Thursday, October 1, 1992.

Met according to adjournment, at eleven o’clock A.M., in an Informal Session, with Mr. Rushing 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 place our confidence in You and in the values which You have made known to us. Grant us the intellectual and moral strength to make correct decisions in legislative matters as we strive to serve both You and our constituents. Bless our efforts to build consensus on difficult and emotional issues and to renew confidence in our institutions and Constitutional principles.

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

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

Statement of Representative Coon of Andover.

During consideration of the Orders of the Day, Mr. Coon of Andover 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 not present for the latter portion of yesterday’s sitting due to official business in my district. Had I been present for the taking of Yea and Nay Nos. 294, 295 and 296, I would have been recorded, in each instance, in the affirmative.

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

Statement of Representative Hodgkins of Lee.

During consideration of the Orders of the Day, Mr. Hodgkins of Lee 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 not present for the earlier part of yesterday’s sitting due to a previous commitment in my district to announce the award of an economic development for the town of Great Barrington. Any roll calls that I missed yesterday was due entirely to the reason stated.

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

Norfolk,—Correctional Institution.

Greenfield,—jail inspection.

Boston,—Longwood Treatment Center.

Lancaster,—Correctional Institution.

Warwick,—Correctional Institution.

Billerica,—jail inspection.

Gardner,—Correctional Institution.

Boston,—Pre-Release Center.

Plymouth,—jail inspection.

Springfield,—Alcohol Center.

West Boylston,—jail inspection.

Reports

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the Bay State Correctional Institution located in the town of Norfolk.

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the Franklin County Jail and House of Correction located in the town of Greenfield.

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the Longwood Treatment Center located in the city of Boston.

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the Massachusetts Correctional Institution located in the town of Lancaster.

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the Massachusetts Correctional Institution located in the town of Warwick.

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the Middlesex County Jail and House of Correction located in the town of Billerica.

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the North Central Correctional Institution located in the city of Gardner.

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the Park Drive Pre-Release Center located in the city of Boston.

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the Plymouth County House of Correction and Jail located in the town of Plymouth.

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the Western Massachusetts Correctional Alcohol Center located in the city of Springfield.

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the Worcester County Jail and House of Correction located in the town of West Boylston.

Severally sent to the Senate for its information.

Papers from the Senate.

The House Bill establishing a sick leave bank for a certain employee of the Commonwealth (House, No. 6116) (its title having
been changed by the Senate committee on Bills in the Third Reading, came from the Senate passed to be engrossed, in concurrence, with an amendment adding at the end thereof the following section:

"SECTION 2. Notwithstanding the provisions of any general or special law or rule or regulation to the contrary, the parole department of the commonwealth is hereby authorized and directed to establish a sick leave bank for parole officer, Michael Donovan of the parole board, commonwealth of Massachusetts. Each employee of the parole department of the commonwealth may voluntarily contribute one or more of their vacation or personal days or sick leave to said bank for use by said Michael Donovan."

Under suspension of Rule 35, on motion of Mr. Morrissey of Quincy, 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.

Bills
Authorizing the Commissioner of Capital Planning and Operations to lease certain property in the town of Carlisle (Senate No. 1161) (reported on a petition); and
Creating a crime laboratory in Hampden County (Senate No. 1674) (reported on Senate, No. 1027);
Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A report of the committee on Human Services and Elderly Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1649) of Robert D. Wetmore for legislation relative to the veteran status of Anthony E. Wolski, and recommending that the same be referred to the committee on Public Service, — accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:
Petition (accompanied by bill, Senate, No. 1724) of the Lynn City Council, by Jim Cowdell, Councillor, for legislation relative to subsidized housing. To the committee on Housing and Urban Development.
Petition (accompanied by bill, Senate, No. 1725) of Robert D. Wetmore for legislation to provide for increased compensation under the Watershed Protection Act. To the committee on Natural Resources and Agriculture.

Reports of Committees.

By Mr. Angelo of Saugus, for the committee on Natural Resources and Agriculture, on Senate, Nos. 899 and 934 and House, Nos. 398, 607, 610, 787, 788, 1738, 2128, 2861, 3069, 3070, 3769, 3963, 3965, 4289, 4561, 5085 and 5086, 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 water supply and the protection of wetlands in the Commonwealth (House, No. 6124).

