights, or has no rights, to benefits or compensation under this chapter, or any other state unemployment compensation law or under any federal law.

(b) The weekly benefit rate shall be the amount as determined under subsection (a) of section twenty-nine.

(c) Except as provided in subsection (d) of this section, the total amount of additional benefits payable to an otherwise eligible individual with respect to the benefit year is the difference between the total amount of benefits as calculated under the first paragraph of section thirty as appearing in the 1988 Official Edition and the total amount of benefits received.

(d) The total amount of additional benefits payable to an eligible individual when combined with any regular and extended benefits paid or payable during the applicable benefit year shall not exceed thirty times the individual's weekly benefit rate.

(e) Any benefit paid to an individual under the provisions of this section shall be charged in accordance with the provisions of paragraph (3) of subsection (d) of section fourteen to the extent that such benefits are not reimbursable by funds made available under any act of Congress.

(f) The provisions of this section apply for a week only when the rate of insured unemployment as defined in paragraph (f) of subsection (1) of section 30A, not seasonally adjusted, for the period consisting of such week and the immediately preceding twelve weeks equals or exceeds: (i) one hundred and twenty percent of the average of such rates for the corresponding thirteen week period ending in each of the preceding two calendar years, and (ii) four and one-half (4.5) percent; provided that, the provisions of this paragraph shall not apply for any week which falls in an extended benefit period as defined in paragraph (a) of subsection (1) of section 30A.

(g) An additional benefit period begins with the third week after a week for which the provisions of subsection (f) are met, and ends with either of the following weeks, whichever occurs later: (i) the third week after the first week in which the provisions of subsection (f) are not met, or (ii) the thirteenth consecutive week of such period, provided that no additional benefit period may begin before the fourteenth week following the end of a prior additional benefit period.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Sullivan of Abington; and on the roll call 41 members voted in the affirmative and 108 in the negative.

[See Yea and Nay No. 217 in Supplement.] Therefore the amendment was rejected.

Mr. Coon then moved that the bill be amended by inserting after section 5 the following section:

"SECTION 5A. Section 24 of chapter 151A, is hereby amended by striking out subsection (a), as so appearing, and inserting in place thereof the following subsection: —
(a) Have been paid wages in at least two quarters in the base period with the total wages paid in the base period amounting to at least forty times the weekly benefit rate, but not less than twenty-four hundred dollars, which provisions shall take effect upon enactment and shall apply only with respect to benefit years beginning on or after the date.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 45 members voted in the affirmative and 104 in the negative.

[See Yea and Nay No. 218 in Supplement.]

Therefore the amendment was rejected.

Mr. Teague of Yarmouth then moved that the bill be amended by inserting after section 5 the following two sections:

"SECTION 5A. Section 1 of chapter 151A is hereby amended by adding the following subsections: —

(z) 'Seasonal employer' means an employer that, because of climatic conditions or the nature of the product or service, customarily operates all or a portion of its business only during a regularly recurring period or periods of less than twenty-six (26) weeks for such seasonal periods during a calendar year.

(aa) 'Seasonal employment' means services performed for wages for a seasonal employer during the seasonal period in the employer's seasonal operations, after the effective date of a seasonal determination with respect to the seasonal employer.

(bb) 'Seasonal employee' means an individual who:

(1) has been employed by a seasonal employer in seasonal employment, as determined by the commissioner; and

(2) has been hired for a specific period within the seasonal period as determined by the commissioner.

(cc) 'Seasonal determination' means a determination made by the commissioner, as to the seasonal nature of the employer, the normal seasonal period or periods of the employer, and the seasonal operations of the employer covered by such determination.

SECTION 5B. Chapter 151A is hereby amended by adding after section 24 the following new section: —

Section 24A. (a) No waiting period shall be allowed and no benefits shall be paid to an individual on the basis of service performed in seasonal employment as defined by subsection (aa) of section one unless the claim is filed within the operating period of the seasonal employment. If the claim is filed outside the operating period of the seasonal employment, benefits may be paid on the basis of nonseasonal wages only.

(b) An employer shall provide the commissioner with such information necessary to make a seasonal determination defined by subsection (cc) of section one. Until the commissioner makes a seasonal determination, no employer or employee may be considered seasonal.

(c) Any employer notified of a seasonal determination may file an appeal regarding a seasonal determination and obtain review of the determination. Such appeal and review shall be in accordance with sections thirty-nine through forty-two, inclusive.
(d) Whenever an employer is determined to be a seasonal employer, the following provisions apply:

(1) The seasonal determination becomes effective the first day of the calendar quarter commencing after the date of the seasonal determination.

(2) The seasonal determination does not affect any benefit rights of seasonal workers with respect to employment before the effective date of the seasonal determination.

(e) If a seasonal employer, after the date of its seasonal determination, operates its business or its seasonal operation during a period or periods of twenty-six (26) weeks or more in a calendar year, the employer shall be redetermined by the commissioner to have lost its seasonal status with respect to that business or operation effective at the end of the then current calendar quarter. The redetermination shall be reported in writing to the employer. An employer notified of a redetermination may file an appeal of the redetermination and obtain review of the redetermination in accordance with sections thirty-nine through forty-two, inclusive.

(f) Seasonal employers shall keep account of wages paid to seasonal workers within the seasonal period as determined by the commissioner, and shall report wages on a special seasonal quarterly report form as prescribed by the commissioner.”.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request rejected — of Mr. Teague; and on the roll call 54 members voted in the affirmative and 93 in the negative.

[See Yea and Nay No. 219 in Supplement.]

[Mr. Doran of Lexington answered “Present” in response to his name.]

Therefore the amendment was rejected.

Mr. Teague of Yarmouth then moved that the bill be amended by inserting after section 5 the following section:

“SECTION 5A. Section 30 of Chapter 151A, as most recently amended by Chapter 9 of the acts of 1991, is hereby further amended by striking subsection (c) and inserting in lieu thereof the following subsection:

(c) If in the opinion of the commissioner, it is necessary for an unemployed individual to obtain further industrial or vocational training to realize suitable employment, the total benefits which such individual may receive shall be extended by up to eighteen times the individual’s benefit rate, if such individual is attending an industrial or vocational retraining course approved by the Commissioner; provided, that such additional benefits shall be paid to the individual only when attending such course and only if such individual has exhausted all rights to regular and extended benefits under this chapter and has no rights to benefits or compensation under this chapter or any other state unemployment compensation law or under any federal law; provided further that such extension shall be available only to individuals who have been approved for training no later than the thirteenth week of a new or continued claim, and that the amount of benefits an individual may receive during said
extension shall be no greater than the monetary entitlement remaining in the individual's benefit year at the time the individual commences attendance; and provided, further, that any benefits paid to an individual under the provisions of this paragraph which would not be chargeable to the account of any particular employer under the provisions of section fourteen shall be charged to the solvency account. An individual eligible to receive a trade readjustment allowance under Chapter 2 of Title II of the Trade Acts of 1974, as amended, shall not be eligible to receive additional benefits under this section for each week the individual receives such trade readjustment allowance. An individual eligible to receive emergency unemployment compensation, so-called, under any federal law, shall not be eligible to receive additional benefits under this section for each week the individual receives such compensation.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 36 members voted in the affirmative and 113 in the negative.

[See Yea and Nay No. 220 in Supplement.]

Therefore the amendment was rejected.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Teague; and on the roll call (the Speaker being in the Chair) 113 members voted in the affirmative and 37 in the negative.

[See Yea and Nay No. 221 in Supplement.]

Therefore the bill was passed to be engrossed. Ms. Bump of Braintree moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill (House, No. 5909, printed as amended) then was sent to the Senate for concurrence.

Order.

On motion of Mr. Voke of Chelsea,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at one o'clock P.M.

Ms. Hornblower of Groton then moved that as a mark of respect to the memory of George W. Shattuck, a member of the House from Pepperell from 1965 to 1974, inclusive, the House adjourn; and the motion prevailed.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-eight minutes after eight o'clock P.M. (the Speaker being in the Chair), the House adjourned, to meet tomorrow at one o'clock P.M.
Thursday, July 2, 1992.

Met according to adjournment, at one o'clock P.M.

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

God, our Creator, we depend upon Your assistance and guidance to legislate prudently. While committed to our own principles and virtues, inspire us to unite all segments of society in seeking those common goals which enhance the physical and spiritual value of all. In observing Independence Day, may we, as a people, distinct as sisters and brothers, yet members of the same human family, celebrate our personal, political and religious freedoms. Let our hearts and minds be filled with happiness and with an appreciation of the spirit and intent of the leaders who framed and signed the Declaration of Independence.

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.

Resolutions.

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

Resolutions (filed by Speaker Flaherty of Cambridge) on the occasion of the dedication of Paul Hirshson Square in the city of Cambridge;

Resolutions (filed by Speaker Flaherty of Cambridge) on the occasion of the fiftieth anniversary of Guido’s Florida Cafe in the city of Cambridge;

Resolutions (filed by Mr. Manning of Milton) congratulating Barney Monteith on his many accomplishments;

Resolutions (filed by Mr. Moore of Uxbridge) honoring Alan S. Okun on his installation as President of the Webster-Dudley-Oxford Chamber of Commerce; and

Resolutions (filed by Mr. Moore of Uxbridge) honoring Edward Kudron on his election as Commander of the Polish American Veterans, Department of Massachusetts;

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

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

Resolutions (filed by Mr. Hawke of Gardner and Mrs. McKenna of Holden) on the occasion of the dedication of Houghton Park in the town of Templeton; and

Paul Hirshson Square.
Guido’s Florida Cafe.
Barney Monteith.
Alan S. Okun.
Edward Kudron.
Templeton, Houghton Park.
Resolutions (filed by Mr. Kraus of Kingston) honoring Duplitron, Inc.;

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

Resolutions (filed with the Clerk by Mr. Tolman of Watertown and other members of the House) memorializing the President of the United States and the Congress to recognize the newly formed Republic of Mountainous Karabagh; to establish full diplomatic relations with the duly elected government of the Republic of Mountainous Karabagh; and take all appropriate measures to assure the survival of the Republic of Mountainous Karabagh and the brave people of Artskah (House, No. 5917), were referred, under Rule 85, to the committee on Rules.

Mrs. Menard of Somerset, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of Rule 41, on motion of Mr. Tolman, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith.

Pending the question on adoption of the resolutions, Mr. Forman of Plymouth asked for a count of the House to ascertain if a quorum was present. The Speaker, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 135 members were recorded as being in attendance.

Therefore a quorum was present.

After debate on the question on adoption of the resolutions (Mrs. Menard of Somerset being in the Chair), the sense of the House was taken by yeas and nays, at the request of Mr. Tolman; and on the roll call 129 members voted in the affirmative and 3 in the negative.

Therefore the resolutions were adopted.

[See Yea and Nay No. 222 in Supplement.]

[Representatives Bosley of North Adams, Coon of Andover, Cruz of West Bridgewater, DeFilippi of West Springfield, Forman of Plymouth, Healy of Charlemont, McKenna of Holden, Rogeness of Longmeadow, Stoddart of Natick, Sullivan of Abington and Tarr of Gloucester answered “Present” in response to their names].

Therefore the resolutions were adopted.

Petitions.

Mr. DiMasi of Boston presented a petition (subject to Joint Rule 12) of Salvatore F. DiMasi for legislation to eliminate the two trial system for criminal cases in Hampden and Essex counties; 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. DiMasi, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Mr. Haley of Weymouth presented a petition (subject to Joint Rule 12) of Paul R. Haley for legislation to designate a certain area of Webb State Park in the town of Weymouth as the Domenic J. Sansone Memorial Promontory; 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. Haley, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Hynes of Marshfield, petition (subject to Joint Rule 12) of Frank M. Hynes for legislation to reform workers' compensation.

By Mr. Mariano of Quincy, petition (subject to Joint Rules 12 and 9) of Ronald Mariano, Michael W. Morrissey, Paul D. Harold and A. Stephen Tobin for legislation to establish the United States Naval shipbuilding museum corporation.

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

Paper from the Senate.

A Bill relative to prescription counseling (Senate, No. 1552, amended in section 1 by striking out the three paragraphs contained in lines 13 to 20, inclusive, and inserting in place thereof the following two paragraphs:

"A pharmacist shall offer to counsel any person who presents a new prescription for filling. Such offer shall be made either by face to face communication between the pharmacist or the pharmacist's designee and the patient, or by telephone, except when the patient's needs or availability requires an alternative method of counseling. If a person elects delivery of a prescription drug at a location other than a pharmacy, the requirements of this section shall be satisfied by providing such person with access to a toll-free telephone service to facilitate communication for such person to the pharmacist at such pharmacy. The number of such toll-free telephone service shall be printed on a label affixed to each container of a prescription drug dispensed by a pharmacy to a patient.") (reported on Senate, No. 1477), passed to be engrossed by the Senate, was read; and it was placed in the Orders of the Day for the next sitting for a second reading.
Reports of Committees.

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 Mary Jane Gibson, Byron Rushing, Douglas W. Petersen, Paul E. Caron, Kevin Poirier and others relative to the liability of certain charitable corporations;

Petition (accompanied by bill) of Mary Jane Gibson, Byron Rushing, Douglas S. Petersen, Paul E. Caron, Kevin Poirier and others relative to the liability of certain charitable corporations; and

Petition (accompanied by bill) of Mary Jane Gibson, Byron Rushing, Douglas W. Petersen, Paul E. Caron, Kevin Poirier and others relative to the liability of certain charitable organizations;

Severally to the committee on the Judiciary.

Petition (accompanied by bill) of Michael P. Walsh for legislation to repeal the law requiring stopped motor vehicles to discontinue engine operation. To the committee on Public Safety.

Petition (accompanied by bill) of Louis L. Kafka and William R. Keating relative to the retirement rights of certain former investigators employed by the Alcoholic Beverages Control Commission. To the committee on Public Service.

Petition (accompanied by bill) of John C. Klimm relative to the conveyance of a certain parcel of land in the town of Barnstable by the Division of Capital Planning and Operations. To the committee on State Administration.

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

By Mr. Lambert of Fall River, for the committee on Education, Arts and Humanities, on House, Nos. 75 and 79, a Bill further regulating higher education in the Commonwealth (House, No. 5919).

By Mr. Walsh of Agawam, for the committee on Government Regulations, on a petition, a Bill relative to the Massachusetts Municipal Wholesale Electric Company (House, No. 5438).

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

By Mrs. Menard of Somerset, for the committees on Rules of the two branches, acting concurrently, that the Resolve providing for an investigation and study by a special commission relative to the direction and structure of county government in the Commonwealth (House, No. 5830) ought to pass with an amendment substituting therefor a resolve with the same title (House, No. 5918). Referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

By Mr. Hodgkins of Lee, for the committee on State Administration, on a petition, a Bill authorizing and directing the Superintendent of State Office Buildings to install and maintain a
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plaque in honor of the Commonwealth of Massachusetts American ex-prisoners of war (House, No. 5822). Read; and placed in the Orders of the Day for the next sitting for a second reading.

Engrossed Bills.

The engrossed Bill relative to the retirement system of the city of Chelsea (see House, No. 5880, 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

Exempting the position of administrative assistant to the executive director of the council on aging in the city known as the town of Methuen from the provisions of civil service law (see Senate bill printed as House, No. 5516) (which originated in the Senate);

Relative to life insurance beneficiaries (see House, No. 752);

Relative to criminal offender record information in foster care placements (see House, No. 4684, changed and amended);

Designating a certain portion of state highway Route 114 from the interstate 495 interchange in the city of Lawrence, through the towns of North Andover and Middleton to the Danvers town line as the Vietnam Veterans Memorial Highway (see House, No. 5391, changed);

Relative to the maintenance of personnel records (see House, No. 5494);

Relative to the reporting of child abuse and neglect (see House, No. 5537, amended); and

Establishing a funding schedule for the retirement system of the city of New Bedford (see House, No. 5798); (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.

Orders of the Day.

Senate bills

Authorizing the town of Amherst to convey certain parcels of conservation land (Senate, No. 891);

Further defining a farmer (Senate, No. 1052); and

Exempting former prisoners of war from parking fees and fines (Senate, No. 1349);

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, in concurrence.

House 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 (printed as Senate, No. 1614);
Exempting the position of head custodian in the administrative building in the town of Swampscott from the provisions of the civil service law (printed as Senate, No. 1615);
Relative to penalties for the distribution of cocaine (House, No. 3343) (its title having been changed by the committee on Bills in the Third Reading);
Regulating the sale of home food service plans (House, No. 4414) (its title having been changed by the committee on Bills in the Third Reading);
Further regulating claims and defenses in civil actions (House, No. 4910);
Relative to including the role of African-Americans in public school curriculums (House, No. 5601) (its title having been changed by the committee on Bills in the Third Reading);
Establishing a civil service exemption for newly constituted regional positions (House, No. 5660) (its title having been changed by the committee on Bills in the Third Reading); and
Authorizing the town of Sandwich to grant an easement in certain conservation land (House, No. 5817);
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.

The House Bill authorizing members of school committees to establish credit for such services for retirement purposes (House, No. 5771), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.
The House then refused to pass the bill to be engrossed.

The House Bill authorizing the Mendon-Upton Regional School District to convey a certain parcel of land (House, No. 5856) was read a second time; and it was ordered to a third reading.
Under suspension of the rules, on motion of Ms. Gardner of Holliston, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

The Senate Bill providing for a five member board of selectmen in the town of Swampscott (Senate, No. 1596, changed); and House bills
Regarding savings bank life insurance beneficiaries (House, No. 2835);
To establish a funding schedule for the town of Danvers retirement system (House, No. 5849);
Establishing a sick leave bank for an employee of the Department of Social Services (House, No. 5850);
Designating a certain corner of the town of Hingham as Muzzi's Corner (House, No. 5852);
To prohibit motor vehicle insurance companies from directing insureds to specific auto glass companies for repair of their vehicles (House, No. 5898); and
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Relative to the Liquor Liability Joint Underwriting Association, the Medical Malpractice Joint Underwriting Association and the Urban Area Insurance Placement Facility (House, No. 5899);

Severally were read a second time; and they were ordered to a third reading.

House reports

Of the committee on Insurance, ought NOT to pass, on the petition (accompanied by bill, House, No. 2314) of David B. Cohen relative to insurance offered by telephone companies; and

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 5062) of Thomas P. Kennedy for legislation to further regulate contractual arrangements of medical service corporations;

Severally were accepted.

The Senate Bill relative to health insurance coverage for public school teachers (Senate, No. 641) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Mara of Brockton moved that it be amended by inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately clarify the health insurance coverage for public school teachers, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendment was adopted; and the bill (Senate, No. 641, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House.

The House Bill increasing the maximum speed limit in the Commonwealth (House, No. 1197) 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. Scibelli of Springfield moved that it be amended by striking out all after the enacting clause and inserting in place thereof the following:

"SECTION 1. Chapter 90 of the General Laws is hereby amended by inserting after section 17 the following section: —

Section 17A. Unless otherwise prohibited by federal law, the maximum speed for motor vehicles traveling on interstate highway route 90, the Massachusetts Turnpike, between the New York state border and the Westfield interchange, and from the Ludlow interchange to the Auburn interchange, and interstate highway route 91 from the Vermont border to Northampton, Exit 21, shall be sixty-five miles per hour."
SECTION 2. Chapter two hundred and forty of the acts of nineteen hundred and ninety-one is hereby repealed.

The amendment was adopted; and the bill (House, No. 1197, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to garage keepers liens (House, No. 5353) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Travis of Rehoboth moved that it be amended by striking out all after the enacting clause and inserting in place thereof the following:

"Section 25 of chapter 255 of the General Laws is hereby amended by adding the following two paragraphs: —

In any instance where a lien arises under this section for charges due that are to be paid or reimbursed by an insurance company licensed in the commonwealth, upon written notice by the holder of such lien to the insurance company, the check or draft issued by such insurance company for such charges shall name the holder of the lien, together with the holder of a security interest as defined by article 9 of chapter one hundred and six, as a loss payee, unless otherwise provided by law. The holder of a security interest that does not have priority over the lien established under this section shall be required to endorse any check or draft issued for payment of such charges by such insurance company over to the holder of such lien, whether or not such lien has then been released by the holder; provided, however, that the holder of a security interest other than the lien provided by this section, may, within two business days of notice of a request to endorse any such check require the owner of the vehicle to make said vehicle available for inspection at a time and place convenient to the owner and lienholder, to reinspect the repaired vehicle, and, as a prerequisite for such endorsement, the holder of such security interest may require the holder of the lien established under this section to provide it with an itemized list of repairs and other services which it certifies, in writing, have been completed or provided, and a copy of any repair certification form required by law to be provided to the insurance company.

Nothing in this section shall affect or modify the provisions of any direct payment plans implemented by an insurer pursuant to section thirty-four O of chapter ninety."

The amendment was adopted; and the bill (House, No. 5353, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill concerning health records requested from providers by persons seeking benefits under the Social Security Act and federal or state needs-based benefit programs (House, No. 5473, amended), 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 be engrossed, further consideration thereof was postponed, on motion of Mr. Cohen of
Newton, until after disposition of the remaining matters in the Orders of the Day.

The motion of Mr. Businger of Brookline, that the committee on Ways and Means be discharged from further consideration of the House Bill conforming the General Laws to the Constitutional amendment abolishing the state census (House, No. 3355) was considered.

After remarks on the motion to discharge the committee, further consideration thereof was postponed, on further motion of the same member, until Tuesday, July 7.

The Senate Bill prohibiting bullfighting (Senate, No. 962) was considered.

Pending the question on ordering the bill to a third reading, further consideration thereof was postponed, on motion of Mr. Angelo of Saugus, until Wednesday, September 30.

The House Bill relative to the party enrollment of unenrolled voters at primary elections (House, No. 714, amended) was considered.

Pending the question on concurring with the Senate in its amendment, as amended, further consideration thereof was postponed, on motion of Mr. Moore of Uxbridge, until after disposition of the remaining matters in the Orders of the Day.

The House Bill authorizing the State Retirement Board to grant a certain pension to Beverly Boyle (House, No. 2712) was read a second time; and it was ordered to a third reading.

The House Bill amending the exemption of benefits from attachment and execution (House, No. 3177) was read a second time.

Pending the question on ordering the bill to a third reading, further consideration thereof was postponed, on motion of Mr. Mara of Brockton, until Tuesday, July 7.

Recesses.

At nineteen minutes after two o'clock P.M., on motion of Mr. Ruane of Salem (Mrs. Menard of Somerset being in the Chair), the House recessed until the hour of three o'clock P.M.; and at three minutes after three o'clock the House was called to order with Mrs. Menard in the Chair.

The House thereupon, on motion of Mr. McDonough of Boston, took a further recess until half past three o'clock P.M.; and at that time the House was called to order with Mrs. Menard in the Chair.

Order.

On motion of Ms. Jehlen of Somerville, —

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

State census,—abolishment.

Bullfighting,—prohibit.

Primary elections,—unenrolled voters.

Beverly Boyle,—retirement.

Insurance benefits,—exemptions.

Recesses.
Ms. Jehlen then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-eight minutes before four o'clock P.M. (Mrs. Menard of Somerset being in the Chair), the House adjourned, to meet on Tuesday next at eleven o'clock A.M.
Tuesday, July 7, 1992.

Met according to adjournment, at eleven o'clock A.M.

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

God, Source of Goodness and Compassion, we pause to proclaim our thanks for the material and human resources with which we, as a nation, have been blessed. Teach us to manage wisely our material resources and to respect our creative human resources. By our concern for all children, women and men, may we build a community of people who are interested in the material and spiritual well-being of all. Open our hearts to new immigrants who are making their contribution to society as did the immigrants of former decades. May we remain fully aware of the human and civil rights of all.

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.

**Resolutions.**

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

- Resolutions (filed by Ms. Bump of Boston) congratulating Ernest Cella on the occasion of his seventy-fifth birthday; and
- Resolutions (filed by Ms. Kerans of Danvers) congratulating Hazel Beaty Hackett on the occasion of her one hundredth 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 Ms. Kerans, 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 from the Water Resources Commission (under Regulation 313 CMR 4.06 [3]) submitting reports of the findings and justifications of its decisions to approve an Interbasin Transfer Act application by the town of Bedford, and to approve an Interbasin Transfer Act application by the Water Resources Authority for construction of relief facilities for the New Neponset Valley Sewer System, were placed on file.

**Petitions.**

Petitions severally were presented and referred as follows:

- By Mr. Poirier of North Attleborough, petition (accompanied by bill, House No. 5939) of Kevin Poirier and David H. Locke (by vote
of the town) relative to the preliminary elections in the town of North Attleborough. To the committee on Election Laws.

By Mr. Doran of Lexington, petition (accompanied by bill, House, No. 5940) of Stephen W. Doran and Lucile P. Hicks (by vote of the town) relative to the housing commission of the town of Lincoln;

By Mr. Nagle of Northampton, petition (accompanied by bill, House No. 5941) of William P. Nagle, Jr. (by vote of the town) relative to the stabilization fund of the town of Southampton; and

By Mr. Palumbo of Newbury, petition (accompanied by bill, House No. 5942) of Thomas G. Palumbo, James P. Jajuga and another (by vote of the town) for legislation to establish a water privilege fee in the town of Merrimac;

Severally to the committee on Local Affairs.

By Mr. Cangiamila of Billerica (by request), petition (accompanied by bill, House, No. 5943) of Arthur Doyle (by vote of the town) for legislation to exempt certain clerical positions in the town of Billerica from the provisions of civil service law. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Ms. Bump of Braintree, petition (subject to Joint Rule 12) of Suzanne M. Bump relative to certain telephone charges for handicapped persons.

By Mr. Cangiamila of Billerica (by request), petition (subject to Joint Rule 12) of Arthur Doyle (by vote of the town) for legislation to authorize the transfer of certain Registry of Motor Vehicles functions to the town of Billerica.

By Mr. Draisen of Boston, petition (subject to Joint Rule 12) of Marc D. Draisen, Antonio F. D. Cabral, Kevin G. Honan, Ellen Story, Susan M. Tracy and Louis L. Kafka relative to the eligibility of certain aliens under the emergency aid to the elderly, disabled and children program.

By the same member, petition (subject to Joint Rule 12) of Marc D. Draisen, Salvatore F. DiMasi, Christopher M. Lane and Marian Walsh relative to jury service for certain disabled persons.

By Mr. LeLacheur of Lowell, petition (subject to Joint Rule 12) of Susan F. Rourke, Edward A. LeLacheur, John F. Cox and another for legislation to establish certain county functions and to transfer county corrections to the Commonwealth.

By Miss O'Brien of Easthampton, petition (subject to Joint Rule 12) of Shannon P. O'Brien and Martin J. Dunn for legislation to authorize an appropriation to reimburse the town of Easthampton for the removal and encapsulation of asbestos.

By Mr. O'Sullivan of Worcester, petition (subject to Joint Rule 12) of Jordan Levy (mayor), Kevin O'Sullivan, David J. Lionett, John J. Binienda and William J. Glodis, Jr. (with the approval of the mayor and city council) for legislation to direct the Secretary of the Commonwealth to place a certain nonbinding
question on the biennial state election ballot in the city of Worcester in the current year.

By Mr. Reinstein of Revere, petition (subject to Joint Rule 12) of William G. Reinstein relative to the repossession of leased motor vehicles.

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

Papers from the Senate.

The House Bill relative to restoring solvency to the Unemployment Insurance Trust Fund (House, No. 5909) 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 1655.

Under suspension of the rules, on motion of Mr. Bosley of North Adams, the amendment was considered forthwith.

The House then non-concurred with the Senate in its amendment, and on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. The Speaker then appointed Representatives Bump of Braintree, Bosley of North Adams and Coon of Andover as the committee on the part of the House. Sent to the Senate to be joined.

Subsequently the bill came from the Senate with the endorsement that said branch had insisted on its amendment, concurred in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Pines, MacLean and Lees had been joined as the committee on the part of the Senate.

The engrossed Bill relative to the theft of gas and electricity (see Senate, No. 391) came from the Senate with an amendment striking out all after the enacting clause and inserting in place thereof the following:

"SECTION 1. Section 126 of chapter 164 of the General Laws, as appearing in the 1990 Official Edition, is hereby amended by adding the following paragraph: —

The existence of any of the conditions with reference to meters or attachments described in this section shall be prima facie evidence that a firm, corporation or other business entity, commercial or industrial, to whom such gas is, at the time, being furnished by or through such meters or attachments has, with intent to defraud, created or caused to be created with reference to such meters or attachments, the condition so existing; provided, however, that nothing in this paragraph shall be construed to limit the introduction of any other competent evidence bearing upon the question of whether or not the defendant was responsible for the acts alleged to have been committed; and provided further, that the prima facie evidence referred to in this paragraph shall not apply to a residential customer; and, provided further, that the prima facie evidence referred to in this paragraph shall not apply to any firm, corporation or other business entity, commercial or industrial, so furnished with
Gas and electricity,—theft.

Limited partnerships,—mergers or consolidations.

Worcester,—charter change referendum.

gas for less than thirty-one days or until there has been at least one meter reading, whichever first occurs.