By the same member, for the same committee, on Senate, No. 927 and House, Nos. 794, 1542, 1734, 1735, 1955, 2518 and 4738, 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 recreational areas and the protection of open space in the Commonwealth (House, No. 6125).

By the same member, for the same committee, on Senate, No. 932 and House, Nos. 792, 793, 1176, 2123, 2336 and 3065, 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 air pollution and improvements of such air quality in the Commonwealth (House, No. 6126).

By the same member, for the same committee, on Senate, No. 968 and House, Nos. 2124, 2125, 2126, 4558, 5197 and 5285, 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 health and welfare of animals (House, No. 6127).

By Mr. Hodgkins of Lee, for the committee on State Administration, on Senate, Nos. 257, 1135, 1140, 1152, 1163, 1203 and 1205 and House, Nos. 124, 127, 131, 132, 1021, 1022, 1985 and 2723, an Order relative to authorizing the committee on State Administration to make an investigation and study of certain Senate and House documents concerning procurement procedures for municipalities, districts, counties and the Commonwealth (House, No. 6128).

By the same member, for the same committee, on Senate, Nos. 1133, 1165 and 1173 and House, Nos. 72, 74, 831, 1028, 1032, 1603, 1984, 2556, 2560, 3654, 4185, 4186, 4952 and 5573, an Order relative to authorizing the committee on State Administration to make an investigation and study of certain Senate and House documents concerning the conflict of interest law of the Commonwealth and other related matters (House, No. 6129).

By the same member, for the same committee, on Senate, Nos. 1179, 1180 and 1187 and House, Nos. 1605, 3801 and 4788, an Order relative to authorizing the committee on State Administration to make an investigation and study of certain Senate and House documents concerning the disposition of state-owned hospital facilities (House, No. 6130).

By the same member, for the same committee, on House, Nos. 649, 1026, 1029, 1031, 1033, 2204 and 3663, an Order relative to authorizing the committee on State Administration to make an investigation and study of certain House documents regulating the vendor and provider service systems of the Commonwealth (House, No. 6131).
By the same member, for the same committee, on House, Nos. 1405, 1594, 1789, 3994 and 5248, an Order relative to authorizing the committee on State Administration to make an investigation and study of certain House documents concerning the administration and operation of the Massachusetts Turnpike Authority (House, No. 6132).

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

Emergency Measures.

The engrossed Bill further regulating the landfill capping expense fund in the town of Dartmouth (see Senate, No. 1688), 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 1 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 acting Speaker and sent to the Senate.

The engrossed Bill relative to the placing of certain questions on the ballot for the nineteen hundred and ninety-two state election (see House, No. 6093, 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 1 to 0. Sent to the Senate for concurrence.

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

Engrossed Bill.

The engrossed Bill relative to adoption consents (see House, No. 1333) (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.

House bills
Establishing a water privilege fee in the town of Merrimac (House, No. 5942);
Providing for the appointment of the tax collector in the town of Groveland (House, No. 6023); and
Providing for the appointment of the town treasurer in the town of Groveland (House, No. 6024);
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.

Recess.

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

Emergency Measures.

The engrossed Bill authorizing the retail sale of alcoholic beverages not to be drunk on the premises on Sundays in certain cities and towns (see House, No. 6046), 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 3 to 0. Sent to the Senate for concurrence.

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

The engrossed Bill establishing sick leave banks for certain employees of the Commonwealth (see House, No. 6116, 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 3 to 0. Sent to the Senate for concurrence.

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

Order.

On motion of Mr. Flaherty of Cambridge, —

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.; and that, notwithstanding the provisions of House Rule 12, the Clerk be authorized to dispense with the printing of a Calendar for said sitting.
At eight minutes before twelve o'clock noon, on motion of Mr. Voke of Chelsea (Mr. Rushing of Boston being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.
Monday, October 5, 1992.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Serra of Boston in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

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

Lord God, we believe that You have created us and have a personal interest in our material and spiritual well-being. We also believe that You have made us in Your likeness for a purpose, given us an eternal destiny and expect us to live up to Your precepts and values. The Jewish Community is preparing to celebrate Yom Kippur which is an occasion for fasting, prayer and atonement for sins. We join our Jewish friends, neighbors and colleagues as they reflect on their relationship with You and with each other.