SECTION 2. Section 127 of said chapter 164, as so appearing, is hereby amended by adding the following paragraph: —

The existence of any of the conditions with reference to meters or attachments described in this section shall be prima facie evidence that a firm, corporation or other business entity, commercial or industrial, to whom such electricity is, at the time, being furnished by or through such meters or attachments has, with intent to defraud, created or caused to be created with reference to such meters or attachments, the condition so existing; provided, however, that nothing in this paragraph shall be construed to limit the introduction of any other competent evidence bearing upon the question of whether or not the defendant was responsible for the acts alleged to have been committed; and provided further, that the prima facie evidence referred to in this paragraph shall not apply to a residential customer; provided further, that the prima facie evidence referred to in this paragraph shall not apply to any firm, corporation or other business entity, commercial or industrial, so furnished with electricity for less than thirty-one days or until there has been at least one meter reading, whichever first occurs.

Under suspension of Rule 35, on motion of Mr. Walsh of Agawam, 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.

A Bill authorizing the merger or consolidation of certain limited partnerships (printed as House, No. 5810, changed by striking out section 2 and inserting in place thereof the following section:

"SECTION 2. The provisions of this act shall not relieve any person of any tax liability to the commonwealth or any of its political subdivisions which has been incurred prior to the effective date of this act;"; and amended by inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the merger or consolidation of certain limited partnerships or other business entities, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience." (reported on a petition), passed to be engrossed by the Senate, was read; and it was placed in the Orders of the Day for the next sitting for a second reading.

A petition (accompanied by bill, Senate, No. 1653) of Jordan Levy (mayor), Arthur E. Chase and Matthew J. Amorello (with the approval of the city council) for legislation to direct the State Secretary to place a certain nonbinding question on the biennial state election ballot in the city of Worcester relative to changing the charter of city government, was referred, in concurrence, to the committee on Local Affairs.
A petition of Patricia McGovern and James R. Miceli (by vote of the town and with the approval of the Middlesex County Commissioners) for legislation to establish an early retirement incentive for the town of Tewksbury, 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. 1656) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

By Mr. Voke of Chelsea, 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 A. Stephen Tobin for legislation to exempt certain income from military retirement pensions from the state income tax. Under suspension of Rule 42, on motion of Mr. Tobin of Quincy, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Taxation. 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 Marc R. Pacheco relative to workers’ compensation agreements. To the committee on Commerce and Labor.

Petition (accompanied by bill) of Frank M. Hynes and other members of the House for legislation to protect the coastline of the Commonwealth. To the committee on Natural Resources and Agriculture.

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

By Mr. Blanchette of Lawrence, for the committee on Public Service, on Senate, Nos. 1057, 1059, 1061, 1062, 1063, 1078, 1081, 1094, 1095, 1100, 1008, 1109, 1115, 1118, 1388 and 1443 and House, Nos. 216, 228, 271, 278, 280, 289, 422, 979, 982, 992, 1004, 1378, 1768, 1778, 1781, 1980, 2155, 2161, 2166, 2184, 2185, 2187, 2191, 2364, 2713, 2715, 3290, 3430, 3434, 3435, 3436, 3643, 3785, 3793, 3977, 3979, 4158, 4171, 4319, 4320, 4329, 4589, 4759, 4762, 4764, 4935, 4943, 4944, 5238 and 5239, an Order relative to authorizing the committee on Public Service to make an investigation and study of certain Senate and House documents concerning civil service and other matters related to public employees in the Commonwealth (House, No. 5920).

By the same member, for the same committee, on Senate, Nos. 1060, 1077, 1097, 1111, 1121 and 1125 and House, Nos. 632,
employees,—
cost-of-living.

Disability retirement benefits.

Public employee matters.

Public employees,—
creditable service.

Judges, etc.,—
retirement benefits.

Public employees,—
collective bargaining.

635, 639, 640, 641, 804, 808, 809, 995, 996, 1573, 1585, 1587, 1770, 1771, 1783, 2171, 2360, 2362, 2363, 2365, 2367, 2539, 2716, 3281, 3282, 3781, 4159, 4160, 4166, 4348, 4350, 4353, 4355, 5107 and 5237, an Order relative to authorizing the committee on Public Service to make an investigation and study of certain Senate and House documents concerning cost-of-living adjustments for retired public employees and other related matters (House, No. 5921).

By the same member, for the same committee, on Senate, Nos. 1065, 1070, 1076, 1099, 1123 and 1124 and House, Nos. 418, 425, 633, 636, 642, 805, 1200, 1207, 1209, 1379, 1382, 1396, 1572, 1577, 1777, 1971, 1977, 2150, 2158, 2162, 2369, 2537, 2541, 2547, 2719, 2876, 3086, 3278, 3286, 3431, 4170, 4173, 4175, 4305, 4330, 4584, 4937, 4940 and 5111, an Order relative to authorizing the committee on Public Service to make an investigation and study of certain Senate and House documents concerning disability retirement benefits for public employees (House, No. 5922).

By the same member, for the same committee, on Senate, Nos. 1080, 1090 and 1106 and House, Nos. 137, 142, 421, 424, 806, 811, 976, 994, 1007, 1202, 1203, 1377, 1579, 1765, 1775, 1970, 1979, 2169, 2534, 2543, 2544, 2711, 2872, 2875, 3085, 3087, 3276, 3277, 3283, 3647, 3648, 3649, 3980, 3982, 3983, 4165, 4177, 4315, 4321, 4322, 4325, 4328, 4332, 4335, 4339, 4342, 4343 and 4945, an Order relative to authorizing the committee on Public Service to make an investigation and study of certain Senate and House documents concerning health insurance, training, hiring, promotions and other related matters for public employees (House, No. 5923).

By the same member, for the same committee, on Senate, Nos. 1068, 1087, 1089 and 1104 and House, Nos. 631, 637, 812, 984, 985, 986, 1201, 1206, 1371, 1383, 1387, 1390, 1391, 1395, 1581, 1769, 1772, 1774, 2146, 2177, 2535, 2542, 2880, 2885, 3279, 3288, 3644, 3645, 3646, 3780, 3791, 3792, 4934, 4947, 5105, 5112, 5240, 5474 and 5545, an Order relative to authorizing the committee on Public Service to make an investigation and study of certain Senate and House documents concerning creditable service benefits for public employees (House, No. 5924).

By the same member, for the same committee, on Senate, Nos. 1073 and 1093 and House, Nos. 2873, 3263, 3264, 3266, 3269, 3270, 3271, 3272, 4751, 4752, 4753, 4939 and 5267, an Order relative to authorizing the committee on Public Service to make an investigation and study of certain Senate and House documents concerning retirement benefits for judges, court clerks, court officers and veterans (House, No. 5925).

By the same member, for the same committee, on Senate, Nos. 114 and 1120 and House, Nos. 638, 983, 1204, 1205, 1217, 1218, 1372, 1373, 1374, 1376, 1385, 1388, 1398, 1400, 1401, 1575, 1576, 1764, 1779, 1780, 1973, 1975, 2147, 2167, 2174, 2186, 2188, 2192, 2536, 2717, 2882, 2889, 2890, 2891, 2893, 3088, 3265, 3267, 3274, 3978, 4179, 4306, 4307, 4309, 4311, 4313, 4327, 4334, 4336, 4340, 4341, 4582, 4583, 4586, 4754, 4763 and 4765, an Order relative to authorizing the committee on Public Service to make an
investigation and study of certain Senate and House documents concerning collective bargaining, the payment of compensation and other related matters for public employees (House, No. 5926).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Ms. Bump of Braintree, for the committee on Commerce and Labor, on Senate, Nos. 25, 26 and 41 and House, Nos. 176, 179, 314, 505, 691, 2404, 2407, 2767, 2945, 3857 and 4807, a Bill to protect the health of children (House, No. 179).

By Miss O'Brien of Easthampton, for the committee on Counties on the part of the House, on a petition, a Bill relative to the charter of Franklin County (House, No. 4060, changed by striking out Article 2, contained in lines 45 to 109, inclusive, and inserting in place thereof the following:

"ARTICLE 2.
POWERS OF THE COUNTY.

Section 2-1. Incorporation.
Franklin County, within the corporate limits established by law, shall continue to be a body politic and corporate for the purposes of suits, of buying and holding, for County uses, personal property and real property, and of contracting and doing other necessary acts relative to its property and affairs.

Section 2-2. Powers of Franklin County.
It is the intent of this Charter to obtain for the government of Franklin County all of the powers it is now possible or may be possible for a county government to have, and to hold and to exercise such powers and such policies under the Constitution and Laws of the Commonwealth as fully and as completely as if each such power were specifically and individually enumerated in this Charter.

It also is the intent of the Charter to encourage a continuing review of the functions performed by Franklin County and enable Franklin County to perform any duty mandated to it in the most efficient manner possible, and without regard to the organizational, structural, or personnel provisions contained in any prior laws.

Nothing in this Charter shall be construed to impair, diminish, or infringe on the powers or duties of cities and towns under the Laws of the Commonwealth. The towns of Franklin County are and shall remain the broad repository of local police power in terms of their right and power to legislate for the general health, safety, and welfare of their residents.

Section 2-3. County Powers, Existing and Additional.
Franklin County shall exercise all powers of county government including the following:

(a) All prerogatives and responsibilities of counties under the Laws of the Commonwealth including but not limited to highways, tax appeals, dams and waterways.

(b) The power to establish a county assessment in accordance with the General Laws of the Commonwealth; to incur debt in
Franklin County charter.

anticipation of revenue and to be paid off within the fiscal year the said debt is created; and to incur long term capital debt.

(c) The power to organize and regulate the internal affairs of the County: to create, alter, and abolish departments, offices, positions, and employment and to define functions, powers and duties thereof; to establish qualifications for persons holding offices, positions and employment, subject to the requirements of state law and this Charter; and provided for the manner of their appointment and removal and for their term and compensation.

(d) The power to exercise powers of eminent domain.

(e) The power to construct, acquire, operate and maintain public improvements, capital projects, personal property and real property or other enterprises for any public purpose, subject to Laws of the Commonwealth.

(f) The power to have a corporate seal; to sue and be sued; to contract and be contracted with; to buy, sell, lease, hold and dispose of real and personal property; and to appropriate and expend funds for County purposes.

(g) The power to contract with or enter into agreements with any other entity or governmental unit within or outside the County government, and to provide any joint, coordinated, or cooperative service, or any service, activity, or undertaking which such entity or governmental unit is authorized by law to perform.

(h) The power to develop revenue sources other than the county assessment including but not limited to user fees for services and revolving funds.

(i) The power to adopt amend and repeal bylaws related to internal county operations, which bylaws exert no regulatory authority external to the operation of this county government and are not to be construed as amendments to this Charter.

(j) The power to amend this Charter pursuant to the process outlined in Article 10.

(k) The power of initiative petition and referendum pursuant to the process outlined in Article 9."; and by striking out Article 7, contained in lines 526 to 656, inclusive, and inserting in place thereof the following:

“ARTICLE 7.

FINANCING AND FISCAL PROCEDURES.

Section 7-1. Segregating the County Assessment for Regional Services, Establishing a Service-Based Budget.

(a) Segregating the County Assessment — A portion of the County Tax as established and apportioned under Chapter 35 of the Laws of the Commonwealth, or any successor thereto, shall be appropriated and used exclusively for the purpose of providing regional municipal services as directed by the County Commissioners and County Town Meeting. There shall be established a base amount for such portion of the county assessment segregated for providing regional municipal services. Such base shall be established by a cost allocation plan prepared by the County Commissioners and
approved by the members of the County Government Finance Review Board created by 193 Acts 1989, or a Board comprised of similar membership should said Act no longer remain in effect. Said cost allocation plan shall identify the actual costs of operating each division of the county in fiscal year 1989. Based upon said allocation plan, the Board shall establish a base percentage of the county assessment which shall serve as the segregated base for regional services in ensuing years. The costs of any county subsidy of the state courthouse occupancy shall be included as a portion of regional services costs for the purpose of establishing this percentage. The remaining county assessment shall be earmarked for Jail and House of Corrections and Registry of Deeds operations. Such percentage shall be determined by the Board prior to legislative approval of this Charter and shall be inserted in subsection 7-l(a) below. The County Commissioners and County Town Meeting shall adopt an amended budget for the year in which the Charter takes effect to reflect the Boards decision. Using the percentage established by this procedure, all ensuing budgets shall be prepared and require no further approval by the Board.

Beyond such percentage apportionment stipulated by the Board above, the County shall not assess towns or use any portion of the County Tax to finance the operation of the County Jail and House of Corrections, the Registry of Deeds or any other non-regional municipal services function or use of facilities owned or operated by the County including, but not limited to, the use of the County Courthouse by the Trial Court of the Commonwealth, except as provided by contract approved by the County Commissioners and County Town Meeting.

(i) **Regional Services Assessment Percentage** — As established by the Board pursuant to this article the percentage is ______.

(b) **Jail and House of Corrections** — The Jail and House of Corrections shall be financed by the jail transfer payment established in line item 1599-3658 of the fiscal year 1990 state budget and beginning with the words, 'For a reserve to replace County taxes previously assessed upon municipalities for the operation of County jails . . . ' or such line items corresponding to or succeeding it in subsequent years. Additionally, payments received by the County for services rendered by the Jail and House of Corrections including but not limited to fees for holding non-county prisoners and other inter-governmental transfer payments for jail services, shall be utilized exclusively for the purpose of operating the Jail and House of Corrections. The Jail and House of Corrections shall also receive at least 75 percent of the excise stamp tax revenue established by Chapter 193 of the Acts of 1989. The Jail and House of Corrections shall further receive that portion of the county assessment designated to it by the Board approval above.

(c) **Registry of Deeds** — The Registry of Deeds shall be financed by fees for documents as established by the Laws of the Commonwealth. Additionally the Registry of Deeds shall receive up to 10 percent of the excise stamp tax revenue established by
Chapter 193 of the Acts of 1989. The Registry of Deeds shall further receive that portion of the county assessment designated to it by the Board approval above.

(d) **Regional Services Division** — The Regional Services Division shall be financed by the portion of the County Tax as outlined in this article section. Additionally fifteen percent of the excise stamp tax revenue established by Chapter 193 of the Acts of 1989 shall be used exclusively to provide regional municipal services to Franklin County towns through the Regional Services Division. The Division may be financed additionally through any other mechanism the county is empowered to establish by this Charter.

(e) **Cost Allocation Plan** — As part of the annual budget, the County Commissioners shall prepare a cost allocation plan which shall identify all costs and appropriations directly or proportionately attributable to the three service divisions of Franklin County government: the Jail and House of Corrections, the Registry of Deeds, and the Regional Services Division, which shall include the Department of Finance and the office of County Treasurer as outlined in Section 5-6 of this Charter. Services rendered by the Regional Services Division to the Jail and House of Corrections and the Registry of Deeds shall be charged to the appropriate division based on a cost allocation plan or any other documentation of appropriate costs of services rendered to such division. The Jail and House of Corrections and Registry of Deeds shall establish a line item in their budgets entitled 'Regional Services Division Fees' from which the aforementioned direct costs and fees shall be paid to the Regional Services Division.

(f) **Account Surplus** — Any account surplus remaining in the Jail and House of Corrections or Registry of Deeds division budgets at the close of the fiscal year shall be reappropriated to said division in the ensuing fiscal year. Any surplus remaining in the Regional Services Division which is in excess of five percent of the county assessment levied in the closed fiscal year shall be returned to the County towns.

(9) **Pilot Provisions:** The provisions in this article shall be considered a pilot program of the Commonwealth. The provisions of this article shall expire July 1, 1996 subject to any legislation which would extend this article subject to the approval of the legislature and the governor.”).
ought to pass. Placed in the Orders of the Day for the next sitting for a second reading.

By Mr. DiMasi of Boston, for the committee on the Judiciary, on a communication from the Counsel to the Senate and Counsel to the House of Representatives, a Bill making certain corrective changes in certain general and special laws (printed in House, No. 5904).

By the same member, for the same committee, on a petition, a Bill eliminating the two trial system for criminal cases in the counties of Hampden and Essex of the District Court Department (House, No. 5930).

By Mr. Rushing of Boston, for the committee on Local Affairs, on a petition, a Bill authorizing the town of Wayland to release a certain conservation restriction (House, No. 5839) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the city of Gloucester to pay certain unpaid compensation (House, No. 5840) [Local Approval Received].

By the same member, for the same committee, on a message from His Honor the Lieutenant-Governor, Acting Governor, a Bill conveying certain town owned land in the town of Medfield to the Medfield community development corporation (printed in House, No. 5844).

By Mr. Blanchette of Lawrence, for the committee on Public Service, on House, No. 5848, a Bill establishing a funding schedule for the retirement system of the town of Winthrop (House, No. 5945) [Local Approval Received].

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

**Emergency Measure.**

The engrossed Bill establishing a sick leave bank for a certain employee of the Boston Municipal Court (see House, No. 5735, amended), 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) (which had been returned by His Excellency the Governor with recommendation of amendment) was passed to be re-enacted, without amendment; and it was signed by the Speaker and sent to the Senate.

**Engrossed Bills.**

Engrossed bills
Further defining a farmer (see Senate, No. 1052);
Bills enacted.

Relative to the board of public works of the town of Fairhaven (see House, No. 5869);
(Which severally originated in the Senate);
Authorizing the town of Cummington to pay certain unpaid bills (see House, No. 5520);
Establishing a funding schedule for the town of Braintree contributory retirement system (see House, No. 5799); and
Authorizing the town of Wilmington to borrow money to pay a certain judgment (see House, No. 5842);
(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.

Orders of the Day.

The Senate Bill providing for a five member board of selectmen in the town of Swampscott (Senate, No. 1596, changed), 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 payment of certain claims to estates (House, No. 2835) (its title having been changed by the committee on Bills in the Third Reading);
Authorizing the Division of Capital Planning and Operations to convey a certain parcel of land in the town of Hadley to John F. Koloski and Phyllis P. Koloski (House, No. 5596);
Relative to zoning restrictions in the town of Ludlow (House, No. 5691) (its title having been changed by the committee on Bills in the Third Reading);
Establishing a funding schedule for the retirement system of the town of Danvers (House, No. 5849) (its title having been changed by the committee on Bills in the Third Reading);
Establishing a sick leave bank for an employee of the Department of Social Services (House, No. 5850); and
Designating a certain corner in the town of Hingham as Muzzi's Corner (House, No. 5852);
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.

The Senate Bill relative to prescription counseling (Senate, No. 1552, amended); and
The House Bill authorizing and directing the Superintendent of State Office Buildings to install and maintain a plaque in honor of the Commonwealth of Massachusetts American ex-prisoners of war (House, No. 5822);
Severally were read a second time; and they were ordered to a third reading.
The motion of Mr. Businger of Brookline, that the committee on Ways and Means be discharged from further consideration of the House Bill conforming the General Laws to the Constitutional amendment abolishing the state census (House, No. 3355) was considered.

Pending the question on the motion to discharge the committee, further consideration thereof was postponed, on motion of the same member, until after disposition of the remaining matters in the Orders of the Day.

At fourteen minutes after eleven o'clock A.M., on motion of Mr. Cohen of Newton, the House recessed until the hour of one o'clock P.M.; and at that time the House was called to order.

Message from His Honor the Lieutenant-Governor, Acting Governor.

A message from His Honor the Lieutenant-Governor, Acting Governor, submitting recommendations for making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-three, prior to final action on the General Appropriation Bill for said fiscal year (House, No. 5928) [Cost: $318,970,000.00], 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.

At four minutes after one o'clock P.M., the Speaker declared a recess subject to the call of the Chair, there being no objection; and at ten minutes after two o'clock the House was called to order.

Engrossed Bill.

The engrossed Bill making certain appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-three, prior to final action on the General Appropriation Bill for said fiscal year (see House, No. 5928) (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.

Order.

On motion of Mr. Voke of Chelsea, —

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

Mr. Voke then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twelve minutes after two o'clock P.M., the House adjourned, to meet tomorrow at eleven o'clock A.M.
Wednesday, July 8, 1992.

Met according to adjournment, at eleven o'clock A.M., 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 depend upon You for the emotional strength, the intellectual insight and the moral courage to address our daily agenda. Give us the patience to comprehend and evaluate the cultural changes of the times. Prosper our efforts to remain committed to our personal values, philosophical principles and religious beliefs. May our legislative programs strengthen society, give hope in the future of our nation to the people, and build mutual trust in the hearts and minds of the electorate. Let us not forget the dedication and good will of friends and neighbors to the spirit, principles and ideals of the Constitution as we work together for a more prosperous tomorrow.

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.

Statement Concerning Representative Howarth of Springfield.

During consideration of the Orders of the Day, Mr. DeFilippi of West Springfield asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Howarth of Springfield, is unable to be present in the House Chamber due to illness. Any roll calls that he may miss today or for the next few days will be due entirely to the reason stated.

Mr. DeFilippi then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

Statement of Representative Knapik of Westfield.

During consideration of the Orders of the Day, Mr. Knapik of Westfield asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I will not be present in the House Chamber for a portion of today's sitting due to my attendance at a funeral. Any roll calls that I may miss today will be due entirely to the reason stated.

Mr. Knapik then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.
Resolutions.

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

Matthew M. Diglio.

Resolutions (filed by Mr. Hayward of Lynn) congratulating Matthew M. Diglio on receiving the Eagle Award of the Boy Scouts of America;

Joseph Saluto.

Resolutions (filed by Ms. Kerans of Danvers) congratulating Joseph Saluto on receiving the Eagle Award of the Boy Scouts of America;

Leona Dona.

Resolutions (filed by Mr. Moore of Uxbridge) congratulating Leona Dona on being named Sutton's Citizen of the Year by the Lions Club;

Steve Nault.

Resolutions (filed by Mr. Moore of Uxbridge) congratulating Steve Nault on being chosen a national collegiate all conference All American in rugby;

Stephen Nissenbaum.

Resolutions (filed by Mr. Moore of Uxbridge) honoring Stephen Nissenbaum; and

U.S.S. Intrepid.

Resolutions (filed by Mr. Scaccia of Boston) honoring the U.S.S. Intrepid CV11;

Mrs. Menard of Somerset, 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. Hayward, 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:

South Hadley,—

By Miss O'Brien of Easthampton, petition (accompanied by bill, House, No. 5964) of Shannon P. O'Brien and Stanley C. Rosenberg (by vote of the town) relative to medical treatment and related expenses for police officers of the town of South Hadley who are injured in the line of duty; and

By Mr. Ranieri of Bellingham, petition (accompanied by bill, House, No. 5965) of Daniel J. Ranieri and Louis P. Bertonazzi (by vote of the town) for legislation to authorize the town of Bellingham to pay a certain sum of money to Vincent R. Thayer;

Severally to the committee on Local Affairs.

Severally sent to the Senate for concurrence.

Bellingham,—

Vincent R. Thayer.

Children,—

By Representatives Cangiamila of Billerica and Parente of Milford, petition (subject to Joint Rule 12) of Brion M. Cangiamila and Marie J. Parente relative to visitation rights of parents of assaulted or abused children.

By Mr. Nagle of Northampton, petition (subject to Joint Rule 12) of William P. Nagle, Jr., and Stanley C. Rosenberg for legislation to authorize the Secretary of the Commonwealth to issue a certain amended record of marriage to Judith and Michael Conlin.

Severally, under Rule 24, to the committee on Rules.
Papers from the Senate.

The Senate Bill establishing mammography standards and providing for the licensing of mammography facilities (Senate, No. 1545) came from the Senate with the endorsement that said branch had concurred with the House in its amendments with further amendments:

In section 1 (as printed), in lines 7 and 8, in section 2 (as printed), in line 7, and also in section 7 (as printed), in line 5, striking out the words “consistent with” (inserted by amendment by the House) and inserting in place thereof, in each instance, the words “no less stringent than” (stricken out by amendment by the House); and also in section 2 (as printed) striking out the words “for a fee or other consideration” (inserted by amendment by the House).

Under suspension of the rules, on motion of Ms. Buell of Greenfield, the further amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

A petition of James P. Jajuga, Joseph A. Salvo, Kathleen A. Mulligan, Ronald Ford, Joyce Campagnone, William Manzi III and Joseph J. Pappalardo (with the approval of the town council) for legislation to validate a contract of the town of Methuen, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Local Affairs.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1658) was referred, in concurrence, to the committee on Local Affairs.

Reports of Committees.

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 petition of Jordan Levy (mayor), Kevin O'Sullivan, David J. Lionett, John J. Binienda and William J. Glodis, Jr. (with the approval of the mayor and city council) for legislation to direct the Secretary of the Commonwealth to place a certain nonbinding question on the biennial state election ballot in the city of Worcester in the current year. Under suspension of Rule 42, on motion of Mr. O'Sullivan of Worcester, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Election Laws. 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 petition of Mary Jane McKenna relative to the fee for retired licensed professional engineers or land surveyors. Under suspension of Rule 42, on motion of Mrs. McKenna of Holden, the report was considered forthwith. Joint Rule 12 was suspended; and the petition
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 Nelson Merced, Vincent P. Ciampa, Peter A. Vellucci, Alvin E. Thompson, Michael LoPresti, Jr., and another for legislation to proclaim "Dialogue in Dorchester" as the state opera of the Commonwealth. Under suspension of Rule 42, on motion of Mr. Merced of Boston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration. Sent to the Senate for concurrence.

By Mr. Finneran of Boston, for the committee on Ways and Means, that the Bill relative to bungee jumping (House, No. 5908) ought to pass.

Under suspension of the rules, on motion of Mr. Caron of Springfield, 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. Jordan of Springfield, for the committee on Housing and Urban Development, on Senate, Nos. 497, 515, 523 and 527 and House, Nos. 558, 1130, 1895, 1896, 2666, 3372, 4492, 4495, 4496, 4497, 4498, 4499, 4500, 4501, 4670 and 5053, an Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning tenant-landlord relationships in rental agreements and other related matters (House, No. 5946).

By the same member, for the same committee, on Senate, Nos. 499, 520 and 522 and House, Nos. 31, 35, 925, 1891, 2075, 2076, 2665, 3163, 3370, 3732, 3910, 3911, 3912, 4494, 4504, 4505, 4669 and 4694, an Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents regulating public housing programs in the Commonwealth (House, No. 5947).

By Mr. DiMasi of Boston, for the committee on the Judiciary, on House, Nos. 90, 95, 383, 945, 946, 953, 1168, 1328, 1519, 1718, 1721, 1931, 3211, 3213, 3223, 3225, 3931, 3951, 4279, 4517, 4709, 4710, 4905 and 5331, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning criminal and civil liability and other related matters (House, No. 5948).

By the same member, for the same committee, on House, Nos. 231, 267, 268, 269, 270, 386, 594, 759, 763, 952, 1336, 2496, 2842, 3188, 3600, 3601, 3755 and 4693, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning child support, the
custody of children in divorce proceedings and other related matters (House, No. 5949).

By the same member, for the same committee, on House, Nos. 2328, 3382, 3935, 3948, 5415 and 5419, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning the establishment of a John F. Kennedy holiday, adoption notices, justices of the peace, constables, land and housing courts and small claims procedures (House, No. 5950).

By the same member, for the same committee, on House, Nos. 3932, 3955 and 4512, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning summary process actions in courts involving residential property (House, No. 5951).

By Mr. Angelo of Saugus, for the committee on Natural Resources and Agriculture, on Senate, Nos. 556, 922, 936, 955, 957 and 964 and House, Nos. 611, 789, 1546, 1555, 1556, 1559, 3418, 3962, 4138, 4728, 4730, 4733, 4915 and 5333, an Order relative to authorizing the committee on Natural Resources and Agriculture to make an investigation and study of certain Senate and House documents concerning the management and regulation of solid waste (House, No. 5952).

By the same member, for the same committee, on Senate, Nos. 903, 943 and 948 and House, Nos. 609, 964, 1180, 1352, 1354, 1358, 1359, 1362, 1363, 1726, 1736, 1956, 2341, 2699, 4140, 4290, 4293 and 4559, an Order relative to authorizing the committee on Natural Resources and Agriculture to make an investigation and study of certain Senate and House documents regulating hunting, fishing and trapping and the protection of wildlife in the Commonwealth (House, No. 5953).

By the same member, for the same committee, on Senate, Nos. 920 and 942 and House, Nos. 124, 135, 136, 399, 774, 777, 778, 779, 780, 967, 1174, 1360, 1361, 1953, 1954, 1961, 1962, 1963, 2337, 2521, 2858, 3229, 3230, 3231, 3232, 3239, 3414, 3627, 3764, 3768, 4139, 4734, 4735, 4736, 4737, 5093 and 5094, an Order relative to authorizing the committee on Natural Resources and Agriculture to make an investigation and study of certain Senate and House documents concerning the operation and management of the Massachusetts Water Resources Authority (House, No. 5954).

By the same member, for the same committee, on House, Nos. 402, 404, 3240, 4285, 4286, 4288, 4534 and 5627, an Order relative to authorizing the committee on Natural Resources and Agriculture to make an investigation and study of certain House documents concerning protection of the coastal resources of the Commonwealth (House, No. 5955).

By the same member, for the same committee, on House, Nos. 618, 771, 772, 790, 2343, 3238, 3419, 4553 and 5090, an Order relative to authorizing the committee on Natural Resources and Agriculture to make an investigation and study of certain House documents regulating the treatment and disposal of septage and sewerage in the Commonwealth (House, No. 5956).
Agricultural and farming practices.

By the same member, for the same committee, on House, Nos. 773, 960, 968, 969, 970, 971, 1184, 1355, 1540, 1544, 1545, 1549, 1550, 1552, 2342, 2516, 2856, 3624, 4136, 4284, 4535, 4562, 4729, 5091 and 5198, an Order relative to authorizing the committee on Natural Resources and Agriculture to make an investigation and study of certain House documents concerning agricultural and farming practices in the Commonwealth and other related matters (House, No. 5957).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Marrow transplants.

By Mr. Mara of Brockton, for the committee on Insurance, on House, No. 3380, a Bill to require health insurers to reimburse bone marrow transplants for patients whose breast cancer has advanced to bone cancer (House, No. 5958).

By Mr. Caron of Springfield, for the committee on Public Safety, on the residue of the petition, a Bill relating to certain operations of the Registry of Motor Vehicles (House, No. 1193, changed by striking out sections 4, 5 and 6).

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

Registry of Motor Vehicles.—operation.

By Ms. Buell of Greenfield, for the committee on Health Care, on Senate, No. 406 and House, Nos. 2443, 3012, 3013, 3366 and 4107, a Bill relative to the confidentiality of HIV tests and the protection of public health (House, No. 5966) [Senator Bertonazzi dissenting]. Read; and placed in the Orders of the Day for the next sitting for a second reading.

HIV tests,—confidentiality.

Engrossed Bills.

Engrossed bills
Relative to theft of gas and electricity (see Senate, No. 391, amended); and
Providing for a five member board of selectmen in the town of Swampscott (see Senate, No. 1596, changed);
(Which severally originated in the Senate);
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.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the town of Amherst to convey certain parcels of conservation land (see Senate, No. 891) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to
the Constitution); and on the roll call 148 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 224 in Supplement.]
Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.
The Senate Bill relative to prescription counseling (Senate, No. 1552, amended), 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 certain betterment assessments in the town of Barnstable (House, No. 5795) (its title having been changed by the committee on Bills in the Third Reading); and
Authorizing the Superintendent of State Office Buildings to install and maintain a plaque in honor of ex-prisoners of war from the Commonwealth (House, No. 5822) (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.

The House Bill relative to the election of county commissioners in Bristol County (House, No. 1660) 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.
The House then refused to pass the bill to be engrossed.

The Senate Bill authorizing the merger or consolidation of certain limited partnerships (printed as House, No. 5810, changed and amended) was read a second time; and it was ordered to a third reading.
Under suspension of the rules, on motion of Mr. Cohen of Newton, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time forthwith; and it was passed to be engrossed, in concurrence, its title having been changed by said committee to read: An Act authorizing the merger or consolidation of certain limited partnerships or other business entities.

House bills
Authorizing the town of Wayland to release a certain conservation restriction (House, No. 5839);
Authorizing the city of Gloucester to pay certain unpaid compensation (House, No. 5840);
Conveying certain town owned land in the town of Medfield to the Medfield community development corporation (printed in House, No. 5844);
Making certain corrective changes in certain general and special laws (printed in House, No. 5904); and
Establishing a funding schedule for the retirement system of the town of Winthrop (House, No. 5945);
Severally were read a second time; and they were ordered to a third reading.

Recesses.

At nineteen minutes after eleven o'clock A.M., on motion of Mr. Cox of Lowell (Mr. Serra of Boston being in the Chair), the House recessed until the hour of one o'clock P.M.; and at that time the House was called to order with Mrs. Menard of Somerset in the Chair.

The House thereupon, on motion of Mr. Voke of Chelsea, took a further recess until half past one o'clock P.M.; and at that time the House was called to order with Mrs. Menard in the Chair.

Underwriting associations, regulate.
The House Bill relative to the Liquor Liability Joint Underwriting Association, the Medical Malpractice Joint Underwriting Association and the Urban Area Insurance Placement Facility (House, No. 5899) 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. Mara of Brockton moved that it be amended by substitution of a Bill further regulating the Liquor Liability Joint Underwriting Association, the Medical Malpractice Joint Underwriting Association and the Joint Reinvestment Association (House, No. 5962), which was read.

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

The House Bill amending the exemption of benefits from attachment and execution (House, No. 3177) was considered.

Pending the question on ordering the bill to a third reading, further consideration thereof was postponed, on motion of Mrs. McKenna of Holden, until after disposition of the remaining matters in the Orders of the Day.

The House Bill concerning health records requested from providers by persons seeking benefits under the Social Security Act and federal or state needs-based benefit programs (House, No. 5473, amended) was considered.

Pending the question on passing the bill to be engrossed, Mr. Cohen of Newton moved that it be amended in section 1 by inserting after the word “charged”, in line 12 and also in line 28, the words “to any applicant, beneficiary or individual representing said applicant or beneficiary”, by inserting after the word “state”, in lines 15
and 31 and also in line 34, the word “financial”, and by striking out 
the last sentence (inserted by amendment) and inserting in place 
thereof the following sentence: “Any person for whom no fee shall 
be charged shall present reasonable documentation at the time of 
such records request that the purpose of said request is to support 
a claim or appeal under any provision of the Social Security Act 
or any federal or state financial needs-based benefit program.”; in 
section 2 by inserting after the word “charged”, in line 4, the words 
to any applicant, beneficiary or individual representing said applicant or beneficiary”, by inserting after the word “state”, in line 6 
and also in line 9, the word “financial”, by striking out after the word 
“request”, in line 10, the words “provided that any person for whom 
no fee shall be charged shall present reasonable documentation 
at the time of such records request that the purpose of said request 
is to support a claim or appeal under any provision of the Social 
Security Act or any federal or state needs-based benefit program”; 
(inserted by amendment) and inserting in place thereof the words 
“; provided, however, that any person for whom no fee shall be 
charged shall present reasonable documentation at the time of such 
records request that the purpose of said request is to support a claim 
or appeal under any provision of the Social Security Act or any 
federal or state financial needs-based benefit program”; in section 3 
by inserting after the word “charge”, in line 4, the words “to any 
applicant, beneficiary or individual representing said applicant or 
beneficiary”, by inserting after the word “state”, in line 8 and also 
in line 11, the word “financial”, and by striking out after the word 
“request,”, in line 12, the following sentence: “Any person for whom 
no fee shall be charged shall present reasonable documentation at 
the time of such records request that the purpose of such request 
is to support a claim or appeal under any provision of the Social 
Security Act or any federal or state financial needs-based benefit program.” 
(inserted by amendment) and inserting in place thereof the following 
sentence: “Any person for whom no fee shall be charged shall present 
reasonable documentation at the time of such records request that 
the purpose of such request is to support a claim or appeal under any provision of the Social Security Act or any federal or state financial needs-based benefit program.”.

The amendments were adopted; and the bill (House, No. 5963, 
printed as amended) was passed to be engrossed. Sent to the Senate 
for concurrence.

The House Bill relative to the party enrollment of unenrolled 
voters at primary elections (House, No. 714, amended) was 
considered. Pending the question on concurring with the Senate in its 
amendment, as amended, further consideration thereof was 
postponed, on motion of Mr. Businger of Brookline, until 
Wednesday, September 30.

The motion of Mr. Businger of Brookline, that the committee on 
Ways and Means be discharged from further consideration of the 
House Bill conforming the General Laws to the Constitutional
amendment abolishing the state census (House, No. 3355) was considered.

Pending the question on the motion to discharge the committee, further consideration thereof was postponed, on motion of the same member, until after disposition of the remaining matters in the Orders of the Day.

The House Bill authorizing and directing the State Retirement Board to recalculate the pension of Ellen Schiff (House, No. 5346) was read a second time; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Bosley of North Adams, the bill (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.

The House Bill eliminating the two trial system for criminal cases in the counties of Hampden and Essex of the District Court Department (House, No. 5930) was read a second time; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. DiMasi of Boston, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time forthwith; and it was passed to be engrossed, its title having been changed by said committee to read: An Act relative to the one trial system for criminal cases in the counties of Hampden and Essex of the District Court Department. Sent to the Senate for concurrence.

Joint Session of the Two Houses to Consider Specific Amendments to the Constitution.

At thirteen minutes past two o'clock P.M., pursuant to assignment, the two Houses met in

JOINT SESSION

and were called to order by the Honorable William M. Bulger, President of the Senate.

Mr. Lionett of Worcester moved that the Initiative Amendment to the Massachusetts Constitution limiting the terms of office of Governor, Lieutenant Governor, Secretary, Treasurer, Attorney General, Auditor, Councillor, State Senator, State Representative, United States Senator and Representative in Congress (see House, No. 4000), be discharged from its place at the end of the calendar and considered forthwith; but objection was made thereto.

Mr. Lionett of Worcester then moved that Item No. 2, an Initiative Amendment to the Constitution relative to a graduated income tax (House, No. 4001), be placed at the end of the Calendar.

The President stated that the said calendar item had not yet been put before the body, and, therefore, the motion was not seasonable, and it was laid aside.
The proposal for an Initiative Amendment to the Constitution relative to a graduated income tax (House, No. 4001) (with reference to which the committee on Taxation had reported recommending that the amendment ought to pass) [for majority and minority reports, see Senate, No. 1537], — was read.

The proposal was as follows:

An Initiative Amendment to the Constitution relative to a graduated income tax.

[NOTE: This title is being used in the Journal for information purposes. The original document is untitled.]

[Under the provisions of Article XLVIII, Part IV (under THE INITIATIVE), Sections 3 and 4, of the Amendments of the Constitution, a Proposal for an Initiative Amendment “shall be voted upon in the form in which it is introduced, unless such amendment is amended by a vote of three-fourths of the members voting thereon in joint session;” and the “affirmative votes of not less than one-fourth of all members elected” are necessary to agree to the amendment.]

ARTICLE OF AMENDMENT.

Article 44 of the Articles of Amendment of the Massachusetts Constitution is hereby amended by striking out the second and third sentences and inserting in place thereof the following: — “In order that the burden of such tax is fairly and equitably distributed, such tax shall be levied at graduated rates, so that higher rates are imposed on taxpayers in higher income brackets and lower rates on those in lower income brackets. The general court may grant reasonable exemptions and abatements and establish the number and range of brackets”.

Mr. Lionett of Worcester moved that Item No. 2, an Initiative Amendment to the Constitution relative to a graduated income tax (House, No. 4001), be placed at the end of the Calendar.

Pending this motion, after remarks, Mr. Boverini arose to a point of order which, being stated, was that the gentleman from Worcester, Mr. Lionett, was not speaking on the subject matter.

The President ruled that the point of order was NOT well taken. After debate, the question on placing Item No. 2 (House, No. 4001) at the end of the Calendar was determined by a call of the yeas and nays, at twenty-one minutes past two o'clock P.M., on motion of Mr. Locke, as follows, to wit (yeas 81 — nays 107):
Joint Session.

Locke, David H.
Rauschenbach, Henri S.
Shannon, Charles E.
Sullivan, Nancy Achin
Swift, Jane M.
Tisei, Richard R.
Wall, Erving H., Jr.
Wetmore, Robert D. — 22.

Representatives.

Blute, Peter I.
Bradford, John C.
Brenton, Marianne
Brewer, Stephen M.
Buell, Carmen D.
Cangiamila, Brion M.
Clark, Forrester A., Jr.
Cleven, Carol C.
Constantino, William, Jr.
Coon, Gary M.
Cruz, John F.
Decas, Charles N.
DeFilippis, Walter A.
Doran, Stephen W.
Driscoll, John R.
Evans, Nancy H.
Forman, Peter
Gardner, Barbara
Gately, David F.
Glodis, William J., Jr.
Hall, Geoffrey D.
Harkins, Lida E.
Hawke, Robert D.
Healy, Jonathan L.
Henry, James R.
Hermann, Joseph N.
Hornblower, Augusta
Hyland, Barbara
Hynes, Frank M.
Kchoe, Marie-Louise
Kelly, Shaun P.
Kraus, Robert
Krekorian, Robert C.
Lewis, Jacqueline
Lionetti, David J.
Mandile, Anthony M.
Mann, Charles W.
McKenna, Mary Jane
McNeil, John C.
Miceli, James R.
Moore, Richard T.
Morrissey, Michael W.
Murray, Mary Jeanette
O'Brien, Shannon P.
O'Sullivan, Kevin
Palumbo, Thomas G.
Peters, David M.
Poirier, Kevin
Ranieri, Daniel J.
Reinstein, William G.
Rogeness, Mary S.
Rourke, Susan F.
Ruane, J. Michael
Stoddart, Douglas W.
Sullivan, Michael J.
Tarr, Bruce E.
Teague, Edward B., III
Travis, Philip
Walsh, Marian — 59.

NAYS (107).

Senators.

Bertonazzi, Louis P.
Birmingham, Thomas F.
Boverini, Walter J.
Bulger, William M.
Dunn, Martin J.
Havern, Robert A.
Keating, William R.

MacLean, William Q., Jr.
Melconian, Linda J.
Norton, Thomas C.
Owens, Bill
Pines, Lois G.
Rosenberg, Stanley C.
White, W. Paul — 14.

Representatives.

Angelo, Steven
Binienda, John J.
Blanchette, Kevin P.
Bosley, Daniel E.
Bump, Suzanne M.

Businger, John A.
Cabral, Antonio F. D.
Cahir, Thomas
Caron, Paul E.
Casey, Paul C.
Cass, William F. 
Catjakis, Athan 
Ciampa, Vincent P. 
Clancy, Edward J., Jr. 
Cohen, David B. 
Collaro, Andrew 
Connolly, Edward G. 
Correia, Robert 
Cox, John F. 
DeLeo, Robert A. 
Dempsey, Brian S. 
DiMasi, Salvatore F. 
Donovan, Carol A. 
Draisen, Marc D. 
Finneran, Thomas M. 
Fitzgerald, Kevin W. 
Flaherty, Charles 
Fox, Gloria L. 
Galvin, William C. 
Gannon, Paul J. 
Gibson, Mary Jane 
Giglio, Anthony P. 
Goguen, Emile J. 
Gonsalves, Leonard 
Gray, Barbara E. 
Haley, Paul R. 
Hayward, Jeffery J. 
Herren, Albert 
Hildt, Barbara 
Hodgkins, Christopher J. 
Honan, Kevin G. 
Jehlen, Patricia D. 
Jordan, Raymond A., Jr. 
Kafka, Louis L. 
Karol, Stephen J. 
Kennedy, Thomas P. 
Kerans, Sally P. 
Klimm, John C. 
Koczera, Robert M. 
Koliios, Paul 
Lambert, Edward M., Jr. 
Landers, Patrick F., III 

Larkin, Peter J. 
Lawless, Robert C. 
LeLacheur, Edward A. 
Magnani, David P. 
Manning, M. Joseph 
Mara, Francis G. 
Mariano, Ronald 
Marzilli, J. James, Jr. 
McDonough, John E. 
McIntyre, Joseph B. 
Menard, Joan M. 
Merced, Nelson 
Nagle, William P., Jr. 
O'Brien, Janet W. 
Owens-Hicks, Shirley 
Pacheco, Marc R. 
Parente, Marie J. 
Petersen, Douglas W. 
Petrolati, Thomas M. 
Resor, Pamela P. 
Rohan, Robert J. 
Roosevelt, Mark 
Rushing, Byron 
Scaccia, Angelo M. 
Schur, Susan D. 
Scibelli, Anthony M. 
Serra, Emanuel G. 
Story, Ellen 
Sullivan, Gregory W. 
Thompson, Alvin E. 
Tobin, A. Stephen 
Tolman, Warren E. 
Tracy, Susan M. 
Turkington, Eric 
Valianti, Daniel J. 
Vellucci, Peter A. 
Voake, Richard A. 
Wagner, Joseph F. 
Walrath, Patricia A. 
Walsh, Michael P. 
Walsh, Thomas P. — 93.

Absent or Not Voting (7).

Senators:
Barrett, Michael J. 
Burke, Edward L.

LoPresti, Michael, Jr. 
McGovern, Patricia — 4.

Representatives:
Brett, James T. 
Howarth, Robert L. 

Knapik, Michael R. — 3.
The yeas and nays having been completed at twenty-two minutes before three o'clock P.M., the motion to place at the end of the Calendar was negatived.

Mr. MacLean moved that the Joint Session stand in recess until two o'clock P.M. on Wednesday, September 30; and the question thereon was determined by a call of the yeas and nays, at twenty-one minutes before three o'clock P.M., on motion of Mr. MacLean, as follows, to wit (yeas 68 — nays 120):

**YEAS (68).**

*Senators.*

- Bertonazzi, Louis P.
- Birmingham, Thomas F.
- Boverini, Walter J.
- Buell, Robert C.
- Bulger, William M.
- Dunn, Martin J.
- Keating, William R.
- MacLean, William Q., Jr.
- Norton, Thomas C.
- Owens, Bill
- Rauschenbach, Henri S.
- White, W. Paul — 12.

*Representatives.*

- Blanchette, Kevin P.
- Bosley, Daniel E.
- Brett, James T.
- Bump, Suzanne M.
- Cabral, Antonio F. D.
- Caron, Paul E.
- Casey, Paul C.
- Catjakis, Athan
- Ciampa, Vincent P.
- Clancy, Edward J., Jr.
- Cohen, David B.
- Collaro, Andrew
- Connolly, Edward G.
- Correia, Robert
- Cox, John F.
- DiMasi, Salvatore F.
- Finneran, Thomas M.
- Fitzgerald, Kevin W.
- Flaherty, Charles
- Fox, Gloria L.
- Gannon, Paul J.
- Giglio, Anthony P.
- Gray, Barbara E.
- Hall, Geoffrey D.
- Hayward, Jeffery J.
- Herren, Albert
- Hodgens, Christopher J.
- Honan, Kevin G.
- Jordan, Raymond A., Jr.
- Karol, Stephen J.
- Kennedy, Thomas P.
- Lambert, Edward M., Jr.
- Landers, Patrick F., III
- Larkin, Peter J.
- Manning, M. Joseph
- McDonough, John E.
- McIntyre, Joseph B.
- Menard, Joan M.
- Merced, Nelson
- Nagle, William P., Jr.
- Owens-Hicks, Shirley
- Petrolati, Thomas M.
- Rohan, Robert J.
- Roosevelt, Mark
- Scaccia, Angelo M.
- Scibelli, Anthony M.
- Serra, Emanuel G.
- Story, Ellen
- Sullivan, Gregory W.
- Thompson, Alvin E.
- Tracy, Susan M.
- Vellucci, Peter A.
- Voke, Richard A.
- Wagner, Joseph F.
- Walsh, Michael P.
- Walsh, Thomas P. — 56.

**NAYS (120).**

*Senators.*

- Amorello, Matthew J.
- Antonioni, Robert A.
- Berry, Frederick E.
- Chase, Arthur E.
Creedon, Michael C.
Durand, Robert A.
Harold, Paul D.
Havern, Robert A.
Hedlund, Robert L.
Hicks, Lucile P.
Jajuga, James P.
Kirby, Edward P.
Lane, Christopher M.
Lees, Brian P.
Locke, David H.
Melconian, Linda J.
Pines, Lois G.
Rosenberg, Stanley C.
Shannon, Charles E.
Sullivan, Nancy Aechin
Swift, Jane M.
Tisei, Richard R.
Wall, Eving H., Jr.
Wetmore, Robert D. — 24.

Representatives.

Angelo, Steven
Binienda, John J.
Blute, Peter I.
Bradford, John C.
Brenton, Marianne
Brewer, Stephen M.
Buell, Carmen D.
Businger, John A.
Cahir, Thomas S.
Cangiamila, Brion M.
Cass, William F.
Clark, Forrester A., Jr.
Cleven, Carol C.
Constantino, William, Jr.
Coon, Gary M.
Cruz, John F.
Decas, Charles N.
DeFilippi, Walter A.
DeLeo, Robert A.
Dempsey, Brian S.
Donovan, Carol A.
Doran, Stephen W.
Draisen, Marc D.
Driscoll, John R.
Evans, Nancy H.
Forman, Peter
Galvin, William C.
Gardner, Barbara
Gately, David F.
Gibson, Mary Jane
Glodis, William J., Jr.
Goguen, Emile J.
Gonsalves, Leonard
Haley, Paul R.
Harkins, Lida E.
Hawke, Robert D.
Healy, Jonathan L.
Henry, James R.
Hermann, Joseph N.
Hildt, Barbara
Hornblower, Augusta
Hyland, Barbara C.
Hynes, Frank M.
Jehlen, Patricia D.
Kafka, Louis L.
Kehoe, Marie-Louise
Kelly, Shaun P.
Kerans, Sally P.
Klimm, John C.
Koczera, Robert M.
Kolios, Paul
Kraus, Robert
Krekorian, Robert C.
Lawless, Robert C.
LeLacheur, Edward A.
Lewis, Jacqueline
Lionett, David J.
Magnani, David P.
Mandle, Anthony M.
Mann, Charles W.
Mariano, Ronald
Marzilli, J. James, Jr.
McKenna, Mary Jane
McNeil, John C.
Miceli, James R.
Moore, Richard T.
Morrissey, Michael W.
Murray, Mary Jeanette
O'Brien, Janet W.
O'Brien, Shannon P.
O'Sullivan, Kevin
Pacheco, Marc R.
Palumbo, Thomas G.
Parente, Marie J.
Peters, David M.
Petersen, Douglas W.
Poirier, Kevin
Ranieri, Daniel J.
Reinstein, William G.
Resor, Pamela P.
Rogeness, Mary S.
Rourke, Susan F.
Ruane, J. Michael
Rushing, Byron
Schur, Susan D.
Stoddart, Douglas W.
The yeas and nays having been completed at nine minutes before three o'clock P.M., the motion to recess was negatived.

The question on agreeing to the amendment was further considered.

After debate on the question on agreeing to the amendment, Mr. Locke moved that the Proposal be amended by inserting, in line 7, after the word “brackets”, the following:— “The rate of taxation shall be uniform regardless of the source of income. Nothing herein shall prohibit the general court from instituting a tax which is based upon a percentage of an individual’s federal tax liability.”.

After debate, the question on adoption of this amendment was determined by a call of the yeas and nays, at thirteen minutes past three o'clock P.M., on motion of Mr. Locke, as follows, to wit (yeas 39 — nays 147):

**YEAS (39).**

**Senators.**

Amorello, Matthew J.
Berry, Frederick E.
Chase, Arthur E.
Durand, Robert A.
Hicks, Lucile P.
Kirby, Edward P.
Lees, Brian P.
Locke, David H.
Sullivan, Nancy Achin
Swift, Jane M.
Tisei, Richard R.
Wall, Erving H., Jr.
Wetmore, Robert D. — 13.

**Representatives.**

Bradford, John C.
Clark, Forrester A., Jr.
Cleven, Carol C.
Constantino, William, Jr.
Decas, Charles N.
Defilippi, Walter A.
Driscoll, John R.
Evans, Nancy H.
Forman, Peter
Gloidis, William J., Jr.
Hawke, Robert D.
Hornblower, Augusta
Hyland, Barbara C.
Karol, Stephen J.
Kraus, Robert
Krekorian, Robert C.
Lewis, Jacqueline
Mann, Charles W.
McKenna, Mary Jane
Peters, David M.
Poirier, Kevin

Rogeness, Mary S.
Stoddart, Douglas W.
Teague, Edward B., III
Travis, Philip

NAYS (147).

Senators.

Antonioni, Robert A.
Bertonazzi, Louis P.
Birmingham, Thomas F.
Beverini, Walter J.
Buell, Robert C.
Bulger, William M.
Dunn, Martin J.
Harold, Paul D.
Havern, Robert A.
Hedlund, Robert L.
Jajuga, James P.

Keating, William R.
Lane, Christopher M.
MacLean, William Q., Jr.
Melconian, Linda J.
Norton, Thomas C.
Owens, Bill
Pines, Lois G.
Rauschenbach, Henri S.
Rosenberg, Stanley C.
Shannon, Charles E.
White, W. Paul — 22.

Representatives.

Angelo, Steven
Binienda, John J.
Blanchette, Kevin P.
Blute, Peter J.
Bosley, Daniel E.
Brenton, Marianne
Brett, James T.
Brewer, Stephen M.
Buell, Carmen D.
Bump, Suzanne M.
Businger, John A.
Cabral, Antonio F. D.
Cahir, Thomas S.
Cangiamila, Brion M.
Caron, Paul E.
Casey, Paul C.
Cass, William F.
Catjakis, Athan
Ciampa, Vincent P.
Clancy, Edward J., Jr.
Cohen, David B.
Collaro, Andrew
Connolly, Edward G.
Coon, Gary M.
Correia, Robert
Cox, John F.
Cruz, John F.
DeLeo, Robert A.
DeMepsey, Brian S.
DiMasi, Salvatore F.
Donovan, Carol A.
Doran, Stephen W.
Draiscn, Marc D.
Fitzgerald, Kevin W.

Flaherty, Charles
Fox, Gloria L.
Galvin, William C.
Gannon, Paul J.
Gardner, Barbara
Gately, David F.
Gibson, Mary Jane
Giglio, Anthony P.
Goguen, Emilie J.
Gonsalves, Leonard
Gray, Barbara E.
Haley, Paul R.
Hall, Geoffrey D.
Harkins, Lida E.
Hayward, Jeffery J.
Healy, Jonathan L.
Henry, James R.
Hermann, Joseph N.
Herren, Albert
Hildt, Barbara
Hodgkins, Christopher J.
Honan, Kevin G.
Hynes, Frank M.
Jehlen, Patricia D.
Jordan, Raymond A., Jr.
Kafka, Louis L.
Kchoe, Marie-Louise
Kelly, Shaun P.
Kennedy, Thomas P.
Kerans, Sally P.
Klim, John C.
Koczera, Robert M.
Kolios, Paul
Lambert, Edward M., Jr.
The yeas and nays having been completed at twenty-four minutes past three o'clock P.M., the amendment was rejected.

Mr. MacLean then moved that the Joint Session stand in recess until two o'clock P.M. on Wednesday, September 16; and this motion prevailed by a vote of 35 to 33.

Mr. Sullivan of Abington doubted this vote and asked for a call of the yeas and nays; and, an insufficient number joining with him in this request, the yeas and nays were not ordered.

At twenty-eight minutes past three o'clock P.M., without taking further action on the matters duly and constitutionally assigned for consideration, the joint session was recessed until two o'clock P.M.
on Wednesday, September 16, and the Senate withdrew from the House Chamber under the escort of the Sergeant-at-Arms.

Message from the Governor — Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill establishing Congressional districts [see House, No. 5889] (for message, see House, No. 5959) was filed in the office of the Clerk during the noon recess.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and reenactment".

The amendment recommended by His Excellency the Governor then was considered, as follows:

Striking out all after the enacting clause and inserting in place thereof a new text (for amendment, see House document numbered 5959).

There being no objection, — Messrs. Miceli of Wilmington and Travis of Rehoboth moved that the amendment recommended by His Excellency the Governor be amended by inserting after section 3 the following section:

"SECTION 3A. Notwithstanding any general or special law to the contrary, there shall be a fourteen day period commencing on the effective date of this act in which persons may obtain signatures on nomination papers to be candidates for representative in congress in the biennial state election to be held in the year nineteen hundred and ninety-two. Any candidate who shall obtain in the aggregate two thousand signatures from the district in which he or she is a candidate on his nomination papers shall be listed on the primary ballot by the state secretary. An unenrolled candidate who shall obtain in the aggregate two thousand signatures on his nomination papers shall be listed on the ballot for the general election. Candidates for representative in congress placed on ballots under the provisions of this act shall be in addition to such candidates previously placed on such ballots by the state secretary for the nineteen hundred and ninety-two primary and general elections."

Pending the question on adoption of the further amendment, Mr. Miceli asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Serra of Boston), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 127 members were recorded as being in attendance.

[See Yea and Nay No. 228 in Supplement.]

Therefore a quorum was present.
After remarks on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Miceli of Wilmington; and on the roll call 71 members voted in the affirmative and 81 in the negative.

[See Yea and Nay No. 229 in Supplement.]

Therefore the further amendment was rejected. The same member then moved that this vote be reconsidered.

After remarks the motion to reconsider prevailed, by a vote of 42 to 27.

After debate on the recurring question on adoption of the further amendment (Mrs. Menard of Somerset being in the Chair), the sense of the House was taken by yeas and nays, at the request of Mr. Miceli; and on the roll call 72 members voted in the affirmative and 80 in the negative.

[See Yea and Nay No. 230 in Supplement.]

Therefore the further amendment was rejected.

After debate (Mr. Voke of Chelsea being in the Chair) Mr. Brett of Boston moved that the amendment recommended by His Excellency the Governor be amended by striking out sections 4 and 5 and inserting in place thereof the following two sections:

“SECTION 4. To meet the strict federal constitutional standard of population equality between congressional districts, it was necessary to split voting precincts in some cities and towns into more than one congressional district. Since this poses significant problems for local election administration, as few precincts as possible were split to meet the strict one person, one vote standard therefore every city or town which contains a voting precinct located in more than one congressional district shall divide that precinct along the congressional district boundary into two precincts, or aggregate a portion of that precinct with a contiguous precinct in the same city or town and in that congressional district. Any such resulting precinct or precincts shall be exempt from the provisions of sections one, two, and six of chapter fifty-four of the General Laws, and shall not be used for elections of members of a representative town meeting. If the polling place for such a new precinct is located in the same building, as for an existing precinct, no additional election officers need be appointed for such new precinct. Each city or town required by this section to create a precinct or aggregate a voting precinct shall, no later than August fifteenth, nineteen hundred and ninety-two, complete this re-precincting process by vote of its city council or board of selectmen, and provide written notice to the state secretary of the number of precincts and aggregate precincts provided for in this section.