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 the terms of certain bonds to be issued by the Commonwealth (House, No. 6136) was filed in the office of the Clerk on Friday last.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Resolutions.

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

Edward F. Kelly.

Bonnie R. Lipa.

Blessed Sacrament Parish.

Steven Levy.

Resolutions (filed by Mr. Voke of Chelsea) commemorating Deputy Commissioner Edward F. Kelly on the occasion of his retirement from the Massachusetts State Police;

Resolutions (filed by Mr. Bosley of North Adams) congratulating Bonnie R. Lipa upon her being selected as Woman of the Year for nineteen hundred and ninety-two by the Northern Berkshire Business and Professional Women's Association;

Resolutions (filed by Mr. Correia of Fall River) on the occasion of the ninetieth anniversary of the founding of Blessed Sacrament Parish in the city of Fall River;

Resolutions (filed by Mr. Doran of Lexington) commending Steven Levy of Lexington upon his being named nineteen hundred ninety-two — nineteen hundred and ninety-three Massachusetts Teacher of the Year by the Massachusetts Department of Education;
Resolutions (filed by Mr. Knapik of Westfield) commending Judge Joseph E. Rodgers on the occasion of his retirement from the Massachusetts Trial Court;

Resolutions (filed by Messrs. Lawless of Orleans, Cahir of Bourne, Klimm of Barnstable, Teague of Yarmouth and Turkington of Falmouth) congratulating the United States Navy Cruiser Sailors Association, Inc., on the occasion of their first annual meeting;

Resolutions (filed by Mr. Pacheco of Taunton) honoring Peter B. Gay, Esquire for his many accomplishments;

Resolutions (filed by Ms. Resor of Acton) congratulating Daniel H. Monahan on his twenty-five years of service to the town of Concord;

Resolutions (filed by Mr. Sullivan of Abington) congratulating Randolph W. Staples upon his retirement from the Whitman Fire Department; and

Resolutions (filed by Mr. Walsh of Agawam) congratulating Jessie D. Fuller upon receiving the nineteen hundred and ninety-two “Republican of the Year Award”;

Mr. Voke, 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 the same member, 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 Higher Education Coordinating Council requesting an extension of time to submit a report relative to tuition and fees charged at each public institution of higher education in the Commonwealth as authorized in Section 46 of Chapter 142 of the Acts of 1991 and most recently amended by Section 13 of Chapter 69 of the Acts of 1992, was placed on file.

Annual Report.

Annual report of the Industrial Service Program (under Section 14 of Chapter 23D of the General Laws) of the trust’s activities for the fiscal year 1992, was placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Ms. O’Brien of Hanover, petition (accompanied by bill, House, No. 6139) of Janet W. O’Brien (by vote of the town) relative to the charter of the town of Rockland;

By the same member, petition (accompanied by bill, House, No. 6140) of Janet W. O’Brien (by vote of the town) relative to the annual town meeting of the town of Rockland; and

By the same member, petition (accompanied by bill, House No. 6141) of Janet W. O’Brien (by vote of the town) relative to the warrant for the annual town meeting of the town of Rockland;

Severally to the committee on Local Affairs.

Severally sent to the Senate for concurrence.
Petitions severally were presented and referred as follows:

By Mr. Blanchette of Lawrence, petition (subject to Joint Rule 12) of Kevin P. Blanchette, Joseph N. Hermann, Edward A. LeLacheur, Susan F. Rourke, John F. Cox and Brian S. Dempsey that retail establishments located in Franklin, Middlesex, Worcester or Essex counties be authorized to open for business on Columbus Day in the current year.

By Mr. Klimm of Barnstable (by request), petition (subject to Joint Rule 12) of Ron Beaty for legislation to establish the assignment of public counsel to indigent parties in civil actions.

By the same member, petition (subject to Joint Rule 12) of John C. Klimm for legislation to provide for an early retirement program for fire districts.

By Mr. Miceli of Wilmington, petition (subject to Joint Rule 12) of James R. Miceli, Jacqueline Lewis and William G. Reinstein for legislation to exempt cities and towns from certain clean up costs under the oil and hazardous material release prevention and response law.