SECTION 5. The supreme judicial court shall have jurisdiction of any petition for a writ of mandamus relative to the establishment of congressional districts under section two of this act.”.

The further amendment was adopted.

After remarks on the question on adoption of the amendment recommended by His Excellency the Governor, as amended, the sense of the House was taken by yeas and nays, at the request of
Mr. Glodis of Worcester; and on the roll call 96 members voted in the affirmative and 58 in the negative.

[See Yea and Nay No. 231 in Supplement.]

Therefore the amendment recommended by His Excellency the Governor, as amended, was adopted. Mr. Brett of Boston moved that this vote be reconsidered; and the motion to reconsider was negatived. Sent to the Senate for its action.

Recess.

At twenty-six minutes after six o'clock P.M., on motion of Ms. Schur of Newton (Mr. Voke of Chelsea being in the Chair), the House recessed until the hour of eight o'clock P.M.; and at twenty-two minutes after eight o'clock the House was called to order with the Speaker in the Chair.

Engrossed Bill.

The engrossed Bill establishing Congressional districts (see House, No. 5889, amended) (which originated in the House) (which enacted, had been returned to the House by His Excellency the Governor with a recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted, in its amended form. Mr. Brett 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.

Order.

On motion of Mr. Voke of Chelsea, —

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

Mr. Voke then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-four minutes after eight o'clock P.M. (the Speaker being in the Chair), the House adjourned, to meet on Friday next at eleven o'clock A.M.
Friday, July 10, 1992.

Met according to adjournment, at eleven o'clock A.M.

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

Eternal God, we believe that You have created us and have given each of us an eternal destiny. We also believe that You reward our good deeds, good intentions and good will towards others and are fully aware of our human failings and moral short-comings. Help us as individuals and elected officials to remain faithful to our ideals and to reach for reasonable and commendable goals. During these economically difficult and politically unsettled times, guide us in making the best possible decisions which will meet the needs of the people, society and the Commonwealth.

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 providing an emergency exemption relative to the delivery of alcoholic beverages (House, No. 5976) was filed in the office of the Clerk on Thursday, July 9.

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.

Subsequently Mr. Walsh of Agawam, for said committee, reported on the foregoing message, a Bill relative to providing an emergency exemption relative to the delivery of alcoholic beverages (printed in House, No. 5976), which was read.

Under suspension of the rules, on motion of the same member, the bill was read a second and a third time forthwith.

The committee on Bills in the Third Reading reported recommending that the bill be amended by substitution of a Bill relative to an emergency exemption for the delivery of alcoholic beverages in the city of Boston (House, No. 5977), which was read.

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

**Statement Concerning Representative Cass of Wakefield.**

During consideration of the Orders of the Day, Mr. Voke of Chelsea asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

**MR. SPEAKER:** I would like to call to the attention of the House the fact that one of our colleagues, Representative Cass of Wakefield, was not present in the House Chamber for a portion of today’s sitting due to business outside of the Commonwealth. Any roll calls that
he may have missed today was due entirely to the reason stated. Mr. Cass has informed me that he would have voted in the affirmative if he had been present on the question on acceptance of the report of the committee of conference on the disagreeing votes of the two branches, in reference to the General Appropriation Bill (see House, No. 5800) [See Yea and Nay No. 233].

Mr. Voke then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

Statement Concerning Representative Gonsalves of Dartmouth.

Before proceeding to consideration of the Orders of the Day, Mr. Voke of Chelsea asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact the one of our colleagues, Representative Gonsalves of Dartmouth, will not be present in the House Chamber for today's sitting due to illness. Any roll calls that he may miss today will be due entirely to the reason stated.

Mr. Voke then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

Statement Concerning Representative Hermann of North Andover.

Before proceeding to consideration of the Orders of the Day, Mr. Voke of Chelsea asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact the one of our colleagues, Representative Hermann of North Andover, will not be present in the House Chamber for today's sitting due to illness. Any roll calls that he may miss today will be due entirely to the reason stated.

Mr. Voke then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

Statement of Representative Jehlen of Somerville.

During consideration of the Orders of the Day, Ms. Jehlen of Somerville asked unanimous consent to make a statement; and, there being no objection, she addressed the House as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I will not be present in the House Chamber for a portion of today's sitting due to medical reasons. Any roll calls that I may miss today will be due entirely to the reason stated.

Ms. Jehlen then moved that the statement made by her be spread upon the records of the House; and the motion prevailed.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:
Resolutions (filed by Mr. Brewer of Barre) congratulating St. Joseph’s Church of North Brookfield on the occasion of its one hundred and twenty-fifth anniversary; Resolutions (filed by Mrs. Cleven of Chelmsford) congratulating Camp Paul on the occasion of its twenty-fifth anniversary; and Resolutions (filed by Mrs. Parente of Milford) congratulating Edward B. Tighe 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. Brewer, 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. Flaherty of Cambridge presented a petition (subject to Joint Rule 12) of Charles F. Flaherty and Bill Owens relative to the construction of a Massachusetts state track facility at Roxbury Community College; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Flaherty, 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. Rushing of Boston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Ways and Means. Sent to the Senate for concurrence in the suspension of Joint Rule 12.

Mr. Blanchette of Lawrence presented a petition (subject to Joint Rule 12) of Kevin P. Blanchette, Patricia McGovern, Joseph N. Hermann, Gary M. Coon, Kevin J. Sullivan (mayor) and others (with the approval of the mayor and city council) for legislation to authorize the city of Lawrence to receive an equal educational opportunity grant; 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. Blanchette, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Education, Arts and Humanities. Sent to the Senate for concurrence.

Mr. Haley of Weymouth presented a petition (subject to Joint Rule 12) of Paul R. Haley for legislation to designate the reconstructed state boat ramp on the Back River in the town of Weymouth as the Joseph F. Carven, Sr., Boat Ramp; 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. Blanchette of Lawrence, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration. Sent to the Senate for concurrence.

Reports of Committees.

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 Christopher J. Hodgkins and other members of the House for legislation to further regulate rates for cable antenna television systems. To the committee on Government Regulations.

Petition (accompanied by bill) of Christopher J. Hodgkins relative to the use of in-line skates, rollerskis and skateboards. To the committee on Public Safety.

Petition (accompanied by bill) of Nickolas Peck for legislation to authorize hitchhiking at toll booths on the Massachusetts Turnpike. To the committee on Transportation.

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

By Mr. Hodgkins of Lee, for the committee on State Administration, on a petition, a Bill designating a certain area of Webb State park in the town of Weymouth as the Domenic J. Sansone Memorial Promontory (House, No. 5936), 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.

By Mr. Moore of Uxbridge, for the committee on Election Laws, on Senate, Nos. 278, 281, 282, 283, 284, 285, 286, 288, 289, 293, 297, 298, 301, 302 and 1450 and House, Nos. 338, 537, 539, 541, 542, 715, 903, 904, 905, 906, 1479, 1480, 1481, 1483, 1485, 1486, 1665, 1666, 1670, 1870, 1872, 1873, 2807, 2974, 3879, 3880, 3881, 3883, 3884, 4081, 4082, 4426, 4427, 4428, 4429, 4430, 4431, 4432, 4433, 4435, 4436, 4437, 4438, 4440, 4441, 4442, 4443, 4444, 4445, 4447, 4451, 4452, 4453, 4454, 4455, 4456, 4457, 4459, 4460, 4461, 4462, 4464, 4465, 4466, 4467, 4468, 4469, 4470, 4471, 4478, 4848, 5025, 5026 and 5424, an Order relative to authorizing the committee on Election Laws to make an investigation and study of certain Senate and House documents concerning various changes in the election laws of the Commonwealth (House, No. 5967).
Primary elections and town meetings.

Petroleum products, etc.

Social workers,—disclosure.

Health insurance,—single billing.

Middleborough historical commission.

HIV virus,—exposure.

Limited partnerships,—regulate.

By the same member, for the same committee, on House, Nos. 2255 and 4724, an Order relative to authorizing the committee on Election Laws to make an investigation and study of certain House documents concerning primary elections and the postponement of town meetings due to emergencies (House, No. 5968).

By Mr. Herren of Fall River, for the committee on Energy, on House, Nos. 2781, 2982 and 5269, an Order relative to authorizing the committee on Energy to make an investigation and study of certain House documents regulating the sale of petroleum products, the business of redemption centers for beverage containers and the transportation of motor fuel (House, No. 5969).

By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, on House, Nos. 271 and 273, an Order relative to authorizing the committee on Human Services and Elderly Affairs to make an investigation and study of a certain House document allowing social workers to disclose criminal activities of clients (House, No. 5970).

By Mr. Mara of Brockton, for the committee on Insurance, on a petition, an Order relative to authorizing the committee on Insurance to make an investigation and study of a single billing system by health insurers conducting business in the Commonwealth (House, No. 5278).

By Mr. Rushing of Boston, for the committee on Local Affairs, on House, No. 5814, an Order relative to authorizing the committee on Local Affairs to make an investigation and study of a certain House document concerning the historical commission of the town of Middleborough (House, No. 5971).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Ms. Buell of Greenfield, for the committee on Health Care, on Senate, Nos. 419, 421, 423, 432, 433, 434, 435, 436, 437, 438, 439, 440 and 452 and House, Nos. 1119, 1120, 1303, 1304, 1305, 1306, 1686, 1885, 2061, 2063, 2444, 2659, 2660, 2661, 2662, 3006, 3728, 3905, 4255, 4491, 4663 and 5050, a Bill relating to possible exposure to HIV (House, No. 5972). Read; and referred, under Rule 33, to the committee on Ways and Means.

Emergency Measure.

The engrossed Bill authorizing the merger or consolidation of certain limited partnerships or other business entities (see Senate bill printed as House, No. 5810, changed and amended), 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 Senate) was
passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Engrossed Bills.

The engrossed Bill relative to an emergency exemption for the delivery of alcoholic beverages in the city of Boston (see House, No. 5977) (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
Establishing mammography standards and providing for the licensing of mammography facilities (see Senate, No. 1545, amended); Relative to prescription counseling (see Senate, No. 1552, amended); (Which severally originated in the Senate); Relative to licensing of cable television installers (see House, No. 3578); Relative to certain records of local historical commissions (see House, No. 5347); and Further regulating elections in the city of Newburyport (see House, No. 5679); (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.

Engrossed Bill — Land Taking.

The noon recess having terminated, — the engrossed Bill relative to the development of the Woodsom Farm in the town of Amesbury (see House, No. 5868) (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.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 144 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 232 in Supplement.]
Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The Senate Bill further regulating the licensing of pipesfitters and refrigeration technicians (Senate, No. 371, amended), 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
Authorizing the State Retirement Board to grant a certain pension to Beverly Boyle (House, No. 2712);
Increasing the retirement allowance of certain former employees of the Massachusetts Port Authority (House, No. 3790) (its title having been changed by the committee on Bills in the Third Reading);
Relative to the awarding of certain contracts by the city of Pittsfield (House, No. 5462);
Relative to the special fund for the propagation, cultivation and study of shellfish of the town of Nantucket (House, No. 5758);
Authorizing the town of Nantucket to construct a channel from each of its great ponds to the ocean (House, No. 5763);
Relative to the charter of the city of Newton (House, No. 5789);
Relative to the charter of the city of Newton (House, No. 5790);
Authorizing the town of Wayland to release a certain conservation restriction (House, No. 5839); and
Establishing a funding schedule for the retirement system of the town of Winthrop (House, No. 5945);
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.

The House Bill naming Route 213 from the junction of Interstate 495 to the junction of Interstate 93 as Methuen Mall Way (House, No. 5511) was read a third time.
The committee on Bills in the Third Reading reported recommending that the bill be amended by substitution of a Bill designating that portion of Route 213 from the junction of Interstate 495 to the junction of Interstate 93 as the Methuen Mall Way (House, No. 5983), which was read.
The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the town of Chilmark to convey an interest in certain conservation land (House, No. 5764, changed) was read a third time.
The committee on Bills in the Third Reading reported recommending that the bill be amended in section 1 by striking out the words “subject to the approval of the secretary of environmental affairs,” (inserted by change).
The amendment was adopted; and the bill (House, No. 5764) was passed to be engrossed. Sent to the Senate for concurrence.

At thirteen minutes after eleven o’clock A.M., on motion of Mr. Cox of Lowell, the House recessed until the hour of one
o'clock P.M.; and at that time the House was called to order with Mr. Serra of Boston in the Chair.

The House threupon, on motion of Mr. DeFilippi of West Springfield, took a further recess until half past one o'clock P.M.; and at twenty-seven minutes before two o'clock the House was called to order with the Speaker in the Chair.

The House Bill making certain corrective changes in certain general and special laws (printed in House, No. 5904), 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.

The House Bill amending the exemption of benefits from attachment and execution (House, No. 3177) was considered.

Pending the question on ordering the bill to a third reading, further consideration thereof was postponed, on motion of Mrs. McKenna of Holden, until after disposition of the remaining matters in the Orders of the Day.

Subsequently, the remaining matters in the Orders of the Day having been disposed of, the bill was considered further. Pending the question on ordering the bill to a third reading, the same member moved that the bill be amended by striking out, in lines 4 and 5, the words "four hundred" and inserting in place thereof the words "two hundred". The amendment was adopted.

Mrs. McKenna then moved that the bill be amended by inserting after the word "process,", in line 7, and also after the word "benefit,", in line 9, the words "except for payment of child support obligations,"; and by inserting after the word "effect", in line 13, the words "and an action, suit or other process for payment of child support obligations". The amendments were adopted.

The bill (House, No. 3177, amended) then was ordered to a third reading.

The motion of Mr. Businger of Brookline, that the committee on Ways and Means be discharged from further consideration of the House Bill conforming the General Laws to the Constitutional amendment abolishing the state census (House, No. 3355) was considered.

Pending the question on the motion to discharge the committee, further consideration thereof was postponed, on motion of the same member, until after disposition of the remaining matters in the Orders of the Day.

The House Bill relative to the confidentiality of HIV tests and the protection of public health (House, No. 5966) was read a second time.

Pending the question on ordering the bill to a third reading, Ms. Buell of Greenfield moved that it be amended by striking out
the paragraph contained in lines 26 to 30, inclusive, and inserting in place thereof the following three paragraphs:

"The subject's physician may disclose a positive HIV antibody or antigen test result, without the consent of the subject of the test, in the case of a medical emergency, where the subject's physician, in his or her professional opinion, believes that such disclosure is necessary to protect the subject's life or health. Such disclosure shall be made only to another physician or health care provider who medically attends or treats the subject."; and by inserting after the word "consent", in line 35, the following: "; provided, however, that no such disclosure shall be made unless the physician has, prior to such disclosure, advised the subject of the physician's intent to disclose and has made a good faith effort to encourage the subject to disclose such information to said sexual partner.

The subject's physician may request the assistance of the Massachusetts Department of Public Health in notification of a current sexual partner who has been identified by the subject and whom the physician, in his or her professional judgement, reasonably believes to be unknowingly at risk of HIV infection. If the physician so requests the department's assistance, said physician may disclose to the department the identify of the subject's said sexual partner, but shall not identify the subject of the positive test. Prior to notifying the department, the physician shall advise the subject of the physician's intent to notify the department, and shall make good faith effort to encourage the subject to disclose either the positive test result or, without disclosing the underlying test result, the risk of HIV infection associated therewith to said sexual partner.

Upon receiving such a request for assistance, the department shall make a good faith effort to notify said sexual partner of the risk of HIV infection."

The amendments were adopted; and the bill (House, No. 5966, amended) was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Ms. Buell, the bill (having been 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 be engrossed, the same member moved that it be amended by substitution of a bill with the same title (House, No. 5984), which was read.

Pending the question on adoption of the amendment, Mr. Stoddart of Natick moved that the proposed substitute bill be amended by adding at the end thereof the following paragraph:

"For the purposes of this section, the term 'Health Care Provider' shall include emergency medical technicians."

The further amendment was adopted.

The amendment offered by Ms. Buell of Greenfield, as amended, then was adopted; and the substituted bill (House, No. 5984, printed as amended) was passed to be engrossed. Sent to the Senate for concurrence.
Mr. Finneran of Boston, for the committee of conference on the disagreeing votes of the town branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1994) of the House Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 5700), reports, in part, a Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 5800).

Under suspension of the rules, on motion of the same member, the report (having been approved by the committees on Bills in the Third Reading of the two branches, acting concurrently) was considered forthwith.

Pending the question on acceptance of the report of the committee of conference, further consideration thereof was postponed, on motion of Mr. Finneran, until the hour of one o'clock P.M.

Subsequently the report of the committee of conference on the disagreeing votes of the two branches was considered further, and after debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of Mr. Constantino of Clinton; and on the roll call 119 members voted in the affirmative and 27 in the negative.

[See Yea and Nay No. 233 in Supplement.]

Therefore the report of the committee of conference was accepted. Mr. Finneran moved that this vote be reconsidered; and the motion to reconsider was negatived. The report then was sent to the Senate for concurrence.

Subsequently Mrs. Owens-Hicks of Boston asked unanimous consent to make a statement; and, there being no objection, she addressed the House as follows:

MR. SPEAKER: During the taking of the above yeas and nays, I was absent from the House Chamber due to a medical appointment. Had I been present when the vote was taken, I would have voted in the affirmative.

Mrs. Owens-Hicks then moved that the statement made by her be spread upon the records of the House; and the motion prevailed.

Mr. Finneran of Boston, 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 Senate document numbered 1994) of the House Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments,
boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 5700), reports, in part, a Bill relative to certain land conveyances and bond authorizations (House, No. 5973).

Under suspension of the rules, on motion of Mr. Finneran, the report (having been approved by the committees on Bills in the Third Reading of the two branches, acting concurrently) was considered forthwith.

Pending the question on acceptance of the report of the committee of conference, further consideration thereof was postponed, on motion of the same member, until the hour of one o'clock P.M.

Subsequently the report of the committee of conference was considered further; and after debate it was accepted. Sent to the Senate for concurrence.

By Mr. Hodgkins of Lee, for the committee on State Administration, on a petition, a Bill authorizing the Division of Capital Planning and Operations to grant easements over certain parcels of land located in the city of Lowell (House, No. 5885), which was read.

Under suspension of the rules, on motion of Mr. Cox of Lowell, the bill was read a second time forthwith; and it was ordered to a third reading.

Under suspension of the rules, on motion of Ms. Rourke of Lowell, the bill (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. LeLacheur of Lowell moved that this vote be reconsidered; and the motion to reconsider was negatived. Sent to the Senate for concurrence.

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 making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-two to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5975) [Cost: $218,556,047.00], which was read.

Under suspension of the rules, on motion of the same member, the bill was read a second time forthwith.

Pending the question on ordering the bill to a third reading, Mr. Finneran moved that it be amended by striking out section 10; and the amendment was adopted.

There being no objection, — Representatives Magnani of Framingham and Gardner of Holliston moved that the bill be amended in section 51 by inserting after the word “Ashland”, in line 5, the words “or Southborough”. The amendment was adopted.

The bill, as amended, then was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Finneran, the bill was read a third time.

The committee on Bills in the Third Reading reported recommending that the bill be amended by striking out section 29
“SECTION 3. Chapter 372 of the acts of 1984 is hereby amended by inserting after section 11 the following section: —

Section 11A. (a) Debt for borrowed money incurred by the commonwealth in respect to the metropolitan district commission sewer system, or any predecessor thereof, shall not be assumed by said Authority; provided, however, that on and after July first, nineteen hundred and eighty-five, the Authority shall make payments to the state treasurer from the sewer division to reimburse the commonwealth for all payments made on and after July first, nineteen hundred and eighty-five by the commonwealth on account of principal, including sinking fund installments and interest on all bonds of the commonwealth issued for purposes of the former metropolitan district commission sewer system. The amount of such reimbursements and the date on which the amounts to be reimbursed shall become due, shall be certified to the Authority by the treasurer, for each fiscal year no later than two hundred and eighty days prior to the commencement thereof; provided, however, that such amounts due on July first, nineteen hundred and eighty-five shall be certified ninety days prior thereto. The obligation of the Authority to make the reimbursements herein required shall be subordinate in every respect to the Authority’s obligation for debt service on its bonds.

(b) Debt for borrowed money incurred by the commonwealth in respect to the metropolitan district commission water system, or any predecessor thereof, shall not be assumed by the Authority; provided, however, that on or after July first, nineteen hundred and eighty-five, the Authority shall make payments to the state treasurer from the water division of the Authority to reimburse the commonwealth for one-half of all payments made on or after July first, nineteen hundred and eighty-five by the commonwealth on account of principal, including sinking fund installments and interest on all bonds of the commonwealth issued for purposes of the former metropolitan district commission water system. The amount of such reimbursements, and the date on which such amounts to be reimbursed shall become due, shall be certified to the Authority by the treasurer, for each fiscal year no later than two hundred and eighty days prior to the commencement thereof; provided, however, that such amounts due on July first, nineteen hundred and eighty-five shall be certified ninety days prior thereto. The obligation of the Authority to make the reimbursements herein required shall be subordinate in every respect to the Authority’s obligations for debt service on its bond.”.

The amendments were adopted.

Mr. McDonough of Boston then moved that the bill be amended by inserting after section 57 the following section:

“SECTION 57A. Section 90A of Chapter 32 of the General Laws as most recently amended by Chapter 412 of the Acts of 1991 is hereby amended by striking the second paragraph and inserting in place thereof the following paragraph: —
Any metropolitan district police officer or state police officer who has been retired under any provision of this chapter or similar provision of earlier law on account of injuries sustained or of a hazard undergone in the performance of his duty shall have his retirement allowance increased to an amount not exceeding one-half the rate of regular compensation payable to state police officers holding similar positions, at the time of increasing such allowance, in the comparable grade or classification, as determined by the personnel administrator, occupied by such former officer at the time of his retirement.”.

Mr. Voke of Chelsea being in the Chair,—the amendment was adopted.

Ms. Schur of Newton then moved that the bill be amended by inserting after section 57A (inserted by amendment) the following section:

“SECTION 57B. The general appropriation act for the fiscal year beginning July first, nineteen hundred and ninety-two and ending June thirtieth, nineteen hundred and ninety-three, is hereby amended, in item 4510-0750, by inserting at the end thereof the following: — provided, that the department shall continue to accept applications pursuant to section 25C½(a)(4) of chapter one hundred and eleven of the General Laws for facilities in underbedded urban areas;”.

The amendment was adopted.

Mr. Kelly of Dalton then moved that the bill be amended in section 2A by inserting after item 2100-0100 the following item:

“DEPARTMENT OF ENVIRONMENTAL PROTECTION.

2200-0104 The department of environmental protection shall expend forty thousand two hundred forty-two dollars to reimburse the town of Dalton for the North Street sewer project 40,242”.

The amendment was adopted.

Mr. Jordan of Springfield then moved that the bill be amended in section 2A and also in section 2B by inserting before item 3745-1000, in each instance, the following item.

“3743-2027 200,000”.

The amendments were adopted.

Mr. Mandile of Waltham then moved that the bill be amended in section 2 by inserting after item 9000-1801 the following item:

“9110-9002 For the Newton and Waltham offices of the council on aging 30,000”.

The amendment was adopted.

Mr. Cohen of Newton then moved that the bill be amended by inserting after section 57B (inserted by amendment) the following section:

“SECTION 57C. Notwithstanding the provisions of any general or special law or regulation to the contrary the department of social
services is hereby authorized to maintain at least ten thousand five hundred contracted slots for income eligible children and the children of MassJobs participants from the effective date of this act through June thirtieth, nineteen hundred and ninety-three.

The amendment was adopted.

There being no objection, — Representatives Correia of Fall River, Menard of Somerset, Herren of Fall River and Lambert of Fall River moved that the bill be amended in section 2A by adding at the end thereof the following item:

"Registry of Motor Vehicles.

8000-0104 For the administration program of the registry of motor vehicles; provided that the Registrar is hereby authorized and directed to reopen the branch office of the registry located in the city of Fall River 1,500,000".

The amendment was adopted.

Mr. Valianti of Marlborough then moved that the bill be amended by inserting after section 57C (inserted by amendment) the following section:

"SECTION 57D. Notwithstanding the provisions of any general or special law to the contrary, the department of environmental management is hereby authorized and directed to undertake a full rehabilitation of the Fort Meadow Dam in the city of Marlboro during the fiscal year nineteen hundred and ninety-three.".

The amendment was adopted.

Mr. Hodgkins of Lee then moved that the bill be amended by striking out section 16; and the amendment was adopted.

Mr. Rohan of Holyoke then moved that the bill be amended by inserting after section 57D (inserted by amendment) the following section:

"SECTION 57E. Section 28 of Chapter 246 of the General Laws, as appearing in the 1990 Official Edition, is hereby amended by deleting in line 13 the words ‘Act of 1974.’ and inserting the words: — Act of 1974, or maintained by any individual as a Keough Plan, Simplified Employee Plan or Individual Retirement Account.”.

The amendment was adopted.

The same member then moved that the bill be amended by inserting after section 57E (inserted by amendment) the following section:

"SECTION 57F. Section 34A of Chapter 235 of the General Laws, as appearing in the 1990 Official Edition, is hereby amended by inserting after the word ‘foregoing’ in line 5 the words: — or in any Keough Plan, Simplified Employee Plan, or Individual Retirement Account.”.

The amendment was adopted.

Mr. Hynes of Marshfield then moved that the bill be amended by inserting after section 57F (inserted by amendment) the following section:
"SECTION 57G. Notwithstanding the provisions of any general or special law to the contrary and for the purpose of promoting the public good, Robert W. Donegan, an employee of the rehabilitation commission shall be deemed to have ten years of creditable service as of June thirtieth, nineteen hundred and ninety-two, for the purpose of determining his retirement allowance and shall otherwise be eligible to receive a superannuation allowance pursuant to section five of chapter thirty-two of the General Laws as of said June thirtieth, nineteen hundred and ninety-two. Said Robert W. Donegan shall be credited with an additional five years of creditable service on July first, nineteen hundred and ninety-two and shall be allowed to retire pursuant to the provisions of chapter twenty-two of the acts of nineteen hundred and ninety-two on said July first, nineteen hundred and ninety-two. The state board of retirement is hereby authorized and directed to grant said Robert W. Donegan his superannuation retirement allowance pursuant to said chapter twenty-two of the acts of nineteen hundred and ninety-two."

The amendment was adopted.

Mr. Walsh of Agawam then moved that the bill be amended by inserting after section 57G (inserted by amendment) the following two sections:

"SECTION 57H. Section 38 of chapter 112 of the General Laws, as appearing in the 1990 Official Edition, is hereby amended by adding, following the word ‘department’ in each place where it appears, the following words: — or retail store pharmacy department.

SECTION 57I. Section 39 of chapter 112 of the General Laws, as appearing in the 1990 Official Edition, is hereby amended by adding, following the word ‘department’ in each place where it appears, the following words: — or retail store pharmacy department."

The amendment was adopted.

Mr. Mara of Brockton then moved that the bill be amended by inserting after section 57I (inserted by amendment) the following section:

"SECTION 57J. Section 8F of Chapter 26 of the General Laws, as appearing in the 1990 Official Edition, is hereby amended by striking the section and inserting in place thereof the following new language:

The Commissioner of Insurance is hereby authorized to require each insurance company issuing private passenger motor vehicle liability policies in the Commonwealth to collect an assessment to be utilized by the Attorney General for the purposes set forth under the provisions of Section 11F of Chapter 12. Said assessment shall be such amounts as shall be determined and certified annually by the Commissioner of Insurance as sufficient to produce eight hundred thousand dollars in revenue to the Commonwealth, plus the total amount of funds estimated by the Secretary of Administration and Finance to be expended from the general fund for indirect and fringe benefit costs attributable to personnel costs of the Attorney General’s Office related to the purposes for which
The amendment was adopted.

Mr. Forman of Plymouth then moved that the bill be amended in section 2A by inserting after item 7066-1010 the following item:

"Department of State Police.

8100-0002 For the reimbursement of State Police details conducted during the 1992 Fiscal Year ....... 623,320".

The amendment was adopted.

Mr. Finneran of Boston then moved that the bill be amended in section 2A and also in section 2B, in item 6000-1000, by striking out after the word "CONSTRUCTION", in the heading, the words "Office of the Secretary" and inserting in place thereof, in each instance, the words "Massachusetts Highways Department". The amendments were adopted.

Ms. Fox of Boston then moved that the bill be amended by inserting after section 57J (inserted by amendment) the following section:

"SECTION 57K. That notwithstanding the provisions of any general or special law to the contrary and in order to promote the public good and discharge a moral obligation, there shall be allowed
and paid out of the state treasury, subject to appropriation, to Pacita Bradford of the city of Boston the sum of thirty-eight thousand one hundred eighty-nine dollars and seventy-eight cents and to Pearl Jackson-Holder of said city of Boston the sum of eighty-nine thousand six hundred forty-seven dollars and fifty cents which represents back pay for the period from the date of their termination from their positions as field parole officers on March thirtieth, nineteen hundred and eighty-six to the date of their rehire by the parole board of June twenty-fifth, nineteen hundred and eighty-nine. Said award includes all contractual increases Pacita Bradford and Pearl Jordan-Holder would have received if they had not terminated, and is reduced by actual interim earnings they received through primary employment during the period they were not employed by the parole board."

The amendment was adopted.

Mr. Finneran of Boston then moved that the bill be amended in section 2B by inserting after item number "2410-7872", in paragraph III, the following item numbers: "2400-7881, 2440-7849, 2440-7878, 2440-7882"; and the amendment was adopted.

The same member then moved that the bill be amended in section 2 by striking out, under the heading "Reserves" the following item:

"1599-0013 250,000"

The amendment was adopted.

Mr. Finneran then moved that the bill be amended in section 2A and also in section 2B, in item 0613-0000, by striking out the figures "6,100,000" and inserting in place thereof, in each instance, the figures "7,100,000". The amendments were adopted.

Mr. Palumbo of Newbury then moved that the bill be amended in section 2B by inserting after item number "6030-7871", in paragraph III, the following item number: "7010-0001". The amendment was adopted.

Mr. Forman of Plymouth then moved that the bill be amended in section 2 by inserting after item 0521-0000 the following item:

"1101-2100 85,759"

After debate the amendment was adopted, by a vote of 25 to 10.

Mrs. Menard of Somerset then moved that the bill be amended in section 2 by inserting after item 7066-1010 the following item:

"Board of Regents.
7100-0200 To fund contractual education needs at the University of Massachusetts at Dartmouth in compliance with an arbitrator’s decision 161,117"

The amendment was adopted.

The same member then moved that the bill be amended in section 2A by inserting after item 5920-3000 the following item:

"5983-0100 Provided that an amount not to exceed five hundred thousand dollars may be expended for the purpose of reimbursing costs for the provision of services to certain MR community clients"

The amendment was adopted.
Mrs. Menard then moved that the bill be amended by inserting after section 57K (inserted by amendment) the following section:

"SECTION 57L. Chapter 149 of the General Laws is hereby amended by inserting after Section 148 the following section: —

Section 148½. Notwithstanding the provisions of Section 148, county employees shall be paid weekly the wages earned by him to within six days of the date of said employment if employed for five or six days in the week or to within seven days of the date of said payment if employed seven days in the week. Any county employee who has chosen to be paid monthly will continue to be paid monthly and will be paid no later than the last working day of the month."

The amendment was adopted.

There being no objection, — Representatives Harkins of Needham and Stoddart of Natick moved that the bill be amended by inserting after section 57L (inserted by amendment) the following section:

"SECTION 57M. Notwithstanding the provisions of any general or special law to the contrary, the Massachusetts Water Resources Authority is hereby authorized and directed to utilize Cheney Drive in the town of Wellesley for the purpose of entry to the land known as 'Elm Bank' in the town of Dover for the purpose of constructing and maintaining the Framingham extension relief sewer. Such road shall be used exclusively by said authority for purposes of such access."

The amendment was adopted.

Mr. Mara of Brockton then moved that the bill be amended by inserting after section 57M (inserted by amendment) the following three sections:

"SECTION 57N. Chapter 10 of the General Laws, as appearing in the 1990 Official Edition, is hereby amended by adding after section 35J the following new section: —

Section 35K. There shall be established upon the books of the commonwealth a separate fund to be known as the Division of Insurance Trust Fund, to be expended subject to appropriation, by said division established in section one of chapter twenty-six. Revenues collected by said division pursuant to section one hundred and sixty-three of chapter one hundred and seventy-five shall be deposited into said trust fund to a maximum amount of two million dollars in fiscal year nineteen hundred and ninety-three. All monies collected pursuant to said section one hundred and sixty-three of chapter one hundred and seventy-five in excess of two million dollars in fiscal year nineteen hundred and ninety-three shall be deposited into the General Fund. All monies deposited in said trust fund that are unexpended at the end of the fiscal year shall not revert to the General Fund.

SECTION 57O. Notwithstanding the provisions of section three B of section seven, the commissioner of administration shall increase the fee charged on licenses issued, other than licenses limited to life or accident and health insurance, pursuant to section one hundred and sixty-three of chapter one hundred and seventy-five on all fifty dollars annually to seventy-five dollars annually.
SECTION 57P. Chapter 26 of the General Laws, as appearing in the 1990 Official Edition, is hereby amended by adding after section 8I the following new section: —

Section 8J. The commissioner of insurance shall make a Special Division of Insurance Maintenance Assessment in each fiscal year against each life insurer licensed to do business in the commonwealth. This maintenance assessment shall be made proportionately against each such life insurer based on the percentage of so much of the premium as is reported on line twenty-two, columns three, four and five of Schedule T of a life insurer’s most recent annual statement required to be filed with the commissioner pursuant to section twenty-five of chapter one hundred and seventy-five, as compared to the total premium reported in line twenty-two, columns three, four and five of Schedule T of said most recent annual statements required to be filed by all such life insurers. Each individual life insurer’s assessment shall be in an amount estimated to be sufficient to produce a total aggregate assessment of one million, fourteen thousand dollars. Estimated assessments shall be paid within thirty days of notice from the commissioner and may be charged to the normal operating costs of the insurer.”.

The amendment was adopted.

Ms. Resor of Acton then moved that the bill be amended in section 2A by inserting after item 1599-3101 the following item:

“1599-3200 To fund a study Commission to determine the feasibility of establishing a technology center on the Campus of Minuteman Regional Vocational Technical School in Lexington, MA, for the purposes of facilitating recruitment and training of technicians through a partnership with industry, primarily in the electromagnetical, biomedical, marine electronics, biotechnology and environmental fields ................. 15,000”.

The amendment was adopted.

Mr. Rohan of Holyoke then moved that the bill be amended by inserting after section 57P (inserted by amendment) the following section:

“SECTION 57Q. Section 1 of Chapter 258 of the General Laws, as appearing in the 1990 Official Edition, is hereby amended by inserting in the definition of ‘public employer’ after the word ‘thereof’ in line 37, the words: —, including a municipal gas or electric plant, department, board or commission.”.

The amendment was adopted.

There being no objection, — Representatives Connolly of Everett, Casey of Winchester and Murray of Cohasset moved that the bill be amended in section 2A by inserting before item 0611-5010 the following item:

“0611-1000 For bonus payments to war veterans ................. 4,200,000”.

The amendment was adopted.

Mr. Knapiik of Westfield then moved that the bill be amended by inserting after section 57Q (inserted by amendment) the following section:
"SECTION 57R. That the Office of the Chief Administrative Justice of the Trial Courts of the Commonwealth in conjunction with the Division of Capital Planning and Operations will conduct a study to determine the feasibility of constructing a new court house facility for the District Court of Western Hampden County. Said study will also document the cost-effectiveness of the continued rental of said facility. Said study shall be concluded no later than March thirty-first, nineteen hundred and ninety-three."

The amendment was adopted.

Mr. Finneran of Boston then moved that the bill be amended by striking out section 53; and the amendment was adopted.

The same member then moved that the bill be amended in section 2A by inserting after item 8000-0102 the following item:

"Metropolitan Police Department.

8100-0003 For consolidation, consolidation training, and prior year expenses of the Metropolitan Police Department ................................. 627,000".

The amendment was adopted.

Mr. Scaccia of Boston then moved that the bill be amended by inserting after section 57R (inserted by amendment) the following section:

"SECTION 57S. Chapter one hundred twenty-three of the General Laws is hereby amended by inserting after section ten the following new section: —

Section 10A. The superintendent of any facility shall not have the authority to discharge any individual pursuant to section ten of this chapter, without the consent of said individual, nor shall any superintendent have the authority to discharge any individual committed pursuant to section eight of this chapter, without the consent of said individual, unless said superintendent has certified that:

1. Said individual is capable of living independently in the community; and
2. Said individual has the means of living independently in the community.

In the alternative, any superintendent may discharge any individual to any private facility which agrees to be bound by the provisions of this section.

No individual shall be considered to have the means of living independently in the community unless, at the time of such individual's discharge, the superintendent knows that such individual has available to him a residence which is fit for human habitation. Any discharge order made pursuant to this section shall include the address where the superintendent expects such individual to reside following said discharge."

The amendment was rejected. The same member then moved that this vote be reconsidered; and the motion to reconsider prevailed. On the recurring question the amendment was adopted.

Mr. Teague of Yarmouth then moved that the bill be amended in section 2B by inserting after item 8100-0015 the following item:
Deficiency appropriations. "8800-0032 For the Hurricane Bob disaster relief fund ...... 6,000,000".

The amendment was adopted.

Mr. Finneran of Boston then moved that the bill be amended in section 2B by inserting before item 0527-0000 the following item:

"0521-0000 .................................................. 500,000".

The amendment was adopted.

Mr. Manning of Milton then moved that the bill be amended by inserting after section 57S (inserted by amendment) the following section:

"SECTION 57T. Section 6 of Chapter 64H of the General Laws, as most recently amended by Section 63 of Chapter 488 of the Acts of 1986, is hereby further amended by adding the following paragraph:

Sales of cooperative direct mail promotional advertising material which is disseminated by bulk mail."

The amendment was adopted.

There being no objection, — Messrs. Finneran of Boston and Cohen of Newton moved that the bill be amended in section 2A by inserting after item 4400-4001 the following item:

"Department of Public Welfare.

4407-9070 For the purposes of a federally funded grant entitled, At Risk Day Care; provided, that the department shall enter into an interagency agreement with the department of social services for the purposes of this program; provided further, that such interagency agreement shall require the department to make child care provided herein available to those persons at risk of becoming eligible for the aid to families with dependent children program; provided further, that six million two hundred thousand dollars received pursuant to this grant shall be expended for income eligible child care contracts only .......... 6,200,000";

and in section 2B by inserting after item 4402-5200 the following item:

"4407-9070 .................................................. 6,200,000".

The amendments were adopted.

There being no objection, — Representatives Morrissey of Quincy, Tobin of Quincy, Mariano of Quincy, Finneran of Boston and Murray of Cohasset moved that the bill be amended by inserting in section 2 after item 0521-0000, and also in section 2B after item 0527-0100 the following item:

"0611-1000 .................................................. 1,000,000".

The amendments were adopted.

There being no objection, — Representatives Morrissey of Quincy, Tobin of Quincy, Mariano of Quincy, Finneran of Boston
and Murray of Cohasset moved that the bill be amended by inserting after section 57T (inserted by amendment) the following section:

"SECTION 57U. Section 2 of chapter 138 of the acts of 1991 is hereby amended in item 0611-1000 by inserting after the words: — ‘For bonus payments to war veterans’ the following: — provided, that not less than one million dollars shall be expended for bonus payments to Gulf War veterans; provided further, that said bonus payments to Gulf War veterans shall be made to those persons who were called to active service during the period of August second, nineteen hundred and ninety to April tenth, nineteen hundred and ninety-one under Title X of the United States Code Reserve/National Guard upon discharge from active service and to any regular service personnel who served during such period in the war zone and contiguous waters.”.

The amendment was adopted.

Mr. Finneran of Boston then moved that the bill be amended by inserting after section 57U (inserted by amendment) the following section:

"SECTION 57V. For hospital fiscal year nineteen hundred and ninety-three, the uncompensated care liability of purchasers and third party payers to the uncompensated care pool established pursuant to section seventeen of chapter one hundred eighteen F of the General Laws and derived from the uncompensated care fee assessed by acute hospitals on all accounts charged to purchasers and third party payers exclusive of Titles XVIII and XIX and publicly-aided patients shall not exceed three hundred and fifteen million dollars. For state fiscal year nineteen hundred and ninety-three, notwithstanding any general or special law to the contrary, fifteen million dollars generated by federal financial participation made available under Title XIX of the Social Security Act to match the costs of said pool for disproportionate share hospitals shall be deposited into said pool.”.

The amendment was adopted.

Mr. Travis of Rehoboth then moved that the bill be amended by inserting after section 57V (inserted by amendment) the following section:

"SECTION 57W. Notwithstanding the provisions of any general or special law to the contrary, the department of highways is hereby authorized and directed to design and construct by September first, nineteen hundred and ninety-two necessary traffic signals at the intersection of Bushee Road, Route #6 and Old Fall River Road in the town of Swansea.”.

The amendment was adopted.

There being no objection, — Representatives Bosley of North Adams and Bump of Braintree moved that the bill be amended in section 2 by inserting before item 9110-9002 (inserted by amendment) the following item:

"9081-7011 .................................................. 275,000”.

The amendment was adopted.
Mr. Constantino of Clinton then moved that the bill be amended by inserting after section 57W (inserted by amendment) the following section:

“SECTION 57X. Notwithstanding any general or special law to the contrary, all land in the town of Clinton under the control of the Division of Watershed Management of the Metropolitan District Commission and all public drinking water in the town of Clinton under the control of the Division Watershed Management of the Metropolitan District Commission shall be transferred to the town of Clinton.”.

The amendment was adopted.

Mr. Ruane of Salem then moved that the bill be amended in section 2A by inserting after item 6000-1000 the following item:

“6030-7502 For overtime expenses incurred by the city of Salem for police coverage in regards to the failure of the Beverly-Salem bridge, so-called Highway Fund 100.0% 5,825”.

The amendment was adopted.

Mr. Walsh of Agawam then moved that the bill be amended in section 2A by adding at the end thereof the following item:

“State Racing Commission.

9210-0001 For the administration of the commission, including not more than fifty-six positions ... 904,520”.

The amendment was adopted.

Mr. Hall of Westford then moved that the bill be amended by inserting after section 57X (inserted by amendment) eighteen new sections, the text of which is contained in House document numbered 5823.

After remarks (Mr. Morrissey of Quincy having been in the Chair) the amendment was rejected.

Mr. Hall then moved that the bill be amended by inserting after section 57X (inserted by amendment) the following section:

“SECTION 57Y. The department of highways is hereby authorized and directed to expend a sum of three hundred fifteen thousand dollars to install signals and make improvements to the intersection of Route 40, Groton Road and Tyngsboro Road in the town of Westford.”.

The amendment was rejected.

There being no objection, — Representatives O’Brien of Easthampton and Gardner of Holliston moved that the bill be amended by striking out section 23 and inserting in place thereof the following section:

“SECTION 23. Section 27A of chapter 21 of the General Laws, as appearing in the 1990 Official Edition, is hereby amended by striking clause (b) and inserting in place thereof the following clause: —

(b) any water pollution abatement project or part thereof shall be eligible for a loan approval if included on the priority lists pursuant to the priority systems under section thirty A, thirty-three
and section two of chapter four hundred seventy-two of the acts of nineteen hundred and eighty-four for federal fiscal year nineteen hundred and ninety-two or any later federal fiscal year. The department, by regulation, may adopt such modifications to the priority systems and the priority lists for purposes of this section, including limitations on the amount of total financial assistance that a local government unit is authorized to receive in any fiscal year, as shall be consistent with the loan programs of the trust and necessary to comply with the requirement of law.”.

The amendment was adopted.

There being no objection, — Miss O'Brien of Easthampton and Ms. Gardner of Holliston moved that the bill be amended in section 58 by striking out, in line 1, the word “fourteen” (as changed by the committee on Bills in the Third Reading) and inserting in place thereof the word “thirty-eight”, and by striking out, in lines 1 and 2, the word “nineteen” (as changed by the committee on Bills in the Third Reading) and inserting in place thereof the word “forty-three”.

The amendments were adopted.

There being no objection, — Representatives Finneran of Boston, O'Brien of Easthampton and Gardner of Holliston moved that the bill be amended by striking out section 56 and inserting in place thereof the following section:

"SECTION 56. Notwithstanding any general or special law to the contrary, the trust established under the provisions of chapter 29C of the General Laws is hereby authorized and directed to make loans and grants to local governmental unit for projects on the federal fiscal year nineteen hundred and eighty-eight federal construction grants priority list that received a federal grant in that fiscal year but did not receive a state grant, such that the total financial assistance provided to the applicable local governmental unit, together with such federal grant, is the financial equivalent of a grant of ninety percent of the eligible costs thereof as determined by the department of environmental protection; and said trust shall make loans and grants to local governmental units for other projects on the fundable portion of the federal construction grants priority lists for federal fiscal years nineteen hundred and eighty-eight and nineteen hundred and eighty-nine such that the total financial assistance provided to such local governmental unit is the financial equivalent of a grant of seventy-five percent of the eligible costs thereof as determined by the department; and said trust shall make loans and grants, the combination of which shall be in its discretion, to local governmental units for abatement facilities on the department's priority list for fiscal year nineteen hundred and ninety-one and which projects received a project approval certificate from the department prior to July first, nineteen hundred and ninety-one such that the total financial assistance provided to such local governmental unit is the financial equivalent of a grant of forty-five percent of the eligible costs thereof as determined by the department; and said trust shall make loans and grants, the combination of which shall be in its discretion, to local governmental units for abatement
Deficiency appropriations.

facilities and combined sewer overflow projects which were on the fundable portion of the department’s construction grants priority list for fiscal year nineteen hundred and ninety-one and which projects received a project approval certificate from the department prior to July first, nineteen hundred and ninety-one and received the permission of the department prior to October first, nineteen hundred and ninety-one to advertise for public bids for construction of such project such that the total financial assistance provided to such local governmental unit is the financial equivalent of a grant of thirty-five percent of the eligible costs thereof as determined by the department, provided that any such project for which the trust issued a binding commitment for a loan prior to June thirtieth, nineteen hundred and ninety-two shall receive assistance at the level provided in such commitment and the vote of the trust authorizing the same; and said trust shall make loans and grants, the combination of which shall be in its discretion, to local governmental units for collection system projects which were on the fundable portion of the department’s construction grants priority list for fiscal year nineteen hundred and ninety-one and which projects received a project approval certificate from the department prior to July first, nineteen hundred and ninety-one such that the total financial assistance provided to such local government unit is the financial equivalent of a grant of twenty-five percent of the eligible costs thereof as determined by the department.

The commonwealth shall appropriate to the trust, in each year, the cost to the trust of making any grant or loan, pursuant to this section, which has a financial equivalent greater than a grant of twenty-five percent of eligible costs.”.

The amendment was adopted.

Mr. Constantino of Clinton then moved that the bill be amended by inserting after section 57X (inserted by amendment) the following section:

“SECTION 57Y. Notwithstanding any general or special law to the contrary, the Massachusetts Water Resources Authority shall pay a monthly fee to the town of Clinton of one cent for every gallon of surface drinking water, under the control of the Division of Watershed Management within the Metropolitan District Commission, that is stored on land within the limits of the town of Clinton.”.

The amendment was rejected.

The bill, as amended, then was passed to be engrossed. Mr. Finneran of Boston moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill (House, No. 5975, printed as amended) then was sent to the Senate for concurrence.

By Mr. Finneran, for the committee on Ways and Means, that the Bill authorizing the Division of Capital Planning and Operations to convey certain easements in the towns of Groton and Pepperell (House, No. 5653) ought to pass.

Under suspension of the rules, on motion of Ms. Hornblower of
Groton, the bill was read a second and a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

**Engrossed Bill.**

The engrossed Bill further regulating the licensing of pipefitters and refrigeration technicians (see Senate, No. 371, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

**Recess.**

At twenty-nine minutes after five o’clock P.M., on motion of Mr. Scaccia of Boston (Mr. Voke of Chelsea being in the Chair), the House recessed until the hour of six o’clock P.M.; and at that time the House was called to order with the Speaker in the Chair.

**Engrossed Bill.**

The engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 5800) (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-two minutes after six o’clock P.M., on motion of Mrs. Menard of Somerset (the Speaker being in the Chair), the House recessed until the hour of seven o’clock P.M.; and at that time the House was called to order with the Speaker in the Chair.

**Emergency Measure.**

The engrossed Bill relative to certain land conveyances and bond authorizations (see House, No. 5973), 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 28 to 1. 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 put upon its final passage.
On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 146 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 234 in Supplement.]

Therefore the bill 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.

**Paper from the Senate.**

A Bill authorizing the city known as the town of Methuen to grant a lease with an option to purchase certain land (Senate, No. 1623, changed in section 1 by inserting after the word "Council," in line 3, the words "subject to the approval of the secretary of environmental affairs," (reported on a petition), passed to be engrossed by the Senate, was read [Local Approval Received].

Under suspension of the rules, on motion of Mr. Dempsey of Haverhill, the bill was read a second and a third time forthwith. The committee on Bills in the Third Reading reported recommending that the bill be amended in section 1 by striking out, in line 3, the words "subject to approval of the secretary of environmental affairs," (inserted by change by the Senate).

The amendment was adopted; and the bill (Senate, No. 1623, changed and amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House.

**Recesses.**

At nineteen minutes after seven o'clock P.M., on motion of Mr. Moore of Uxbridge (the Speaker being in the Chair), the House recessed until the hour of eight o'clock P.M.; and at that time the House was called to order with the Speaker in the Chair.

The House thereupon, on motion of Mr. Mandile of Waltham, took a further recess until half past eight o'clock; and at that time the House was called to order with Mrs. Menard of Somerset in the Chair.

On motion of Mr. Fitzgerald of Boston, the House thereupon took a further recess until the hour of nine o'clock P.M.; and at that time the House was called to order with the Speaker in the Chair.

**Reports of Committees.**

Mr. Finneran of Boston, 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 Senate document numbered 1994) of the House Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the
Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 5700), reports, in part, a Bill relative to the Worcester health and hospitals authority (House, No. 5980).

Under suspension of the rules, on motion of the same member, the report (having been approved by the committees on Bills in the Third Reading of the two branches, acting concurrently) was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Ms. Bump of Braintree, 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 Senate document numbered 1655) of the House Bill relative to restoring solvency to the Unemployment Insurance Trust Fund (House, No. 5909), 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 of House document numbered 5981; and that the Senate concur in the further amendment.

Under suspension of the rules, on motion of the same member, the report (having been approved by the committee on Bills in the Third Reading) was considered forthwith; and after debate it was accepted. Ms. Bump moved that this vote be reconsidered; and the motion to reconsider was negatived. The report then was sent to the Senate for concurrence.

Recess.

At twenty-five minutes before ten o'clock P.M., on motion of Mr. Serra of Boston (the Speaker being in the Chair), the House recessed until five minutes before ten o'clock P.M.; and at that time the House was called to order with Mrs. Menard of Somerset in the Chair.

Motion to Suspend Rule 1A.

The Chair (Mrs. Menard) then placed before the House the question on suspension of Rule 1A in order that the House might continue to meet beyond the hour of ten o'clock P.M.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provision of said rule; and on the roll call 103 members voted in the affirmative and 30 in the negative.

[See Yea and Nay No. 235 in Supplement.]

Therefore Rule 1A was suspended.

Recesses.

At six minutes after ten o'clock P.M., on motion of Mr. Karol of Attleboro (Mrs. Menard of Somerset being in the Chair), the House recessed until half past ten o'clock P.M.; and at that time the House was called to order with Mrs. Menard in the Chair.
The House thereupon, on motion of Mr. Cohen of Newton, took a further recess until the hour of eleven o'clock P.M.; and at three minutes after eleven o'clock the House was called to order with Mrs. Menard of Somerset in the Chair.

On motion of Ms. Bump of Braintree, the House thereupon took a further recess until a quarter after eleven o'clock P.M.; and at twenty-five minutes before twelve o'clock midnight the House was called to order by Mrs. Menard.

Paper from the Senate.

The engrossed Bill establishing a funding schedule for the city of New Bedford (see House, No. 5798) came from the Senate with the following amendments:

Striking out section 2; and in section 3 striking out, in line 10, the words “and two”.

Under suspension of Rule 35, on motion of Mr. McIntyre of New Bedford, 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.

Report of a Committee.

By Mr. Finneran of Boston, for the committee on Ways and Means, on a petition, a Bill relative to the construction of a Massachusetts state track facility at Roxbury Community College (House, No. 5982), which was read.

Under suspension of the rules, on motion of Mr. Flaherty of Cambridge, the bill was read a second and a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

Engrossed Bills — Land Takings.

The engrossed Bill relative to Worcester health and hospitals authority (see House, No. 5980) (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.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 135 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 236 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the town of Falmouth to release its sanding rights in a certain parcel of land (see House bill printed in House, No. 5465) (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.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 132 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 237 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

**Emergency Measures.**

The engrossed Bill authorizing the Division of Capital Planning and Operations to convey certain easements in the towns of Groton and Pepperell (see House, No. 5653), 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 51 to 1. 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 132 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 238 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill establishing a sick leave bank for an employee of the Department of Social Services (see House, No. 5850), 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 51 to 1. 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.
The engrossed Bill relative to restoring solvency to the Unemployment Insurance Trust Fund (see House, No. 5909, amended), 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 51 to 1. 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. Mr. Bosley of North Adams moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill then was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

Engrossed bills

Authorizing the town of Yarmouth to appropriate a certain overlay deficit over a period of years (see House, No. 5781); and

Establishing a funding schedule for the retirement system of the city of New Bedford (see House, No. 5798, amended);

(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.

Engrossed Bill — Land Taking.

The Speaker being in the Chair, — the engrossed Bill authorizing the Division of Capital Planning and Operations to grant easements over certain parcels of land located in the city of Lowell (see House, No. 5885) (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.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 131 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 239 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Order.

On motion of Mr. Serra of Boston, —

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. Serra then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at ten minutes after one o’clock A.M. (Saturday, July 11) (the Speaker being in the Chair), the House adjourned, to meet on Monday 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 Mrs. Menard of Somerset 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 pray for guidance for the members of this elected body and also for the delegates to the first of our two national conventions. Inspire both to propose and embrace programs and principles which enhance human dignity and foster trust on all levels of society. May the minds and hearts of all be filled with enthusiasm and hope in the future of our country, state and communities.

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

Pledge of allegiance.

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

Paper from the Senate.

The House Bill making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-two to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5975) 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 of Senate document numbered 1663.

Supplemental appropriations.

Under suspension of the rules, on motion of Mr. Finneran of Boston, the amendment was considered forthwith.

The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Finneran, Kennedy of Brockton and Poirier of North Attleborough were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of conference.

Subsequently, the bill came from the Senate with the endorsement that said branch had insisted on its amendment, concurred in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators McGovern, Wetmore and Rauschenbach were joined as the committee on the part of the Senate.

Engrossed Bills.

Engrossed bills

Establishing a department of public works in the town of Westwood (see House, No. 5682); and
Relative to the charter of the town of Dedham (see House, No. 5756);
(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 Mr. Connolly of Everett, —

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 Mr. Draisen of Boston (Mrs. Menard of Somerset 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. 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:

Prayer.

God, our Creator, we pray for guidance as we struggle to unite our plurastic society in seeking common and reasonable societal goals. Let our philosophical and political principles be rational, our discussions be intelligent, our patience be unlimited and our charity be universal. Bless our efforts to utilize the talents of all members of society so that we will be a prosperous, peaceful and creative people to meet the challenges of the times.

Bestow Your blessing 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 — Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill establishing a sick leave bank for an employee of the Department of Social Services [see House, No. 5850] (for message, see House, No. 5986) was filed in the office of the Clerk on Tuesday, July 14.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Lambert of Fall River, to the committee on Bills in the Third Reading.

Change in a Committee of Conference.

The Chair (Mr. Serra of Boston) announced that Representative Poirier of North Attleborough had been relieved of duty (at his own request) from 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 Senate document numbered 1663) of the House Bill making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-two to provide for supplementing
certain existing appropriations and for certain other activities and projects (House, No. 5975); and that Representative Decas of Wareham had been appointed to fill the existing vacancy.

Resolutions.

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

Resolutions (filed by Mr. Voke of Chelsea) congratulating Michael J. McDonald for receiving the most honorable rank of Eagle Scout; and

Resolutions (filed by Mr. Moore of Uxbridge) congratulating Mary Sarlin on the occasion of her 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. Voke, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petition.

Mr. DiMasi of Boston presented a petition (subject to Joint Rule 12) of Salvatore F. DiMasi relative to access to adoption information and the establishment of a process to arrange contact among consenting adult adoptees, adoptive and biological parents, and biological siblings; 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. DiMasi, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Engrossed Bill.

The engrossed Bill relative to the construction of a Massachusetts state track facility at Roxbury Community College (see House, No. 5982) (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. Connolly of Everett, —

Order, That when the House adjourns today, it adjourn to meet on Monday next at eleven 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 three minutes after eleven o'clock A.M., on motion of Mr. Kafka of Sharon (Mr. Serra of Boston being in the Chair), the House adjourned, to meet on Monday 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. 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, as elected officials, pause to ask for guidance and direction in making personal and political decisions. Inspire us to propose and enact legislation which will serve the needs of the times and will build confidence in the minds and hearts of the people. By our commitment to intelligent and sensible public policy, may we unite all segments of society in pursuing sound goals for themselves and their communities.

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 reforming public education (House, No. 5993) was filed in the office of the Clerk on Friday, July 17.

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

Resolutions.

Resolutions (filed with the Clerk by Ms. Hildt of Amesbury) honoring Ruth “Amber” Hovey, were referred, under Rule 85, to the committee on Rules.

Mr. Voke of Chelsea, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of Rule 41, on motion of Ms. Hildt, 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 Ms. Buell of Greenfield, petition (accompanied by bill, House, No. 5988) of Carmen D. Buell (by vote of the town) relative to recall elections in the town of Warwick. To the committee on Election Laws.

By Ms. O’Brien of Hanover, petition (accompanied by bill, House, No. 5989) of Janet W. O’Brien (by vote of the town) for legislation to authorize the town of Norwell to combine the position of highway surveyor.

Salisbury,—Ruth "Amber" Hovey.