By Mr. Teague of Yarmouth, petition (subject to Joint Rule 12) of Edward B. Teague III relative to the opening of certain establishments on Columbus Day.

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

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 Marian Walsh and Marie-Louise Kehoe for an investigation by a special commission (including members of the General Court) relative to developments and construction in the West Roxbury district of the city of Boston and in the town of Dedham and the effect of such development and construction on traffic conditions and the quality of life in said areas. Under suspension of Rule 42, on motion of Ms. Walsh of Boston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by resolve) was referred to the committee on Transportation. Sent to the Senate for concurrence.

By Ms. Resor of Acton, for the committee on Counties, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 6048) of Stephen J. Karol, David H. Locke, Kevin Poirier, Barbara C. Hyland, Philip Travis and William R. Keating for legislation to designate the court house in the city of Attleboro as the Justice Ernest I. Rotenberg Court House; and

Of the petition (accompanied by bill, House, No. 6049) of Shannon P. O'Brien for legislation to make certain changes in the charter for Hampshire County;
And recommending that the same severally be referred to the committee on Counties on the part of the House.

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

By Mr. Rushing of Boston, for the committee on Local Affairs, on House, No. 5521, an Order relative to authorizing the committee on Local Affairs to make an investigation and study of a certain House document authorizing the town of Hull to establish a revolving fund from monies received from the rental of the senior center building (House, No. 6133).

By the same member, for the same committee, on House, No. 5914, an Order relative to authorizing the committee on Local Affairs to make an investigation and study of a certain House document concerning motor vehicle fines collected by the town of Raynham (House, No. 6134).

By the same member, for the same committee, on House, Nos. 6027 and 6069, an Order relative to authorizing the committee on Local Affairs to make an investigation and study of certain House documents concerning master planning in the city of Salem and the clarification of water and sewer rates in the city of Boston (House, No. 6135).

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

By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, on a message from His Excellency the Governor, a Bill establishing public counsel fees for residents of inpatient mental health facilities (printed in House No. 6021). Read; and referred, under Rule 33, to the committee on Ways and Means.

Emergency Measure.

The engrossed Bill relative to persons involved in equine activities (see House, No. 3767), 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 4 to 0. Sent to the Senate for concurrence.

Order.

On motion of Mr. Flaherty of Cambridge, — 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. Flaherty of Cambridge (Mr. Serra of Boston being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.
Met according to adjournment, at eleven o’clock A.M., in an Informal Session.

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

All-powerful God, we believe that You have created this wonderful and exciting material world for our benefit and enjoyment. We humbly ask You to guide us so that we use the good things which you have made, intelligently and prudently. As we mark the Five Hundredth Anniversary of Christopher Columbus’ discovery, teach us to use the resources of these vast lands wisely. Help us to unite all people in a common effort to promote racial harmony, prosperity, a helping hand to immigrants and a concern for the common good.

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 Mr. Voke of Chelsea) honoring Frank J. Sobolewski on the occasion of his retirement from the Chelsea Police Department;

Resolutions (filed by Mr. Forman of Plymouth) congratulating the United States Navy Armed Guard World War II veterans on the occasion of their tenth reunion;

Resolutions (filed by Mr. Cruz of West Bridgewater) congratulating the Vega Club of Brockton on the occasion of its one hundredth anniversary;

Resolutions (filed by Mr. Gannon of Boston) congratulating Mr. and Mrs. Francis J. Coughlin on the occasion of their fiftieth wedding anniversary;

Resolutions (filed by Mr. Hawke of Gardner) congratulating Mr. and Mrs. Vincent H. Pregot on the occasion of their fiftieth wedding anniversary;

Resolutions (filed by Ms. Hornblower of Groton) congratulating Lawrence Academy on the occasion of its bicentennial anniversary;

Resolutions (filed by Messrs. Karol of Attleboro and Travis of Rehoboth) congratulating Mr. and Mrs. Burnett Dalton on the occasion of their fiftieth wedding anniversary;

Resolutions (filed by Mr. Koczera of New Bedford) honoring Thaddeus A. Irzyk, recipient of the 1992 Polish-American Heritage Award.
Resolutions (filed by Mr. Moore of Uxbridge) congratulating Whittier Farms, Inc., of West Sutton and the Whittier family on their being awarded the Massachusetts Outstanding Dairyman of the Year;