Warwick,—recall elections.

Norwell,—highway surveyor.
By Mr. O'Sullivan of Worcester, petition (accompanied by bill, House, No. 5990) of Jordan Levy (mayor), Kevin O'Sullivan, Andrew Collaro, David J. Lionett, William J. Glodis, Jr., John J. Binienda, Matthew J. Amorello and others (with the approval of the mayor and city council) relative to the health and hospitals authority of the city of Worcester;

Severally to the committee on Local Affairs.

By Mr. Gannon of Boston, petition (accompanied by bill, House, No. 5991) of Paul J. Gannon (with the approval of the mayor and city council) relative to the reemployment list for police officers and fire fighters in the city of Boston; and

By Ms. O'Brien of Hanover, petition (accompanied by bill, House, No. 5992) of Janet W. O'Brien (by vote of the town) for legislation to authorize the town of Norwell to exempt the position of chief of police from the provisions of civil service law;

Severally to the committee on Public Service.

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 and Matthew J. Amorello for legislation to authorize the Department of Highways to install certain street lights on a portion of Route 9 on the Worcester-Leicester-Spencer line.

By Mr. Ciampa of Somerville, petition (subject to Joint Rule 12) 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.

By the same member, petition (subject to Joint Rule 12) of Vincent P. Ciampa and others relative to the Water Resources Authority.

By Ms. Jehlen of Somerville, petition (subject to Joint Rule 12) of Patricia D. Jehlen, Janet W. O'Brien, Vincent P. Ciampa and Carmen D. Buell relative to equal educational opportunity grants.

By Mrs. Menard of Somerset, petition (subject to Joint Rule 12) of Joan M. Menard relative to a one-time fee for the issuance of certain license plates.

By Mr. Morrissey of Quincy, petition (subject to Joint Rule 12) of Michael W. Morrissey and A. Stephen Tobin for an investigation by a special commission (including members of the General Court) relative to improving the access and development of Long Island in Boston Harbor.

By Ms. Story of Amherst, petition (subject to Joint Rule 12) of Ellen Story and Stanley C. Rosenberg (by vote of the town) relative to the room occupancy excise tax in the town of Amherst.

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

Paper from the Senate.

A Bill authorizing an increase in payments in lieu of taxes by local housing authorities (Senate, No. 498, changed by inserting
after the word "allow", in line 7, the words "cities and"; and by striking out, in line 9, the figures "205" and inserting in place thereof the figures "705") (reported on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Reports of Committees.

By Mr. Rushing of Boston, for the committee on Local Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1653) of Jordan Levy (mayor), Arthur E. Chase and Matthew J. Amorello (with the approval of the city council) for legislation to direct the State Secretary to place a certain nonbinding question on the biennial state election ballot in the city of Worcester relative to changing the charter of city government, — and recommending that the same be referred to the committee on Election Laws. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Mr. Mara of Brockton, for the committee on Insurance, on Senate, Nos. 422, 624, 628, 629, 630, 631, 632, 635, 638, 639, 640, 652, 653, 657, 691 and 692 and House, Nos. 572, 576, 578, 579, 580, 581, 750, 751, 753, 1157, 1313, 1314, 1514, 1515, 1706, 1919, 2094, 2100, 2469, 2472, 2474, 2480, 2481, 2487, 2834, 3029, 3031, 3041, 3046, 3176, 3378, 3379, 3597, 3599, 3920, 3921, 4122, 4268, 4269, 4510, 4687, 4894, 4895, 4896, 5061, 5064 and 5185, an Order relative to authorizing the committee on Insurance to make an investigation and study of certain Senate and House documents concerning health, fire, motor vehicle, unemployment and various other insurance laws of the Commonwealth (House, No. 5987). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Order.

On motion of Mr. Bosley of North Adams, —

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.; and, there being no objection, that the Clerk be authorized to dispense with the printing of a Calendar for said sitting.

At sixteen minutes after eleven o'clock A.M., on motion of Mr. Bosley of North Adams (Mr. Serra of Boston being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M.
Prayer.

Pledge of allegiance.


Met according to adjournment, at eleven o’clock A.M., 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 believe that You have created us in Your image and that we are all members of the human family. This weekend, the world’s attention will be focused on the Olympics where men and women from all corners of the world will compete in friendly and peaceful athletic events. May the good feelings and the friendly spirit of the Olympics remain in the minds and hearts of people throughout the world.

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.

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 validating certain actions taken by the town of Weymouth relative to a zoning bylaw. (House, No. 5974) was filed in the office of the Clerk on Wednesday, July 22.

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

A message from His Honor the Lieutenant-Governor, Acting Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to authorizing the town of Concord to change the permitted uses of certain lands abutting state highway Route 2 (House, No. 5999) was filed in the office of the Clerk on Wednesday, July 22.

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

Resolutions.

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

Lawrence F. Frenette.

Resolutions (filed by Mr. DeFilippi of West Springfield) honoring Lawrence F. Frenette, County Commander, District Three, American Legion, Department of Massachusetts;
Resolutions (filed by Mr. Lawless of Orleans) congratulating Mr. and Mrs. Carl Hartung on the occasion of their fiftieth wedding anniversary; and
Resolutions (filed by Mr. Sullivan of Abington) congratulating Margaret Milioti on her eighty-fifth birthday;
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. Lawless, 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 Bill to temporarily extend the fiscal year 1992 budget for the town of Weymouth (Senate, No. 1644) (reported on a message from His Excellency the Governor), passed to be engrossed by the Senate, was read.
Under suspension of the rules, on motion of Mr. Mariano of Quincy, 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, in concurrence, its title having been changed by said committee to read: An Act extending the fiscal year nineteen hundred and ninety-two annual budget of the town of Weymouth.

A petition of Charles E. Shannon for legislation relative to vocational educational certification for certain teachers, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Education, Arts and Humanities.
The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1666) was referred, in concurrence, to the committee on Education, Arts and Humanities.

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 following petitions:
Petition (accompanied by bill) of Joan M. Menard relative to a one-time fee for the issuance of certain license plates. To the committee on Public Safety.
Petition (accompanied by bill) of John J. Binienda and Matthew J. Amorello for legislation to authorize the Department of Highways to install certain street lights on a portion of Route 9 on the Worcester-Leicester-Spencer line. To the committee on Transportation.
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. Moore of Uxbridge, for the committee on Election Laws, on a petition, a Bill further regulating preliminary elections in the town of North Attleborough (House, No. 5939), which was read [Local Approval Received].

Under suspension of the rules, on motion of Mr. Poirier of North Attleborough, 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, on a petition, a Bill establishing the economic development and industrial corporation of the city of Salem (House, No. 5915), 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 Mr. Serra of Boston, for the committees on Rules of the two branches, acting concurrently, that the Bill relative to providing oversight and monitoring of the care of certain citizens of the Commonwealth (House, No. 4682) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Engrossed Bill.

The engrossed Bill designating a certain corner in the town of Hingham as Muzzi's Corner (see House, No. 5852) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The House Bill relative to town meeting votes in the town of Lexington (House, No. 5307), 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.

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 eighteen minutes after eleven o'clock A.M., on motion of Mr. Draisen of Boston (Mr. Serra of Boston being in the Chair), the House adjourned, to meet on Monday 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.

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

God, our Creator, we pause for a moment to reflect on Your presence in our World, in our lives and on our relationship to You. Guide our efforts to serve You and the people whom we represent faithfully. Grant us the good sense and patience to unite constituents and colleagues in pursuing goals which serve the common good, the best interests of the people and the well-being of future generations. 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.

Resolutions.

Resolutions (filed with the Clerk by Speaker Flaherty of Cambridge) honoring Professor Frances Burke on her being chosen as the recipient of the nineteen hundred and ninety-two Charles H. Levine Award, were referred, under Rule 85, to the committee on Rules.

Mr. Voke of Chelsea, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of Rule 41, on motion of Ms. Donovan of Woburn, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

A communication from the Sterling Suffolk Racecourse Limited Partnership (under Section 2 of Chapter 128C of the General Laws) submitting copies of all existing contracts of Sterling Suffolk Racecourse Limited Partnership relative to simulcasting, was placed on file.

Annual Reports.

Co-operative banks.

Credit unions.

Savings banks.

Reports

Of the Commissioner of Banks (under Section 13 of Chapter 167 of the General Laws) containing a statement of condition of each co-operative bank in the Commonwealth for the calendar year 1991;

Of the Commissioner of Banks (under Section 13 of Chapter 167 of the General Laws) containing a statement of condition of each credit union in the Commonwealth for the calendar year 1991;

Of the Commissioner of Banks (under Section 13 of Chapter 167 of the General Laws) containing a statement of condition of each savings bank in the Commonwealth for the calendar year 1991;

Of the Commissioner of Banks (under Section 13 of Chapter 167 of the General Laws) containing a statement of condition of each trust company in the Commonwealth for the calendar year 1991; and

Of the Commissioner of Banks (under Section 17 of Chapter 167 of the General Laws) relative to the availability of home mortgages within the Commonwealth for the calendar year 1991; Severally sent to the Senate for its information.

Papers from the Senate.

The engrossed Bill establishing a sick leave bank for a certain employee of the Department of Social Services (see Senate bill printed as House, No. 5779), 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. 1659); and that the Senate had refused to adopt the same.

The amendment recommended by His Excellency then was considered in the following form:

Striking out all after the enacting clause and inserting in place thereof the following:

"Notwithstanding the provisions of any general or special law, rule or regulation to the contrary, the department of social services is hereby authorized and directed to establish a sick leave bank for Vivian Davidovich, an employee of the department of social services. Any employee of the department of social services may voluntarily contribute one or more of his personal or vacation days to said bank for use by said Vivian Davidovich."

The House then refused to adopt the amendment recommended by His Excellency the Governor.

The engrossed Bill relative to the construction of a Massachusetts state track facility at Roxbury Community College (see House, No. 5982) came from the Senate with the following amendment:

In section 6 (as engrossed) striking out, in line 2, the figure "1" and inserting in place thereof the figure "9".

Under suspension of Rule 35, on motion of Mr. Cox of Lowell, 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.

A Bill establishing a statewide registration of domestic violence offenses (Senate, No. 1661) (reported on Senate, Nos. 1628 and 1660), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Subsequently Mr. Finneran of Boston, for said committee, reported that the bill ought to pass. Placed in the Orders of the Day for the next sitting for a second reading.
Housing inspection staff.
Beverage containers.
Methuen—disability commission.
Manchester—Wilber Stanley.
Central Credit Union Fund.
Bank premises.
Ashfield—wastewater treatment facility.

Bills
Relative to increasing housing inspection staff (Senate, No. 517) (reported on a petition);
Relative to redemption of empty beverage containers (Senate, No. 1530) (reported on Senate, No. 304 and House, No. 3534);
Increasing the membership on the Methuen commission on disability in the city known as the town of Methuen (Senate, No. 1622) (reported on a petition) [Local Approval Received];
Authorizing the town of Manchester-by-the-Sea to reimburse Wilber Stanley for certain injuries sustained as a firefighter (Senate, No. 1633) (reported on Senate, No. 1547) [Local Approval Received];
Relative to the Central Credit Union Fund, Inc. (Senate, No. 1646) (reported on Senate, No. 1587);
Relative to investments in bank premises (printed as House, No. 24) (reported on a part of House, No. 9); and
Authorizing the town of Ashfield to construct a wastewater treatment facility (printed as House, No. 5689, changed in section 3 by inserting after the word “delay.”, in line 6, the following sentence: “The provisions of this act shall be limited to the contract or contracts entered into between the town of Ashfield and Ecological Engineering Associates of the town of Marion, for the purpose of providing and operating a solar aquatic wastewater treatment facility in said town.”) (reported on a petition) [Local Approval Received];
Severally passed to be engrossed by the Senate, were read; and they were placed in the Orders of the Day for the next sitting for a second reading.

Leominster—pay unpaid bill.

A petition (accompanied by bill, Senate, No. 1665) of John P. Mahan (with the approval of the mayor and city council) for legislation to authorize the city of Leominster to pay a certain unpaid bill, was referred, in concurrence, to the committee on Local Affairs.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:
Petition (accompanied by bill, Senate, No. 1667) of Robert C. Buell, Joseph N. Hermann and Ira Singer (by vote of the town) for legislation to authorize the town of Middleton to continue the employment of George Nash as fire chief. To the committee on Public Service.
Petition (accompanied by bill, Senate, No. 1668) of James P. Jajuga and Thomas G. Palumbo for legislation relative to the issuance of tax bills. To the committee on Taxation.

Reports of Committees.

By Mr. Angelo of Saugus, for the committee on Natural Resources and Agriculture, on part of the petition House, No. 4727
(as relates to sections 1, 2, 3 and 4), a Bill providing for the protection of the water resources of the Commonwealth (House, No. 6002). Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Finneran of Boston, for the committee on Ways and Means, that the Bill authorizing the Division of Capital Planning and Operations to grant an easement in certain land located in the town of Westminster (House, No. 5815) ought to pass. Placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Moore of Uxbridge, for the committee on Election Laws, on a petition, a Bill allowing the use of duplicate blank nomination petition sheets in city of Boston elections (House, No. 5892) [Local Approval Received].

By the same member, for the same committee, on Senate, No. 1653 and House, No. 5994, a 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) [Local Approval Received].

By Mr. Walsh of Agawam, for the committee on Government Regulations, on House, No. 5339, a Bill further regulating the operation of the game of Beano (House, No. 6003).

By Mr. DiMasi of Boston, for the committee on the Judiciary, on a petition, a Bill authorizing the Governor to designate an additional justice of the peace in the town of Winthrop (House, No. 3381).

By the same member, for the same committee, on a petition, a Bill relative to visitation rights of certain grandparents of unmarried minor children (House, No. 3608).

By the same member, for the same committee, on House, Nos. 271, 276, 1521, 1522, 4712 and 4713, a Bill expediting resolution of legal proceedings involving children in need of care and protection (House, No. 6004).

By Mr. Rushing of Boston, for the committee on Local Affairs, on a petition, a Bill authorizing the town of Sharon to convey a certain parcel of conservation land (House, No. 5894) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the town of Easton to transfer certain bond funds for other uses (House, No. 5895) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the town of Easton to transfer control of certain conservation land (House, No. 5896, changed by inserting after the word “authorized”, in line 1, the words “, subject to the approval of the secretary of environmental affairs,”) [Local Approval Received].

By the same member, for the same committee, on House, No. 5913, a Bill establishing the board of selectmen/town manager form of administration in the town of Great Barrington (House, No. 6005) [Local Approval Received].
By Mr. Ranieri of Bellingham, for the same committee, on a petition, a Bill authorizing the town of Bellingham to reimburse Vincent R. Thayer, executor of the estate of L. F. Thayer, a sum of $3,762.70, paid to said town as real estate taxes in error (House, No. 5965) [Local Approval Received].

By Mr. Caron of Springfield, for the committee on Public Safety, on a petition, a Bill relative to the operation of motor freight carriers on and off the national network (House, No. 5712, changed in section 13 by striking out, in line 16, the word “twenty-one” and inserting in place thereof the word “ninety”).

By Mr. Hodgkins of Lee, for the committee on State Administration, on a petition, a Bill 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).

By Mr. Karol of Attleboro, for the committee on Transportation, on a petition, a Bill relative to the notification of excavation (House, No. 5887).

Mr. Finneran of Boston, for the committee on Ways and Means, to whom was referred the Bill to further improve and enhance the environmental protection activities of the Commonwealth (House, No. 2026) reports, in part, a Bill relative to the creation of a revolving trust fund to aid in the financing of water pollution abatement projects (House, No. 6008).

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

Emergency Measure.

The engrossed Bill making certain corrective changes in certain general and special laws (see House bill printed in House, No. 5904), 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 Speaker and sent to the Senate.

Engrossed Bills.

The engrossed Bill extending the fiscal year nineteen hundred and ninety-two annual budget of the town of Weymouth (see Senate bill printed in Senate, No. 1644) (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 (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.
The engrossed Bill authorizing and directing the Superintendent of State Office Buildings to install and maintain a plaque in honor of ex-prisoners of war from the Commonwealth (see House, No. 5822) (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.

Order.

On motion of Mr. Draisen of Boston, —

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

At twenty-nine minutes before twelve o'clock noon, on motion of Ms. Donovan of Woburn, the House adjourned, to meet tomorrow at eleven o'clock A.M.
Tuesday, July 28, 1992.

Met according to adjournment, at eleven o'clock A.M.

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

Lord, Source of Goodness and Wisdom, inspire us to remain faithful to You, our political, philosophical and religious principles and to our political commitment to service. During these uneasy days, teach us to take a day at a time, to accept our limitations, to see reality as it is, but to labor generously for sound legislation and good causes. May we aim for excellence on all levels of daily life in education, research, work and administration. As we learn from our past successes and disappointments, may our hearts and minds be filled with hope and confidence as we plan for the future of this Commonwealth.

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 providing for certain tourism activities (House, No. 6013) was filed in the office of the Clerk during today's sitting.

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.

Mr. Finneran of Boston, for said committee, reported on the foregoing message, a Bill providing for certain tourism activities (printed in House, No. 6013), which was read.

Under suspension of the rules, on motion of the same member, the bill was read a second and a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

Statement of Representative Clark of Hamilton.

Before proceeding to consideration of the Orders of the Day, Mr. Clark of Hamilton asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that Representative Tarr of Gloucester and I were not present in the House Chamber for a portion of the sitting of Friday, July 10, due to our being unavoidably detained on our way to the State House. Any roll calls that we may have missed that day was due entirely to the reason stated. On the question on acceptance of the report of the committee of conference on the disagreeing votes of the two branches relative to the General Appropriation Bill (see
House, No. 5800) [See Yea and Nay in Supplement No. 233], Representative Tarr would have voted in the negative, and I would have voted in the affirmative.

Mr. Clark then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

Statement of Representative Cruz of West Bridgewater.

During consideration of the Orders of the Day, Mr. Cruz of West Bridgewater asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

Mr. Speaker: I would like to call to the attention of the House the fact that I was absent from the House Chamber for a portion of today’s sitting due to official business at the Department of Public Health. Any roll calls that I missed was due entirely to the reason stated.

Mr. Cruz then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

Statement Concerning Representative Haley of Weymouth.

During consideration of the Orders of the Day, Mr. Voke of Chelsea asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

Mr. Speaker: I would like to call to the attention of the House the fact that one of our colleagues, Representative Haley of Weymouth, will not be present in the House Chamber for today’s sitting due to active duty with the United States Naval Air Reserve at the Royal Air Force Base in Mildenhall, England, from July eleventh until July thirty-first. Any roll calls missed during this period of time will be due entirely to the reason stated.

Mr. Voke then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

Statement Concerning Representative Kennedy of Brockton.

During consideration of the Orders of the Day, Mr. Voke of Chelsea asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

Mr. Speaker: I would like to call to the attention of the House the fact that one of our colleagues, Representative Kennedy of Brockton, is unable to be present in the House Chamber for a portion of today’s sitting due to a medical appointment at the Massachusetts General Hospital. Any roll calls that he may miss today will be due entirely to the reason stated.

Mr. Voke then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

Statement Concerning Representative O’Brien of Hanover.

During consideration of the Orders of the Day, Mr. Voke of Chelsea asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:
Mr. Speaker: I would like to call to the attention of the House the fact that one of our colleagues, Representative O'Brien of Hanover, will not be present in the House Chamber for today's sitting due to family business. Any roll calls that she may miss today and for the remainder of this week will be due entirely to the reason stated.

Mr. Voke then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

Statement of Representative Ranieri of Bellingham.

During consideration of the Orders of the Day, Mr. Ranieri of Bellingham asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

Mr. Speaker: I would like to call to the attention of the House the fact that I will not be present in the House Chamber for a portion of today's sitting due to official business in my district. Any roll calls that I may miss will be due entirely to the reason stated.

Mr. Ranieri then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

Guest of the House.

Before proceeding to consideration of the Orders of the Day, the Chair (Mr. Serra of Boston) declared a recess subject to the call of the Chair, there being no objection; and introduced Miss Massachusetts 1992 — Lisa Gail Desroches. She will represent Massachusetts in the Miss America Pageant. Miss Desroches, who was the guest of the Speaker and all the members of the House, then addressed the House briefly.

Resolutions.

Resolutions (filed with the Clerk by Mr. Binienda of Worcester) congratulating Frances Xavier Hennessy on the occasion of her seventy-fifth birthday, were referred, under Rule 85, to the committee on Rules.

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

Petition.

Mr. Rushing of Boston presented a petition (subject to Joint Rule 12) of Byron Rushing relative to the Urban Initiative Fund; 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. Rushing of Boston, the
report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Ways and Means. Sent to the Senate for concurrence in the suspension of Joint Rule 12.

Papers from the Senate.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:
Petition (accompanied by bill, Senate, No. 1669) of Emile J. Goguen and Robert A. Antonioni for legislation to establish a sick leave bank for Ann Navaroli, an employee of the Department of Social Services. To the committee on Public Service.
Petition (accompanied by bill, Senate, No. 1670) of Michael C. Creedon for legislation to provide for the abandonment and conveyance of a right of way by the Commonwealth in the city of Brockton. To the committee on State Administration.

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 Paul R. Haley relative to establishing a sick leave bank for Patricia Caddick, an employee of the District Court Department. Under suspension of Rule 42, on motion of Mr. DeLeo of Winthrop, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. 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 petition of Shannon P. O'Brien and Martin J. Dunn for legislation to authorize an appropriation to reimburse the town of Easthampton for the removal and encapsulation of asbestos. 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 Ways and Means. Sent to the Senate for concurrence in the suspension of Joint Rule 12.

By Mr. Hodgkins of Lee, for the committee on State Administration, on Senate, Nos. 1155, 1157 and 1178 and House, No. 1599, an Order relative to authorizing the committee on State Administration to make an investigation and study of the composition and bonding authority of the Massachusetts Water Resources Authority (House, No. 6011). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Flaherty of Cambridge, for the committee on Rules, reported, in part, on the foregoing order, a Bill relative to...
the Massachusetts Water Resources Authority (House, No. 6012), which was read.

Under suspension of the rules, on motion of Mr. Finneran of Boston, 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. Blanchette of Lawrence, for the committee on Public Service, on Senate, No. 1652, a Bill to establish a funding schedule for the city of Somerville retirement system (House, No. 6015), which was read.

Under suspension of the rules, on motion of Mr. Ciampa of Somerville, 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, its title having been changed by said committee to read: An Act relative to establishing a funding schedule for the retirement system of the city of Somerville. Sent to the Senate for concurrence.

**Emergency Measure.**

The engrossed Bill establishing a sick leave bank for a certain employee of the Department of Social Services (see Senate bill printed as House, No. 5779), 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 9 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 Senate) (which had been returned by His Excellency the Governor with recommendation of amendment) was passed to be re-enacted, without amendment; and it was signed by the Speaker and sent to the Senate.

**Engrossed Bill — State Loan.**

The engrossed Bill relative to the construction of a Massachusetts state track facility at Roxbury Community College (see House, No. 5982, amended) (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.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a “loan” bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 129 members voted in the affirmative and 5 in the negative.

[See Yea and Nay No. 240 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.
Engrossed Bills — Land Takings.

The engrossed Bill authorizing the town of Rockport to grant a driveway easement over a section of watershed land (see House, No. 2514) (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.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 133 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 241 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

The engrossed Bill authorizing the Mendon-Upton Regional School District to convey a certain parcel of land (see House, No. 5856) (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.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 136 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 242 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Subsequently Mr. Hodgkins of Lee asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

MR. SPEAKER: During the taking of the above yeas and nays, I was absent from the House Chamber on official business in another part of the State House. Had I been present when the vote was taken, I would have voted in the affirmative.

Mr. Hodgkins then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

Motion to Direct the Speaker to Place Certain Matters Before the House.

Before proceeding to consideration of the matters in the Orders of the Day, Mr. Roosevelt of Boston moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of item 7061-0100 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Rockport,—driveway easement.

Bill enacted (land taking)—yea and nay No. 241.

Mendon-Upton School District.

Bill enacted (land taking)—yea and nay No. 242.

Statement of Representative Hodgkins of Lee.

General Appropriation Bill,—section 2, item 7061-0100.
Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 7061-0100 (public school education funding) in section 2 was considered as follows:

"7061-0100 For grants to cities, towns, regional school districts, counties maintaining agricultural schools and independent vocational schools; provided, that the amount appropriated herein shall be distributed so as to provide each city, town, regional school district, county maintaining an agricultural school and independent vocational school with an amount equal to one hundred dollars per student according to data in the October first, nineteen hundred and ninety-one individual school report; provided further, that the amounts provided herein shall be expended exclusively for educational purposes; provided further, that no city, town, regional school district, county maintaining an agricultural school or independent vocational school shall qualify for the grants provided herein unless 1) it expends for educational purposes in fiscal year nineteen hundred and ninety-three at least the same amount as it expended for such purposes in fiscal year nineteen hundred and ninety-two and ninety-two, and it refrains from using amounts appropriated herein to supplant amounts previously expended in fiscal year nineteen hundred and ninety-two or budgeted for fiscal nineteen hundred and ninety-three for educational purposes, or 2) it expends for all purposes in fiscal year nineteen hundred and ninety-three less than it expended for all purposes in fiscal year nineteen hundred and ninety-two and it maintains at least the same proportion of expenditures for educational purposes to expenditures for all purposes in fiscal year nineteen hundred and ninety-three as in fiscal year nineteen hundred and ninety-two; provided further, that the department of education in consultation with the division of local services of the department of revenue may waive one or more of the aforesaid restrictions for any city, town, regional school district, county maintaining an agricultural school or independent vocational school for which such restriction would cause fiscal hardship for any reason including but not limited to the effects of the teacher's summer pay deferral pursuant to chapter three hundred and thirty-six of the acts of nineteen hundred and ninety-one; and provided further, that each city, town, regional school district, county maintaining an agricultural school and independent vocational school
shall file with the Commissioner of Education and to the Secretary of Administration and Finance for review a spending plan detailing the purposes for which it plans to expend the grants provided herein, including but not limited to any new initiatives, class size reductions, management changes, or any other improvements in the educational program

Local Aid Fund 84,836,800

Public school education funding item 7061-0100 passed,—yea and nay No. 243.

Therefore item 7061-0100 in section 2 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Subsequently Mr. Henry of Beverly asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

Mr. Speaker: During the taking of the above yeas and nays, I was absent from the House Chamber on official business in another part of the State House. Had I been present when the vote was taken, I would have voted in the affirmative.

Mr. Henry then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

At eighteen minutes before one o'clock P.M., on motion of Mr. Cox of Lowell (Mr. Serra of Boston being in the Chair), the House recessed until the hour of one o'clock P.M.; and at four minutes after one o'clock the House was called to order with Mr. Serra in the Chair.

Mr. Roosevelt of Boston then moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his reduction of item 7061-1000 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 7061-1000, which had been reduced, was considered as follows:
The Governor reduced the appropriation to $105,522,604, and disapproved the following wording: "provided that grant amounts shall equal the amounts determined under said chapter seventy A on the basis of direct service expenditures in fiscal year nineteen hundred and ninety-one, increased to that fraction of the amount determined for such year for each city, town, regional school district and independent vocational school in accordance with section three of said chapter seventy A which the amount appropriated herein is sufficient to support; provided further, that any payment made under this appropriation shall be deposited with the treasurer of each city, town, regional school district or independent vocational school and held as a separate account and shall be expended by the school committee of such city, town, regional school district or independent vocational school without appropriation, notwithstanding the provisions of any general or special law to the contrary".

Therefore a quorum was present.

After debate the question on passing item 7061-1000, section 2, notwithstanding said reduction, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution.
and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call (the Speaker being in the Chair) 129 members voted in the affirmative and 22 in the negative.

[See Yea and Nay No. 245 in Supplement.]

Therefore item 7061-1000 in section 2 stands, notwithstanding the reduction of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Roosevelt of Boston moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his reduction of item 7070-0065 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 7070-0065, which had been reduced, was considered as follows:

"7070-0065 For the scholarship component of the financial assistance program, for grants to Massachusetts students enrolled in and pursuing a program of higher education in any approved public or independent college, university, school of nursing, or any other approved institution furnishing a program of higher education; provided, that the Massachusetts state scholarship office is hereby authorized to expend not less than ten million dollars for a program of needs based financial assistance for Massachusetts residents enrolled in and pursuing a program of higher education in any of the public institutions of higher education of the Commonwealth pursuant to this act; provided that of the sum appropriated herein, not less than five million dollars shall be obligated for the purposes of the Massachusetts Plan, pursuant to section five C of chapter fifteen C of the General Laws, as amended by section twelve of this act; provided further, that the Massachusetts state scholarship office is authorized and directed to expend no less than three million dollars to provide for the matching of scholarship grants to needy Massachusetts resident students at participating Massachusetts independent regionally accredited colleges, universities, and schools of nursing; and provided further, that such assistance be distributed to students demonstrating the greatest need as determined by an eligibility index used by the state scholarship office; provided further, that the Massachusetts state scholarship office is authorized to expend no more than seventy-five
General Appropriation Bill, — section 2 item 7070-0065.

thousand dollars for a collaborative engineering program; provided further, that students awarded full or partial scholarships under the Christian A. Herter Memorial Scholarship Program as established by section sixteen of chapter fifteen A of the General Laws, as most recently amended by chapter one hundred and forty-two of the acts of nineteen hundred and ninety-one, who have matriculated in a program of higher education outside the commonwealth may continue to receive the scholarship aid guaranteed by said program; provided further, that the scholarship office is authorized to expend monies for the public service awards, as established in said section sixteen; provided further, that the chancellor of higher education, in coordination with the Massachusetts state scholarship office shall establish such regulations governing the eligibility and the awarding of financial assistance as he shall deem necessary; and provided further, an amount not to exceed two and one-half percent of this appropriation may be used for the costs of administering the scholarship program; including not more than thirteen positions . . . . . 53,000,000".