Resolutions (filed by Mr. Palumbo of Newbury) commending Robert A. Mitchell on the occasion of his retirement from public service; and

Resolutions (filed by Representatives Rourke of Lowell, Cox of Lowell and LeLacheur of Lowell) congratulating Sergeant Raymond Francis Richardson on the occasion of his retirement from the Lowell Police Department;

Mr. Serra of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of Rule 41, in each instance, on motion of Mr. Travis of Rehoboth, 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. Gonsalves of Dartmouth presented a petition (accompanied by bill, House, No. 6148) of George A. Moitoza, Leonard Gonsalves and others (by vote of the town) for legislation to authorize the town of Berkley to establish a revolving fund for the purpose of payment of equipment for the police department; and the same was referred to the committee on Local Affairs. Sent to the Senate for concurrence.

Mr. Honan of Boston presented a petition (subject to Joint Rule 12) of Kevin G. Honan relative to reviving and continuing the special commission (including members of the General Court) established to make an investigation and study relative to a suitable memorial to President John Fitzgerald Kennedy; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Serra of Boston, 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. Honan, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by resolve) was referred to the committees on Rules of the two branches, acting concurrently. Sent to the Senate for concurrence.

Mr. Miceli of Wilmington presented a petition (subject to Joint Rule 12) of James R. Miceli relative to appeals in the classification rank structure under the police forces consolidation law; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Serra of Boston, 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. Miceli, the report was
considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committees on Public Safety and Public Service, acting jointly. Sent to the Senate for concurrence.

Mr. Morrissey of Quincy presented a petition (subject to Joint Rule 12) of Michael W. Morrissey for legislation to authorize the Trial Court to establish a sick leave bank for Adeline Pompeo, a court officer of the Superior Court; 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. Honan of Boston, 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.

Petitions severally were presented and referred as follows:

By Mr. Haley of Weymouth, petition (subject to Joint Rule 12) of Paul R. Haley for legislation to designate the reconstructed state boat launching facility on the Back River in the town of Weymouth as the Thomas C. Smith Boat Launching Facility.

By Mr. Kelly of Dalton, petition (subject to Joint Rule 12) of Shaun P. Kelly relative to the billing practices of cable antenna television systems.

By Mr. Miceli of Wilmington, petition (subject to Joint Rule 12) of James R. Miceli relative to the inspection of elevators.

By Mr. Teague of Yarmouth, petition (subject to Joint Rule 12) of Edward B. Teague III and Edward P. Kirby relative to regulating holiday closures.

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

Paper from the Senate.

A Bill authorizing the Commissioner of the Division of Capital Planning and Operations to convey land in the town of Concord (Senate, No. 1389) (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. 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 Christopher J. Hodgkins and Jane M. Swift relative to certain contributions to and benefits of the Unemployment Insurance Trust Fund. To the committee on Commerce and Labor.
Petition (accompanied by bill) of Eric Turkington, Henri S. Rauschenbach and another (by vote of the town) for legislation to authorize the town of Nantucket and Nantucket County to adopt a consolidated charter. To the committee on Local Affairs.

Under suspension of Rule 42, on motion of Mr. Honan 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. Angelo of Saugus, for the committee on Natural Resources and Agriculture, on a petition, a Bill authorizing the city of Woonsocket, Rhode Island to enter into agreements with the towns of Bellingham and Blackstone of the Commonwealth of Massachusetts for the treatment and disposal of wastewater (House, No. 6100), which was read.

Under suspension of the rules, on motion of Mr. Ranieri of Bellingham, 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 authorizing the towns of Bellingham and Blackstone to enter into agreements with the city of Woonsocket in the state of Rhode Island for the treatment and disposal of wastewater. Sent to the Senate for concurrence.

By Mr. Caron of Springfield, for the committee on Public Safety, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 6006) of Joan M. Menard relative to a one-time fee for the issuance of certain license plates, — and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the discharge of the committee.

By Mr. Walsh of Agawam, for the committee on Government Regulations, on House, Nos. 42, 51, 543, 544, 548, 549, 1112, 1946, 2057, 2815 and 4091, an Order relative to authorizing the committee on Government Regulations to make an investigation and study of certain House documents regulating the operation and administration of cable television in the Commonwealth (House, No. 6142).