[The Governor reduced the item to $40,000,000, and disapproved the following wording: “provided that of the sum appropriated herein, not less than five million dollars shall be obligated for the purposes of the Massachusetts Plan, pursuant to section five C of chapter fifteen C of the General Laws, as amended by section twelve of this act;” and also “provided further, that the Massachusetts state scholarship office is authorized and directed to expend no less than three million dollars to provide for the matching of scholarship grants to needy Massachusetts resident students at participating Massachusetts independent regionally accredited colleges, universities, and schools of nursing;” and inserted the following wording: “provided further, that the Massachusetts state scholarship office is authorized and directed to expend no less than one million dollars to provide for the matching of scholarship grants to needy Massachusetts resident students at participating Massachusetts independent regionally accredited colleges, universities, and schools of nursing;”].

After debate the question on passing item 7070-0065, section 2, notwithstanding said reduction, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 138 members voted in the affirmative and 14 in the negative.

[See Yea and Nay No. 246 in Supplement.]

Therefore item 7070-0065 in section 2 stands, notwithstanding the reduction of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.
Mr. Roosevelt of Boston moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of section 12 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Section 12 (supplemental education loan program) was considered as follows:

"SECTION 12. Chapter 15C of the General Laws, as appearing in the 1990 Official Edition, is hereby amended by inserting after section 5B the following section: —

Section 5C. The authority is hereby authorized to develop and establish a comprehensive state-supported supplemental education loan program. Such program shall consist of medium and long-range fixed rate and variable rate loan programs, programs structured to operate as a line of credit, and other programs and options as the authority may determine to be useful and feasible. Such programs shall be at effective rates of interest and other terms, to the extent feasible and to the extent funds are appropriated by the commonwealth therefore, more attractive than prevailing rates and more attractive than other terms available from conventional supplemental education lenders.

The authority's program shall be developed and operated in conjunction with participating institutions of higher education and shall be designed to assist such institutions in attracting and retaining students. Such program shall be designed so as to maximize the amount of funds available for loans by leveraging amounts appropriated by the commonwealth with private sector financing and by operating in conjunction with such private activity tax-exempt bond cap as may be allocated by the commonwealth. Such program shall include, to the maximum extent feasible and subject to the appropriation of funds by the commonwealth, loans available on affordable terms to families or individuals who, because of a high debt-to-income ratio, may otherwise be ineligible for credit-based supplemental education loans.

The authority shall design such comprehensive program, and make the public aware of it, in such manner as to provide assistance to as many qualified students and to as many institutions of higher education as possible. Funds appropriated by the commonwealth to the authority for the purpose of this section shall be applied by the authority solely to the reasonable and necessary development costs of its programs and to the funding of reasonable and necessary reserves and other security arrangements for its programs, all, to the extent feasible, in such manner as to develop over time a self-replenishing permanent source of education loan funding."

After remarks the question on passing section 12, notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 General Appropriation Bill—section 12.
section 12 passed,—
yea and nay
No. 247.

General
Appropriation
Bill,—
section 3.

of Article LXIII of the Amendments to the Constitution; and on the roll call 149 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 247 in Supplement.]

Therefore section 12 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Finneran of Boston moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his reduction in section 3 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

The reductions of His Excellency the Governor (in section 3) were considered as follows:

By striking out, in lines 6 and 7 (as engrossed) the words “three hundred and twenty-nine million dollars” and inserting in place thereof the words “three hundred and six million dollars” and by reducing the Lottery distribution figures as follows:

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Lottery fund local aid distribution, section 3 stands, — yeas and nay No. 248.

The question on passing section 3, notwithstanding said reduction, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call (the Speaker being in the Chair) 149 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 248 in Supplement.]

Therefore section 3 stands, notwithstanding the reduction of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

General Appropriation Bill,— item 4402-4200 in section 2.

Mr. Buell of Greenfield moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of parts of item 4402-4200 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 4402-4200, which had been disapproved (in part), was considered as follows:

"4402-4200 For a medical assistance program for recipients receiving subacute and long term care and assistance from chronic disease and rehabilitation hospitals, nursing facilities, intermediate care facilities for the mentally retarded, certain hospitals and facilities operated by the commonwealth, hospices, home health agencies, and other long term care providers; provided that expenditures from this item shall be made only for services rendered to recipients in the current fiscal year consistent with accounting requirements established by this Act; provided further, that no funds shall be expended by the department for patient centered rates of payment described in section eighty-seven of chapter one hundred and fifty of the acts of nineteen hundred and ninety by chronic disease and rehabilitation hospitals; provided further that no funds shall be expended by the department unless all rates of payment for such hospitals' nineteen hundred and ninety-three fiscal year are established by the rate setting commission pursuant to chapter six A of the General Laws and that such rates shall not be established by contract; provided further, that the department shall not selectively contract for chronic hospital services prior to July first, nineteen hundred and ninety-three; provided further, that expenditures for section 2176 home and community based waiver services shall be
made from this item; provided further, that the department shall report quarterly to the house and senate committees on ways and means on such expenditures; provided further, that federal reimbursements from such expenditures shall be deposited in the General Fund; provided further, that the regulations, criteria and standards for determining admission to and continued stay in a nursing home shall not be more restrictive than those regulations, criteria and standards in effect on January first, nineteen hundred and ninety-two; provided further, that regulations for determining eligibility for personal care attendant services shall not be more restrictive than those regulations in effect on January first, nineteen hundred and ninety-two; provided further, that the department shall continue to provide the Kaleigh Mulligan home care program for disabled children; and provided further, the department shall make no expenditures from this item for the payment of abortions not necessary to prevent the death of the mother .......... 1,050,000,000".

The Governor disapproved wording in said item as follows: "; provided further, that the department shall not selectively contract for chronic hospital services prior to July first, nineteen hundred and ninety-three; provided further, that expenditures for section 2176 home and community based waiver services shall be made from this item; provided further, that the department shall report quarterly to the house and senate committees on ways and means on such expenditures” and also "; provided further, that the regulations, criteria and standards for determining admission to and continued stay in a nursing home shall not be more restrictive than those regulations, criteria and standards in effect on January first, nineteen hundred and ninety-two; provided further, that regulations for determining eligibility for personal care attendant services shall not be more restrictive than those regulations in effect on January first, nineteen hundred and ninety-two”.

After debate the question on passing item 4402-4200 in section 2, notwithstanding said disapproval, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 145 members voted in the affirmative and 2 in the negative.

[See Yea and Nay No. 249 in Supplement.]

Therefore item 4402-4200 in section 2 was passed, notwithstanding the disapproval of His Excellency of parts of said item (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Subsequently Mr. Hodgkins of Lee asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:
Mr. Speaker: During the taking of the above yeas and nays, I was absent from the House Chamber on official business in another part of the State House. Had I been present when the vote was taken, I would have voted in the affirmative.

Mr. Hodgkins then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

Ms. Buell of Greenfield moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of section 89 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Section 89 (medical assistance program) was considered as follows:

"SECTION 89. The medical assistance program established pursuant to the provisions of chapter one hundred and eighteen E of the General Laws shall continue to reserve a nursing facility bed while a patient is temporarily absent from the facility for medical and nonmedical reasons as set forth in regulations codified in 106 CMR 456.020 through 106 CMR 456.023 and 106 CMR 456.511 through 106 CMR 456.516 in effect on January first, nineteen hundred and ninety-two. Nursing facility reimbursement for such medical and nonmedical leaves of absence shall not be more restrictive than those regulations in effect on January first, nineteen hundred and ninety-two.".

After remarks the question on passing section 89, notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 250 in Supplement.]

Therefore section 89 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Ms. Buell of Greenfield moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of section 467 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.
Section 467 (acute care and rehabilitation hospital admissions) was considered as follows:

"SECTION 467. Chapter 118E of the General Laws is hereby amended by inserting after section 5 the following new section: —

Section 5A. The department shall treat admissions to acute care hospitals and chronic disease or rehabilitation hospitals as equivalent for purposes of reimbursing nursing homes to reserve beds for medical assistance recipients during brief absences from nursing homes by such recipients to obtain hospital care."

After remarks the question on passing section 467, notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 150 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 251 in Supplement.]

Therefore section 467 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Cox of Lowell moved that the Speaker be directed to place General before the House so much of the message from His Excellency the Governor as relates to his disapproval of section 67 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Section 67 (merger of St. Joseph's and St. John's hospitals in Lowell) was considered as follows:

"SECTION 67. Notwithstanding any general or special law to the contrary, upon the effective date of a merger or consolidation which shall be not later than October first, nineteen hundred and ninety-three (hereinafter the 'effective date') of St. Joseph's Hospital and Saint John's Hospital both of which operate health care facilities in Lowell (hereinafter the 'hospitals') (a) the hospitals shall be exempt from the requirements of section fifty-six of chapter four hundred and ninety-five of the acts of nineteen hundred and ninety-one and shall not be required to pay any over generation of approved revenue for fiscal years prior to nineteen hundred and ninety-two into the uncompensated care trust fund established pursuant to section seventeen of chapter one hundred and eighteen F, repay any such excess revenue to any person or suffer any penalty as a result of such over generation, and (b) any alleged non-compliance by the hospitals with the provisions of sections seventy-eight to one hundred and chapter six A of the General Laws, inserted by chapter twenty-three of the acts of nineteen hundred and eighty-eight, shall be waived and forgiven as of the effective date without further consequence.
In order to maximize the benefits of the merger or consolidation, the hospitals must be able to expeditiously develop and implement a strategic plan and determine the mix of future services in light of the needs of the communities served. Notwithstanding any general or special law to the contrary, with regard to any determination of need application filed by the hospitals pursuant to the provisions of section twenty-five B to twenty-five G, inclusive, of chapter one hundred and eleven with regard to any substantial change in services, as defined in said sections, and any regulations, informational bulletins, policy statements or the like issued by the department of public health or the public health council pursuant thereto, the public health council shall act on the application within three months of the filing of such application; provided that the filing day for such application may be any day within six months of the effective date; and provided further that the public health council shall consider such application solely on its own merits.

Notwithstanding the foregoing, the above exemption for St. Joseph’s Hospital and Saint John’s Hospital from the provisions of section fifty-six of said chapter four hundred and ninety-five shall not extend to those provisions of said section fifty-six which require the commission to complete all pertinent pending matters and in no event shall any provision of this section be construed in such a way as to impair settlement with either or both hospitals pursuant to the provisions of hospital agreement (HA-31) by a non-profit hospital and medical service corporation.”.

After debate the question on passing section 67, notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 124 members voted in the affirmative and 27 in the negative.

Therefore section 67 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Miss O’Brien of Easthampton moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of section 408 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Section 408 (Deeds Excise Tax) was considered as follows:

"SECTION 408. Chapter 64D of the General Laws is hereby amended by striking out section 1 and inserting in place thereof the following section:
Section 1. There shall be levied, collected and paid, for and in respect of the deeds, instruments and writings herein after mentioned and described, or for or in respect of the vellum, parchment or paper upon which such deeds, instruments or writings, or any of them are written or printed, the excise taxes herein specified: — Deed, instrument or writing, whereby any lands, tenements or other realty sold shall be granted, assigned, transferred or otherwise conveyed to, or vested in, the purchaser or purchasers, or any other person or persons, by his, her or their direction, when the consideration of the interest or property conveyed, exclusive of the value of any lien or encumbrance remaining thereon at the time of the sale, exceeds one hundred dollars and does not exceed five hundred dollars, two dollars; and for each additional five hundred dollars or fractional part thereof, two dollars; provided, however, that in Barnstable county, the excise tax herein specified shall be one dollar and fifty cents for each five hundred dollars or fractional part of said consideration, excluding a consideration of between zero and one hundred dollars. Notwithstanding any other provisions of this section or any other general or special law to the contrary, Nantucket county may disburse and expend deposits in said Funds for the purpose of facilities and programs related to law enforcement, including the planning, improving or constructing of police stations and other related facilities and programs. This chapter shall not apply to any instrument or writing given to secure a debt or to any deed, instrument or writing to which the commonwealth, a city or town of the commonwealth, or the United States or any of their agencies are a party.”.

After debate the question on passing section 408, notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 108 members voted in the affirmative and 44 in the negative.

[See Yea and Nay No. 253 in Supplement.]

Therefore section 408 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Miss O'Brien of Easthampton moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of section 409 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Section 409 (Deeds Excise Fund) was considered as follows:
“SECTION 409. Chapter 64D of the General Laws is hereby further amended by striking out section 11 and inserting in place thereof the following section: —

Section 11. There shall be established upon the books of each county a separate fund, maintained separate and apart from all other funds and accounts of each county, to be known in each case as the Deed’s Excise Fund.

Notwithstanding any contrary provisions of this chapter or any other general or special law to the contrary, and except for Barnstable county, on the first day of each month, forty-two and one-half percent of the taxes collected pursuant to the provisions of this chapter shall be transmitted to the Deed’s Excise Fund for each county. For Barnstable county, on the first day of each month, twenty-eight and one-third percent of the taxes collected pursuant to the provisions of this chapter, but not including the additional excise authorized under the provisions of section two of chapter one hundred and sixty-three of the acts of nineteen hundred and eighty-eight, shall be transmitted to the Deed’s Excise Fund. Notwithstanding any contrary provisions of this chapter or any other general or special law to the contrary, and except for Barnstable county, on the first day of each month, seven and one-half percent of the taxes collected pursuant to the provisions of this chapter shall be transmitted pursuant to the provisions of this chapter shall be transmitted to the County Correction Fund established in section thirteen. For Barnstable county, on the first day of each month, five percent of the taxes collected pursuant to the provisions of this chapter, but not including the additional excise authorized under the provisions of section two of chapter one hundred and sixty-three of the acts of nineteen hundred and eighty-eight, shall be transmitted to said County Correction Fund. The remaining percentage of taxes collected under the provisions of this chapter shall be transmitted to and retained by the commonwealth in accordance with the provisions of section ten.”.

The question on passing section 409, notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 141 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 254 in Supplement.]

Therefore section 409 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Miss O’Brien of Easthampton moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of section 411 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions,
institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Section 411 (County Correction Fund) was considered as follows:

"SECTION 411. Chapter 64D of the General Laws is hereby amended by striking out section 13 as most recently amended by section 10 of chapter 23 of the acts of 1992, and inserting in place thereof the following section:

Section 13. There is hereby established on the books of the commonwealth a separate fund, to be known as the County Correction Fund. Said fund shall be maintained separate and apart from all other funds and accounts of the commonwealth. Moneys from said fund shall primarily be used for the operation and maintenance of any jail or house of correction in a county, including other statutorily authorized facilities and functions of the office of the sheriff and programs to reduce overcrowding in the jails and houses of correction.

In order to obtain money from said fund, the sheriff of a county or, in the case of Hampshire county, the county commissioners, shall make application to the county government finance review board on a form prescribed by the secretary for administration and finance. Each such request shall be accompanied by copies of the budget for any jail or house of correction in such county for the current fiscal year and the previous fiscal year. The sheriff shall submit such other information and documentation as the board may require. The board shall review all of the information provided by a county sheriff and make a determination as to the amount of money, if any, which shall be given to the applicant from the fund; provided, however, that before any funds are given to the applicant written approval shall be obtained from the house committee on ways and means.

The board shall develop guidelines for implementing the provisions of this section. The board shall include among such guidelines a requirement that during a fiscal year in which money is granted to a county from the fund, a county shall expend for the operation and maintenance of the county jails and houses of correction, including other statutorily authorized facilities and functions of the office of the sheriff and programs to reduce overcrowding in the jails and houses of correction, an amount not less than one hundred and two and one-half percent of the amount expended for such purposes from tax revenues levied pursuant to sections thirty and thirty-one of chapter thirty-five in the preceding fiscal year."

The question on passing section 411, notwithstanding said objections, was determined by yeas and nays, as required by correction Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 142 members voted in the affirmative and 6 in the negative.

[See Yea and Nay No. 255 in Supplement.]

Therefore section 411 was passed, notwithstanding the objections.
of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Miss O'Brien of Easthampton moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of section 596 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Section 596 (Deeds Excise effective date) was considered as follows:

"SECTION 596. The provisions of sections 408, 409, 410 and 411 shall take effect on August first, nineteen hundred and ninety-two."

The question on passing section 596, notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 127 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 256 in Supplement.]

Therefore section 596 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Kollios of Millbury moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his reduction of item 4403-2000 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 4403-2000, which had been reduced, was considered as follows:

"4403-2000 For a program of aid to families with dependent children; provided, that the need standard shall be equal to the standard in effect in fiscal year nineteen hundred and eighty-nine; provided further, that the payment standard shall be equal to the need standard; provided further that, the department shall, no later than September first, nineteen hundred and ninety-two, seek a federal waiver to allow an additional disregard from earnings up to one-third of the

General Appropriation Bill, — section 596.

Deeds excise effective date, section 596 passed,— yea and nay No. 256.

payment standard for recipients of assistance under this line item, and shall implement such waiver if approved; provided further, that a forty dollar per month rent allowance shall be paid to all households incurring a rent or mortgage expense and not residing in public housing or subsidized housing, subject to federal reimbursement; provided further, that a nonrecurring children's clothing allowance in the amount of one hundred and fifty dollars be provided to each child eligible under this program in September, nineteen hundred and ninety-two, subject to federal reimbursement; provided further, that said children's clothing allowance shall be included in the standard of need for the month of September, nineteen hundred and ninety-two; provided further, that the department shall assure that eligibility is redetermined in the month of October for any applicant made eligible for assistance by virtue of said increase in the standard of need; provided further, that benefits under this program shall not be available to those families where a child has been removed from the household pursuant to a court order after a care and protection hearing on child abuse, nor to families otherwise eligible for aid to families with dependent children but for the temporary removal of the dependent child or children from the home by the department of social services in accordance with department procedures; provided further, that child support payments collected pursuant to Title IV-D of the Social Security Act, not to exceed an amount of seventy million dollars, shall be credited to this account and may be expended without further appropriation for the purposes of this program; provided further, that certain families which suffer a reduction in benefits due to their loss of earned income and participation in retrospective budgeting may receive a supplemental benefit to compensate them for this loss; provided further, that no funds from this item shall be expended by the department or transportation services for the MassJobs or voucher day care programs; and provided further, that no funds from this item shall be expended by the department for family reunification benefits, or independent child care services ......................... 700,356,463”.

[The Governor reduced the item to $699,971,463 and disapproved the following wording: “provided further that, the department shall, no later than September first, nineteen hundred and ninety-two, seek a federal waiver to allow an additional disregard from earnings up to one-third of the payment standard for recipients of assistance under this line item, and shall implement such waiver if approved;”].
After debate the question on passing item 4403-2000, section 2, notwithstanding said reduction, was determined by yeas and nays, as required by Chapter 1, Section 1, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 116 members voted in the affirmative and 35 in the negative.

[See Yea and Nay No. 257 in Supplement.]

Therefore item 4403-2000 in section 2 stands, notwithstanding the reduction of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Tolman of Watertown moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his reduction of item 5047-4000 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 5047-4000, which had been reduced, was considered as follows:

"5047-4000 For the operation of the Gaebler children's center; provided, that the Gaebler children's center shall not be closed during fiscal year nineteen hundred and ninety-three, including not more than one hundred forty-seven positions 7,078,734".

[The Governor reduced the item to $6,488,839 and disapproved the following wording: "; provided, that the Gaebler children's center shall not be closed during fiscal year nineteen hundred and ninety-three"]

After debate the question on passing item 5047-4000, section 2, notwithstanding said reduction, was determined by yeas and nays, as required by Chapter 1, Section 1, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 122 members voted in the affirmative and 28 in the negative.

[See Yea and Nay No. 258 in Supplement.]

Therefore item 5047-4000 in section 2 stands, notwithstanding the reduction of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Subsequently Mr. Correia of Fall River asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

MR. SPEAKER: During the taking of the above yeas and nays, I was absent from the House Chamber on official business in another
part of the State House. Had I been present when the vote was taken, I would have voted in the affirmative.

Mr. Correia then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

Mr. Kollios of Millbury moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his reduction of item 4408-1000 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 4408-1000, which had been reduced, was considered as follows:

4408-1000 For a program of cash assistance to certain residents of the commonwealth pursuant to chapter one hundred and seventeen A of the General Laws, entitled emergency aid to the elderly, disabled, and children, found by the department of public welfare to be eligible for such aid, pursuant to regulations promulgated by said department and subject to the limitations of appropriation therefor; provided, that the payment standard shall equal the payment standard in effect under the general relief program in fiscal year nineteen hundred and ninety-one; provided, however, that said program may include a program of medical benefits; and provided, however, that said program shall include services provided in public detoxification and outpatient substance abuse treatment centers; provided further, that a thirty-five dollar rent allowance, to the extent determined to be possible within the appropriation by the department, shall be paid to all households incurring a rent or mortgage expense and not residing in public housing or subsidized housing; provided further, that the department may provide benefits to persons age sixty-five or older who have applied for benefits under chapter one hundred and eighteen A of the General Laws, to persons who suffer from a medically determinable impairment or combination of impairments which is expected to last for a period as determined by department regulations and which substantially reduces or eliminates the individual's capacity to support himself, which have been verified by a competent medical authority, to certain persons caring for a disabled person, to otherwise eligible participants in the vocational rehabilitation
General Appropriation Bill, — section 2, item 4408-1000.

program of the Massachusetts rehabilitation commission, to otherwise eligible students under age twenty-one who are regularly attending full-time a grade, high school, technical or vocational school not beyond the secondary level and to dependent children, who are ineligible for benefits under chapter one hundred and eighteen of the General Laws and parents or other caretakers of dependent children who are ineligible under said chapter one hundred and eighteen; provided further, that no ex-offender, person over age forty-five without a prior work history, or person in a residential treatment facility shall be eligible for benefits under this program unless said person otherwise meets the eligibility criteria described herein and defined by regulations of the department; provided further, that any person incarcerated in a correctional institution shall not be eligible for benefits under said program; provided further, that benefits under this program shall be provided only to residents who are citizens of the United States or aliens lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law and shall not be provided to illegal or undocumented aliens except with respect to persons sixty-five years of age or older, persons found to be disabled by the department in accordance with this item, persons caring for a disabled person, dependent children and the parents or other caretakers of dependent children; provided further, that the department shall initially authorize benefits to persons with medical impairments where a competent medical authority has verified that the person is disabled in accordance with this act and the department’s regulations; provided further that for purposes of this act, a competent medical authority shall mean a medical provider designated by the department, including a physician or clinical psychologist with a doctoral degree, or a medical internist, resident or fellow, in a clinic, mental health center, hospital, community health center, or health maintenance organization, who is licensed and authorized pursuant to said license to evaluate physical or mental disorders; provided further, that the department may require such medical verification of disability to set forth the individual’s diagnosis, prognosis, treatment and functional limitations using generally accepted medical criteria; provided further, that the department shall provide a referral to an appropriate medical authority to complete the evaluation if the
individual cannot locate an appropriate medical authority; provided further, that the department may establish a medical review team for reviewing selected cases where a competent medical authority has verified that the individual is disabled in accordance with this item and the department's regulations, and that in performing its review, the medical review team may use a list of physical or mental incapacities designated as disabling by the department, which may take into consideration the person's age, education and job skills and which may include those impairments listed in 20 C.F.R. 404, Subpart P, Appendix I; provided, further, before determining that a person is not disabled, the medical review team shall obtain all relevant information, including but not limited to test results and medical records, from the medical authority who verified the impairment and from other competent medical authorities who have treated the individual and shall offer the individual an opportunity to submit additional medical and vocational evidence; provided further, that the department may terminate benefits if the evidence establishes that the individual does not have a severe impairment as defined in the Social Security Act; provided further, that, if the evidence established that the individual has a severe impairment, but there is insufficient evidence to establish that the individual is disabled in accordance with this act and the department's regulations, the medical review team shall arrange for examination of the individual by an independent competent medical authority and a vocational assessment and may terminate benefits if the independent competent medical authority and vocational assessment conclude that the individual is not disabled in accordance with this act and the department's regulations; provided further, that no funds shall be expended from this item for the payment of expenses associated with any medical review team, other disability screening process or costs associated with verifying disability for this program; provided further, that the department shall promulgate emergency regulations pursuant to chapter thirty A of the General Laws to implement the changes to this program required by this act promptly and within the appropriation; provided, further, that in initially implementing the program for this fiscal year, the department shall include all eligibility categories permitted herein at the payment standard in effect for the former general relief program in fiscal year nineteen hundred and
ninety-one; provided further, that in promulgating, amending, or rescinding its regulations with respect to eligibility or benefits, including the payment standard, medical benefits, and any other benefits under this program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the appropriation; provided further, that notwithstanding the provisions of any general or special law or this line item to the contrary, thirty days before implementing any eligibility or benefit changes or both to the program, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the house of representatives and the senate a determination by the secretary of health and human services that available appropriations for said program will be insufficient to meet projected expenses and a report setting forth such proposed changes; provided further, that said report shall contain detailed information concerning the current and proposed operation of the program, including categories of eligibility, number of eligible persons in each category, demographic information regarding said persons, services rendered to said persons, direct service costs, administrative costs, and an explanation of the need for proposed changes in eligibility requirements or benefit level or both; provided further, that the department is authorized to promulgate emergency regulations pursuant to chapter thirty A of the General Laws to implement these eligibility or benefit changes or both; provided further, that nothing herein shall be construed as creating any right accruing to recipients of the former general relief program; provided further, that the secretary of health and human services shall report monthly to the house and senate committees on ways and means for the preceding month on the numbers of persons applying for benefits under this program, by category, age, and disability, if any, and the number of persons receiving and denied benefits under this program by category, age, and disability, if any; and provided further, that notwithstanding any general or special law to the contrary, the funds made available herein shall be the only funds available for said program, and the department shall not spend funds for said program in excess of the amount made available herein, and subject to the condition that no funds appropriated herein shall be expended for the payment of abortions not necessary to prevent the death of the mother.
[The Governor reduced the item to $104,731,868 and disapproved the following wording: “except with respect to persons sixty-five years of age or older, persons found to be disabled by the department in accordance with this item, persons caring for a disabled person, dependent children and the parents or other caretakers of dependent children; provided further, that the department shall initially authorize benefits to persons with medical impairments where a competent medical authority has verified that the person is disabled in accordance with this act and the department’s regulations; provided further that for purposes of this act, a competent medical authority shall mean a medical provider designated by the department, including a physician or clinical psychologist with a doctoral degree, or a medical internist, resident or fellow, in a clinic, mental health center, hospital, community health center, or health maintenance organization, who is licensed and authorized pursuant to said license to evaluate physical or mental disorders; provided further, that the department may require such medical verification of disability to set forth the individual’s diagnosis, prognosis, treatment and functional limitations using generally accepted medical criteria; provided further, that the department shall provide a referral to an appropriate medical authority to complete the evaluation if the individual cannot locate an appropriate medical authority; provided further, that the department may establish a medical review team for reviewing selected cases where a competent medical authority has verified that the individual is disabled in accordance with this item and the department’s regulations, and that in performing its review, the medical review team may use a list of physical or mental incapacities designated as disabling by the department, which may take into consideration the person’s age, education and job skills and which may include those impairments listed in 20 C.F.R. 404, Subpart P, Appendix I; provided, further, before determining that a person is not disabled, the medical review team shall obtain all relevant information, including but not limited to test results and medical records, from the medical authority who verified the impairment and from other competent medical authorities who have treated the individual and shall offer the individual an opportunity to submit additional medical and vocational evidence; provided further, that the department may terminate benefits if the evidence establishes that the individual does not have a severe impairment as defined in the Social Security Act; provided further, that, if the evidence established that the individual has a severe impairment, but there is insufficient evidence to establish that the individual is disabled in accordance with this act and the department’s regulations, the medical review team shall arrange for examination of the individual by an independent competent medical authority and a vocational assessment and may terminate benefits if the independent competent medical authority and vocational assessment conclude that the individual is not disabled in accordance with this act and the department’s regulations”].
After debate the question on passing item 4408-1000, section 2, notwithstanding said reduction, was determined by yea and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call (Mr. Serra of Boston being in the Chair) 65 members voted in the affirmative and 82 in the negative.

[See Yea and Nay No. 259 in Supplement.]

Therefore the reduction of His Excellency the Governor in item 4408-1000 in section 2 was sustained (less than two-thirds of the members present and voting having voted in the affirmative).

Subsequently Mr. Angelo of Saugus asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

MR. SPEAKER: During the taking of the above yeas and nays, I was absent from the House Chamber on official business in another part of the State House. Had I been present when the vote was taken, I would have voted in the negative.

Mr. Angelo then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

Mr. Caron of Springfield moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of section 134 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Section 134 (Registry of Motor Vehicles privatization) was considered as follows:

"SECTION 134. Notwithstanding any general or special law to the contrary the remote entry processing system of the registry of motor vehicles or any other plan to shift registry of motor vehicles' data processing or fee collection responsibilities to any private entity shall not be implemented until such time as a cost study comparing the costs of the REPS with other means of registering motor vehicles in the commonwealth has been presented to and approved by the house and senate committees on ways and means.

The criteria for such a cost study shall be determined by the chairs of the committees on post audit and oversight, the joint committee on insurance and the joint committee on public safety."

After debate the question on passing section 134, notwithstanding said objections, was determined by yea and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 147 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 260 in Supplement.]

[Representatives Galvin of Canton and Lionett of Worcester answered “Present” in response to their names].
Therefore section 134 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Mara of Brockton moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of section 367 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Section 367 (municipal insurance) was considered as follows:

SECTION 367. Said chapter 32B of the General Laws, as so appearing, is hereby further amended by adding after section eighteen, as inserted by chapter one hundred and thirty-eight of the acts of nineteen hundred and ninety-one, the following new section:

Section 19. (a) Notwithstanding the provisions of any other section in this chapter, the appropriate public authority of any governmental unit which has undertaken to provide health coverage to its employees, retirees, surviving spouses or dependents who shall hereafter be referred to as subscribers by acceptance of any other section of this chapter may instead elect provide health coverage to all such subscribers pursuant to the provisions of this section, by entering into a contract or contracts with any one or more health carriers, or by transferring such subscribers to the group insurance commission established pursuant to chapter thirty-two A of the General Laws pursuant to subsections (d) or (e) herein. This section shall be deemed to have been accepted by a governmental unit where all its public employers and the appropriate employee organizations have reached agreement regarding health coverage and the public authority has, in conformity with any applicable collective bargaining agreements, entered into one or more contracts with a health carrier or carriers pursuant to the terms of this section or transferred subscribers to the said commission pursuant to subsections (d) or (e). Nothing in this section shall preclude a public employer from agreeing to establish a health and welfare trust under section fifteen of this chapter. For purposes of this section, a health carrier shall include any insurance company organized pursuant to chapter one hundred and seventy-six G, preferred provider organization organized pursuant to chapter one hundred and seventy-six I, or, in the case of a governmental unit which is partially or fully self-insured with respect to health coverage, any third party administrator selected by the governmental unit, which may include but is not limited to any health carrier.
The appropriate public authority may contract with a health carrier for direct coverage of subscribers for whom the carrier’s geographic service area provides appropriate access and coverage for other subscribers in accordance with subsection (d) herein.

(b) Nothing in this section shall be deemed to require, preclude or permit any change in any aspect of health coverage for active employees authorized by this section except where the parties to a collective bargaining agreement under chapter one hundred and fifty E agree to provide for such change in an agreement entered into or modified subsequent to the effective date of this subsection.

(c) Nothing in this section shall be construed so as to relieve any governmental unit from providing health coverage to any employee, retiree, surviving spouse or dependent to whom it has an obligation to provide coverage under any other provision of this chapter.

(d) If the appropriate public authority enters into a contract with a health carrier under this section, the health carrier may, pursuant to this subsection, provide for or arrange for the provision of coverage for those subscribers who, by reason of residence or domicile, could not be appropriately served within the service area of said health carrier. Coverage for active employees under this subsection shall be pursuant to and in conformity with any applicable collective bargaining agreement and shall conform to the requirements of this section, including subsections (b) and (c) hereof. Notwithstanding any other law to the contrary, coverage that may be provided by said health carrier for subscribers who by reason of residence or domicile cannot be appropriately served within the service area of said health carrier, may be based upon contractual arrangements with health care providers or other carriers, provided that such contractual arrangements are consistent with the contract between the health carrier and the appropriate public authority; and provided further that such arrangements shall provide coverage for retirees which is substantially equivalent to the coverage provided to active employees within the health carrier’s service area.

In the event the health carrier is unable to procure such coverage for subscribers by reason of their residence or domicile, the health carrier shall forward the names of such subscribers to the appropriate public authority, or in the event the appropriate public authority is otherwise unable to procure such coverage for said subscribers, the appropriate public authority shall transfer said subscribers to the said commission consistent with the provisions of subsection (f).

(e) Where collective bargaining agreements covering all collective bargaining units of the governmental unit executed or modified subsequent to the effective date of this subsection to provide, the appropriate public authority shall, for a period of time specified by regulation of said commission, transfer to said commission all subscribers for whom it provides health coverage. The regulations of said commission shall permit the governmental unit, upon agreement with all collective bargaining units of the governmental unit, to withdraw from such transfer to said commission after a
period of not less than three years following such transfer consistent with the provisions of subsection (f).

(f) Said commission shall negotiate and purchase health coverage for subscribers transferred pursuant to subsection (d) and subsection (e) and shall promulgate regulations for coverage of such subscribers so transferred. The schedule of benefits available to such transferred subscribers shall be determined by said commission in accordance with chapter thirty-two A. All such subscribers shall be offered at least the same choice as to health carriers as is made available to state employees. The governmental unit's contribution to the cost of health coverage for such subscribers shall be as determined under this section, and shall not be subject to the provisions on contributions in said chapter thirty-two A. Said commission may require the governmental unit to collect and forward to the said commission the full premium or cost of coverage, including the employee's contribution, if any. For the purposes of calculating the full premium or cost of coverage for subscribers transferred pursuant to subsection (d), the claims experience of all retirees transferred thereunder shall be combined with the claim of all active employees so transferred. Said commission may also charge the governmental unit an administrative fee to be determined by said commission which shall be paid by the governmental unit and shall not be considered as part of the cost of coverage for purposes of determining the contributions of the governmental unit and its employees to the cost of health coverage.

(g) For purposes of this subsection, and subsections (h) and (i), a governmental unit shall be deemed to be offering its subscribers a primary carrier if, pursuant to collective bargaining agreements executive or modified subsequent to the effective date of this subsection, it offers those subscribers comprehensive health insurance coverage by contracting with an entity licensed under chapter one hundred and seventy-five, chapter one hundred and seventy-six A or chapter one hundred and seventy-six B, by transferring subscribers to the group insurance commission under subsection (e), or by providing such coverage through self-insurance and a third party administrator as defined in subsection (a).

(h) If the carrier or carriers selected to provide coverage to subscribers under this section include a primary carrier, the governmental unit's contribution to the premium or cost of such coverage, exclusive of any administrative fee charged pursuant to subsection (f), shall be as established for active employees and retirees pursuant to sections seven, seven A, nine A and nine E of this chapter; and the governmental unit's contributions to any other carrier, including other carriers with whom the appropriate public authority contracts directly and other carriers whose products are available to employees transferred to the said commission pursuant to subsections (d) and (e), shall be the same amount as the governmental unit's contribution to the premium or cost of coverage provided by the primary carrier.
Municipal insurance, section 367 passed, yea and nay No. 261. General Appropriation Bill—section 2, item 4510-0110.

Community and health center grants, item 4510-0110.

(i) If the carrier or carriers selected to provide coverage to subscribers under this section do not include a primary carrier, the governmental unit shall contribute to the premium or cost for coverage charged by any carrier for active employees at least a minimum percentage of the premium or cost equal to the weighted average percentage of the dollar amount contributed by the governmental unit on behalf of all active employees who were covered by a carrier other than primary carrier as of July first, nineteen hundred and ninety-one.

After debate the question on passing section 367, notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 120 members voted in the affirmative and 30 in the negative.

[See Yea and Nay No. 261 in Supplement.]

Therefore section 367 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Brett of Boston moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his reduction of item 4510-0110 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 4510-0110, which had been reduced, was considered as follows:

"4510-0110 For community and other health center operational grants; provided, that notwithstanding the provisions of any general or special law to the contrary, not less than seventy thousand dollars shall be expended for the South Boston community health center; and provided further, that notwithstanding the provisions of any general or special law to the contrary, not less than one hundred fifty thousand dollars shall be expended for the Massachusetts general hospital neighborhood health center, including not more than four positions ................ 1,627,000"

[The Governor reduced the item to $627,000 and disapproved the following wording: "including not more than four positions"].

After debate the question on passing item 4510-0110, section 2, notwithstanding said reduction, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the
Constitution; and on the roll call 116 members voted in the affirmative and 33 in the negative.

[See Yea and Nay No. 262 in Supplement.]

Therefore item 4510-0110 in section 2 stands, notwithstanding the reduction of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Brett of Boston moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his reduction of item 4600-1050 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 4600-1050, which had been reduced, was considered as follows:

"4600-1050 For the uncompensated care pool administration program, for the costs of administering the revenues in the uncompensated care pool pursuant to section seventeen A of chapter one hundred and eighteen F of the General Laws; provided, that the department shall assist professional and nonprofit agencies dedicated to the advancement of the scope and nature of services delivered in communities and community health centers, to pursue available federal technical assistance funding; and provided further, that not less than one hundred and eighty-five thousand three hundred and fifty dollars from said revenues be expended on a statewide program of technical assistance to community health centers to be provided by a state primary care association qualified under section 330(f)(1) of the United States Public Health Service Act (42 USC 254c) 970,196".

[The Governor reduced the item to $583,602 and disapproved the following wording: "; and provided further, that not less than one hundred eighty-five thousand three hundred and fifty dollars from said revenue shall be expended on a statewide program of technical assistance to community health centers to be provided by a state primary care association qualified under section 330(f)(1) of the United States Public Health Act (42 USC 245c)"].

After debate the question on passing item 4600-1050, in section 2, notwithstanding said reduction, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call (Mrs. Menard of Somerset being
in the Chair) 105 members voted in the affirmative and 41 in the negative.

[See Yea and Nay No. 263 in Supplement.]
Therefore item 4600-1050 in section 2 stands, notwithstanding the reduction of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Subsequently Mr. Gannon of Boston asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

MR. SPEAKER: During the taking of the above yeas and nays, I voted in the affirmative, but now find that due to mechanical problems with the roll call machine I was recorded in the negative when it was my full intention to have been recorded in the affirmative.

Mr. Gannon then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

Mr. Hodgkins of Lee moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of item 2511-0200 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 2511-0200, which had been disapproved, was considered as follows:

"2511-0200 For the agriculture preservation restriction program of the department, pursuant to section eleven A of chapter one hundred and thirty-two A of the General Laws 2,000,000"

The question on passing item 2511-0200 in section 2, notwithstanding said disapproval, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call (the Speaker being in the Chair) 141 members voted in the affirmative and 3 in the negative.

[See Yea and Nay No. 264 in Supplement.]
[Representative Lewis of Bridgewater answered "Present" in response to her name].

Therefore item 2511-0200 in section 2 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. DiMasi of Boston moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his reduction of item 4512-0200 in section 2 (for message, see House, No. 6000) of the engrossed Bill making
appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 4512-0200, which had been reduced, was considered as follows:

"4512-0200 For the administration of the division of substance abuse services, including a program to reimburse driver alcohol education programs for services provided for court adjudicated indigent clients; provided, that five hundred fifty thousand three hundred fifty dollars shall be expended for a contract to furnish drug-free ambulatory recovery counseling and case management treatment; and provided further, that five hundred thousand dollars shall be expended for AIDS education for clients served by said division, including not more than twenty-five positions ............................. 28,344,303".

[The Governor reduced the item to $27,844,303, and disapproved the following wording: "; provided, that five hundred fifty thousand three hundred fifty dollars shall be expended for a contract to furnish drug-free ambulatory recovery counseling and case management treatment", and inserted the following wording: "; provided, that fifty thousand three hundred fifty dollars shall be expended for a contract to furnish drug-free ambulatory recovery counseling and case management treatment"].

After remarks the question on passing item 4512-0200, section 2, notwithstanding said reduction, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 112 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 265 in Supplement.]

Therefore item 4512-0200 in section 2 stands, notwithstanding the reduction of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Forman of Plymouth moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his reduction of item 8312-1000 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.
Item 8312-1000, which had been reduced, was considered as follows:

"8312-1000 For the administration of the bureau of special investigations, including not more than ninety-nine positions .......................... 4,166,643".

[The Governor reduced the item to $3,754,015 and disapproved the following wording: "including not more than ninety-nine positions"].

The question on passing item 8312-1000, in section 2, notwithstanding said reduction, was determined by yea and nays, was determined by yea and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution, and on the roll call 133 members voted in the affirmative and 14 in the negative.

[See Yea and Nay No. 266 in Supplement.]

Therefore item 8312-1000 in section 2 stands, notwithstanding the reduction of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Cohen of Newton moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of part of item 4402-4100 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 4402-4100, which had been disapproved (in part), was considered as follows:

"4402-4100 For a medical assistance program for recipients receiving medical care and assistance from primary care clinicians, health maintenance organizations, capitated mental health and substance abuse programs and other managed care plans according to the terms of a managed care waiver of Title XIX requirements approved by the Secretary of Health and Human Services; provided that expenditures from this item shall be made only for services rendered to recipients in the current fiscal year consistent with accounting reconciliation requirements established by this Act; provided further, that individuals who have significant preexisting relationships with a physician or independent nurse practitioner enrolled in the primary care clinicians program shall be allowed to maintain that relationship if said physician or nurse practitioner is located in reasonable geographic proximity to the individual’s or family’s
residence or if no other appropriate primary care clinician is located in reasonable geographic proximity; provided further, that regulations for determining eligibility for personal care attendant services shall not be more restrictive than those regulations in effect on January first, nineteen hundred and ninety-two; and provided further, the department shall make no expenditures from this item for the payment of abortions not necessary to prevent the death of the mother 765,000,000.

(The Governor had disapproved wording in said item as follows: "provided further, that regulations for determining eligibility for personal care attendant services shall not be more restrictive than those regulations in effect on January first, nineteen hundred and ninety-two]."

After debate the question on passing item 4402-4100 in section 2, notwithstanding said disapproval, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 112 members voted in the affirmative and 32 in the negative.

[See Yea and Nay No. 267 in Supplement.]

Therefore item 4402-4100 in section 2 was passed, notwithstanding the objections of His Excellency of part of said item (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Cohen of Newton moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of part of item 4402-4300 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 4402-4300, which had been disapproved (in part), was considered as follows:

"4402-4300 For a medical assistance program for recipients not participating in managed care programs according to the terms of any waiver of Title XIX requirements approved by the Secretary of Health and Human Services; and for the purpose of providing emergency care, family planning and other waiver-exempt services to all medicaid recipients consistent with the provisions of any said waiver; provided further, that regulations for determining eligibility for personal care attendant services shall not be more restrictive than those
regulations in effect on January first, nineteen hundred and ninety-two; provided further, the department shall reimburse those school and community-based adolescent health programs, which are licensed by the department of public health and are medicaid providers, for family planning services, including counseling for the prevention of sexually-transmitted diseases, provided to medicaid recipients without required pre-authorization or referral by a primary care clinician and shall pay for other adolescent health services provided by such programs to a recipient participating in the primary care clinician program whenever referred by a recipient's primary care clinician; provided further, that up to one million dollars shall be expended from this item for early screening and treatment necessary to reduce hospitalizations and to avoid medicaid costs by delaying the onset of fully symptomatic AIDS; and provided further, the department shall make no expenditures from this item for the payment of abortions not necessary to prevent the death of the mother ................. 435,000,000".

[The Governor had disapproved wording in said item as follows: "; provided further, that regulations for determining eligibility for personal care attendant services shall not be more restrictive than those regulations in effect on January first, nineteen hundred and ninety-two"].

The question on passing item 4402-4300 in section 2, notwithstanding said disapproval, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 114 members voted in the affirmative and 30 in the negative.

[See Yea and Nay No. 268 in Supplement.]

Therefore item 4402-4300 in section 2 was passed, notwithstanding the objections of His Excellency of part of said item (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Voke of Chelsea moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his reduction of item 4180-0100 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 4180-0100, which had been reduced, was considered as follows:
4180-0100 For the maintenance of the soldiers' home of Massachusetts located in the city of Chelsea; provided that the home shall generate five million three hundred and sixty-seven thousand five hundred dollars from fees, payments, and reimbursements and six hundred thousand dollars from the sale of license plates to be deposited in the General Fund, including not more than four hundred and fifty positions.

[The Governor reduced the item to $16,226,643 and disapproved the following wording: "including not more than four hundred and fifty positions"].

The question on passing item 4180-0100, in section 2, notwithstanding said reduction, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 146 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 269 in Supplement.]

Therefore item 4180-0100 in section 2 stands, notwithstanding the reduction of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Cruz of West Bridgewater moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of item 7000-9411 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 7000-9411 (West Bridgewater Library construction) was considered as follows:

"7000-9411 For the state reimbursement of a library construction project in West Bridgewater ......... 186,000".

The question on passing item 7000-9411 in section 2, notwithstanding said disapproval, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 114 members voted in the affirmative and 32 in the negative.

[See Yea and Nay No. 270 in Supplement.]

Therefore item 7000-9411 in section 2 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the
members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Walsh of Peabody moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of section 158 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Section 158 (Peabody Library funding) was considered as follows:

“SECTION 158. Notwithstanding the provisions of any general or special law to the contrary or any rule or regulation of the board of library commissioners, said board is hereby authorized and directed to reimburse the city of Peabody a sum of one hundred forty-four thousand five hundred and thirty dollars under the provisions of chapter four hundred and seventy-eight of the acts of nineteen hundred and eighty-seven.”

After remarks the question on passing section 158, notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 111 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 271 in Supplement.]

Therefore section 158 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Hayward of Lynn moved that the Speaker be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of item 2440-0021 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 2440-0021 (Lynn Beach, etc., mounted patrols) was considered as follows:

“2440-0021 For the purpose of a mounted patrol at Lynn Beach, King's Beach, and Nahant Beach; provided that the sum appropriated herein shall be expended only for this purpose and the leasing of any necessary equipment, prior appropriation continued ....................................... 55,000"
The question on passing item 2440-0021 in section 2, notwithstanding said disapproval, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 78 members voted in the affirmative and 69 in the negative.

[See Yea and Nay No. 272 in Supplement.]

Therefore the objection of His Excellency the Governor in item 2440-0021 in section 2 was sustained (less than two-thirds of the members present and voting having voted in the affirmative).

Orders of the Day.

The House Bill authorizing the city of Gloucester to pay certain unpaid compensation (House, No. 5840), 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.

The Senate Bill relative to the Central Credit Union Fund, Inc. (Senate, No. 1646) was read a second time; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Brett of Boston, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time forthwith; and it was passed to be engrossed, in concurrence.

The House Bill authorizing the city of Boston to use certain park land in the city of Boston for the relocation of and the addition to a certain building to be used as a visitor information center (House, No. 5523) 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.

The bill then was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing certain cities and towns to borrow for costs connected to a landfill site in the town of Tyngsborough (House, No. 5900), 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.

The motion of Mr. Businger of Brookline, that the committee on Ways and Means be discharged from further consideration of the House Bill conforming the General Laws to the Constitutional amendment abolishing the state census (House, No. 3355) was considered.

Pending the question on the motion to discharge the committee, further consideration thereof was postponed, on motion of the same
member, until after disposition of the remaining matters in the Orders of the Day.

Senate bills
Relative to increasing housing inspection staff (Senate, No. 517); Increasing the membership on the Methuen commission on disability in the city known as the town of Methuen (Senate, No. 1622); and Authorizing the town of Manchester-by-the-Sea to reimburse Wilber Stanley for certain injuries sustained as a firefighter (Senate, No. 1633);
Severally were read a second time; and they were ordered to a third reading.

The Senate Bill establishing statewide registration of domestic violence offenses (Senate, No. 1661) was read a second time.
Pending the question on ordering the bill to a third reading, Mr. Stoddart of Natick moved that it be amended in section 2 (as printed) by striking out, in line 18, the word "When" and inserting in place thereof the word "After", by striking out, in line 29, the word "upon" and inserting in place thereof the word "after"; in section 3 (as printed) by striking out, in line 17, the word "When" and inserting in place thereof the word "After", by striking out, in line 27, the word "upon" and inserting in place thereof the word "after"; in section 6 (as printed) by striking out, in line 4, the word "When" and inserting in place thereof the word "After", by striking out, in line 12, the word "upon" and inserting in place thereof the word "after"; in section 7 (as printed) by striking out, in line 16, the word "When" and inserting in place thereof the word "After", by striking out, in line 25, the word "upon" and inserting in place thereof the word "after"; and by striking out section 8 (as printed). After remarks the amendments were rejected.
The bill (Senate, No. 1661) then was ordered to a third reading.

The Senate Bill relative to investments in bank premises (printed as House, No. 24) was read a second time; and it was ordered to a third reading.

The Senate Bill authorizing the town of Ashfield to construct a wastewater treatment facility (printed as House, No. 5689, changed) was read a second time; and it was ordered to a third reading.
Under suspension of the rules, on motion of Mr. Healy of Charlemont, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time forthwith; and it was passed to be engrossed, in concurrence.

House bills
Authorizing the Governor to designate an additional justice of the peace in the town of Winthrop (House, No. 3381); and
Relative to visitation rights of certain grandparents of unmarried minor children (House, No. 3608);
Severally were read a second time; and they were ordered to a third reading.

The House Bill relative to the operation of motor freight carriers on and off the national network (House, No. 5712, changed) was read a second time; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Caron of Springfield, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the Division of Capital Planning and Operations to grant an easement in certain land located in the town of Westminster (House, No. 5815) was read a second time; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Goguen of Fitchburg, the bill was read a third time forthwith.

The committee on Bills in the Third Reading reported recommending that the bill be amended in section 1 by adding at the end thereof the following paragraph:
"Said easement is bounded and described as follows: BEGINNING at the northwesterly corner of land now or formerly owned by Oink Oink Realty Trust in the town of Westminster and recorded in the Worcester north registry of deeds at Book 1503, Page 532; THENCE S 86 53'03" W along the property line separating the Town of Westminster from the City of Fitchburg for a distance of 1,297.34 feet or azimuth to land now or formerly owned by Joseph H. Catalucci and Herman J. Catalucci, as tenants in common; THENCE southerly along said land of Joseph H. Catalucci and Herman J. Catalucci and continuing along said course for a distance of twenty (20) feet; THENCE S 86 53' 03" along a course for a distance of 1,293.93 feet or azimuth parallel to the property line separating the Town of Westminster from the City of Fitchburg and continuing along said course until such line meets the land now or formerly owned by Oink Oink Realty Trust; THENCE N 02 23' 53" W along said land of Oink Oink Realty Trust and continuing along said course for a distance of twenty (20) feet to the point of beginning."
The amendment was adopted; and the bill (House, No. 5815, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the notification of excavation (House, No. 5887) was read a second time; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Karol of Attleboro, the bill (reported by the committee on Bills in the Third
Reading to be correctly drawn) was read a third time forthwith; and it was passed to be engrossed, its title having been changed by said committee to read: An Act relative to notification of excavation of state highways. Sent to the Senate for concurrence.

The House Bill allowing the use of duplicate blank nomination petition sheets in city of Boston elections (House, No. 5892) was read a second time; and it was ordered to a third reading.

The House Bill authorizing the town of Sharon to convey a certain parcel of conservation land (House, No. 5894) was read a second time; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Kafka of Sharon, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

House bills

Authorizing the town of Easton to transfer certain bond funds for other uses (House, No. 5895);

Authorizing the town of Easton to transfer control of certain conservation land (House, No. 5896, changed);

Authorizing the town of Bellingham to reimburse Vincent R. Thayer, executor of the estate of L. F. Thayer, a sum of $3,762.70, paid to said town as real estate taxes in error (House, No. 5965);

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); 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 (House, No. 5994);

Severally were read a second time; and they were ordered to a third reading.

The House Bill further regulating the operation of the game of Beano (House, No. 6003) was read a second time; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mrs. Menard of Somerset, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time forthwith; and it was passed to be engrossed, its title having been changed by said committee to read: An Act further regulating the operation of the game commonly called Beano. Sent to the Senate for concurrence.

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 second time; and it was ordered to a third reading.

The House Bill relative to the creation of a revolving trust fund to aid in the financing of water pollution abatement projects (House, No. 6008) was read a second time.
Pending the question on ordering the bill to a third reading, Representatives Bosley of North Adams, O'Brien of Easthampton and O'Sullivan of Worcester moved, there being no objection, that it be amended in section 22 by striking out, in lines 4 and 5, the words "one hundred twenty-two million three hundred thousand dollars" and inserting in place thereof the words "two hundred twenty-two million three hundred thousand dollars; provided, that of such amount no less than one hundred million dollars shall be made available for the provision of financial assistance to local governmental units pursuant to section twenty of this act". After remarks the amendment was rejected.

The bill then was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Finneran of Boston, the bill (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. The same member moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill (House, No. 6008) then was sent to the Senate for concurrence.

Reports of a Committee.

Mr. Finneran of Boston, 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 Senate document numbered 1663) of the House Bill making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-two, to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5975), reports, in part, a Bill relative to certain land conveyances and bond authorizations (House, No. 6009).

Under suspension of Rule 42, on motion of the same member, the report (having been approved by the committees on Bills in the Third Reading of the two branches, acting concurrently) was considered forthwith; and after debate it was accepted. The report then was sent to the Senate for concurrence.

Mr. Finneran of Boston, 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 Senate document numbered 1663) of the House Bill making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-two, to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5975), reports, on the residue, a bill with the same title (House, No. 6010).

Under suspension of Rule 42, on motion of the same member, the report (having been approved by the committees on Bills in the Third Reading of the two branches, acting concurrently) was considered forthwith.
After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of Mr. Forman of Plymouth; and on the roll call 104 members voted in the affirmative and 40 in the negative.

[See Yea and Nay No. 273 in Supplement.]

Therefore the report of the committee of conference was accepted. The report then was sent to the Senate for concurrence.

Emergency Measure.

The engrossed Bill relative to certain land conveyances and bond authorizations (see House, No. 6009), 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 48 to 2. 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution and this also being a "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 141 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 274 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Subsequently Mr. Pacheco of Taunton asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

MR. SPEAKER: During the taking of the above yeas and nays, I was absent from the House Chamber on official business in another part of the State House. Had I been present when the vote was taken, I would have voted in the affirmative.

Mr. Pacheco then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.

Engrossed Bills.

Mr. Mandile of Waltham being in the Chair,—

Engrossed bills

Making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-two to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 6010); and

Providing for certain tourism activities (see House, No. 6013); (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 Mr. Draisen 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.

Mr. Draisen then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at ten o'clock P.M. (Mr. Mandile of Waltham being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.
Thursday, July 30, 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, we pause for this moment to turn our thoughts to You and to ask for Your gift of peace for our hearts and minds. Your peace helps us to put our priorities in right order and to arrange our life's goals and objectives. Inspire us to encourage all people to use their talents for their own benefit, for the betterment of their communities and for the good of society. May we try to help people to cope with the challenges and the problems of everyday life.

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.

Resolution.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules: Resolutions (filed by Mr. Hayward of Lynn) congratulating Beth Ann Roderick; and Resolutions (filed by Mr. Karol of Attleboro) congratulating Mr. and Mrs. Albert Piche on the occasion of their fiftieth wedding anniversary; 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. Karol, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petition.

Mr. Ruane of Salem presented a petition (accompanied by bill, House, No. 6016) of J. Michael Ruane (with the approval of the mayor and city council) relative to the designation of a certain housing project in the city of Salem as Farrell Court; and the same was referred to the committee on Local Affairs. Sent to the Senate for concurrence.

Papers from the Senate.

The engrossed Bill making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-two to provide for supplementing certain existing appropriations and for certain
other activities and projects (see House, No. 6010) came from the Senate with an amendment striking out section 77.

Under suspension of the rules, on motion of Mr. Finneran of Boston, the amendment was considered forthwith; and it was adopted, in concurrence.

A petition of Edward L. Burke for legislation relative to the sales tax on electricity, 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. 1677) was referred, in concurrence, to the committee on Taxation.

Report of a Committee.

By Mr. Vellucci of Cambridge, for the committee on State Administration, on a petition, a Bill authorizing and directing the Commissioner of Capital Planning and Operations to convey to the city of Cambridge a certain parcel of land in said city under the control of the Metropolitan District Commission (House, No. 5938). Read; and referred, under Rule 33, to the committee on Ways and Means.

Emergency Measures.

The engrossed Bill relative to borrowing by cities, towns and districts (see House, No. 1349), 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 Speaker and sent to the Senate.

The engrossed Bill relative to the Massachusetts Water Resources Authority (see House, No. 6012), 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 Speaker and sent to the Senate.
**Engrossed Bills.**

Bills enacted.

Engrossed bills
Relative to the Central Credit Union Fund, Inc. (see Senate, No. 1646);
Authorizing the town of Ashfield to construct a wastewater treatment facility (see Senate bill printed as House, No. 5689, changed);
(Which severally originated in the Senate); and
Making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-two to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 6010, amended) (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 Speaker and sent to the Senate.

Orders of the Day.

The Senate Bill establishing statewide registration of domestic violence offenses (Senate, No. 1661) 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. DiMasi of Boston moved that it be amended by substitution of a Bill establishing a statewide registration of domestic violence offenses (House, No. 6017), which was read.
The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. Rushing of Boston, —
Ordered, That when the House adjourns today, it adjourn to meet on Monday next (August 3) at eleven o'clock A.M.; when the House adjourns on Monday, it adjourn to meet on the following Thursday (August 6) 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 Calendars for said sittings.

At ten minutes before twelve o'clock noon, on motion of Mr. Rushing, the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.