By the same member, for the same committee on House, Nos. 152, 153, 345, 1110, 2262, 3575 and 5035, an Order relative to authorizing the committee on Government Regulations to make an investigation and study of certain House documents concerning the operation and regulation of lotteries in the Commonwealth (House, No. 6143).

By the same member, for the same committee, on House, Nos. 911, 1113, 1114, 1299, 1486, 2440, 2818, 2988, 3359, 3898, 4248 and 4863, an Order relative to authorizing the committee on Government Regulations to make an investigation and study of certain House documents concerning thoroughbred and greyhound racing (House No. 6144).
By the same member, for the same committee, on House, Nos. 2263, 2264 and 2655, an Order relative to authorizing the committee on Government Regulations to make an investigation and study of certain House documents regulating credit machines at gambling establishments and programs for compulsive gamblers (House, No. 6145).

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

Engrossed Bill.

The engrossed Bill relative to persons involved in equine activities (see House, No. 3767) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Orders of the Day.

The Senate Bill authorizing the city known as the town of Methuen to make a certain payment (Senate, No. 1658) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

The House Bill relative to the separation of prisoners (House, No. 3915) was read a third time.

The committee on Bills in the Third Reading reported recommending that the bill be consolidated with the House Bill relative to the separation of prisoners (House, No. 5203), likewise referred to said committee, and substituting therefor a bill with the same title (House, No. 6146), 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. Serra of Boston, —

Ordered, That when the House adjourns today, it adjourn to meet on Tuesday 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. Serra, the House adjourned, to meet on Tuesday next at eleven o'clock A.M., in an Informal Session.
Tuesday, October 13, 1992.

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

All-Powerful God, we depend upon You for guidance as we carry out our personal and legislative duties. Bestow upon us the courage and the good sense to unite diverse constituencies in pursuing common goals which serve the common good. Teach us as leaders who articulate the human and civil rights of all, the obligations of good citizenship, the benefits of excellence in education, research, management, and daily work. May our decisions in all areas of daily living be based on Your values and precepts.

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

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

Messages from the Governor — Bills Returned with Recommendations of Amendments.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill increasing the fines for certain criminal offenses [see House, No. 526] (for message, see House, No. 6155) was filed in the office of the Clerk on Friday last.

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 Ms. Rourke of Lowell, to the committee on Bills in the Third Reading.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to adoption consents [see House, No. 1333] (for message, see House, No. 6156) was filed in the office of the Clerk on Friday last.

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 Ms. Schur of Newton, to the committee on Bills in the Third Reading.
A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill establishing sick leave banks for certain employees of the Commonwealth [see House, No. 6116, amended] (for message, see House, No. 6157) was filed in the office of the Clerk on Friday last.

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. Gray of Framingham, to the committee on Bills in the Third Reading.

**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) on the occasion of the one hundred and fiftieth anniversary of the First United Methodist Church of Spencer;

Resolutions (filed by Mr. Caron of Springfield) congratulating the Springfield Business and Professional Women's Club on the occasion of its seventy-fifth anniversary;

Resolutions (filed by Representatives Hall of Westford and Hornblower of Groton) honoring Wellman E. Parker upon his retirement as Fire Chief for the town of Ayer after thirty-eight years of exemplary service; and

Resolutions (filed by Representatives Murray of Cohasset and O'Brien of Hanover) congratulating Dorothy M. Dickson on the occasion of her retirement;

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 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.

**Communications.**

Communications

From the Sterling Suffolk Racecourse Limited Partnership (under Section 2 of Chapter 128C of the General Laws) submitting a copy of a contract for the simulcasting of horse races; and

From the Higher Education Coordinating Council requesting an extension of time to submit a report relative to the establishment of a lien on the real and personal property of any person who defaults on repayment obligations with respect to an education loan from any department or agency of the Commonwealth or the Educational Financing Authority;

Severally placed on file.
Mr. Karol of Attleboro presented a petition (subject to Joint Rule 12) of Stephen J. Karol and David H. Locke (with the approval of the mayor and city council) for legislation to authorize the city of Attleboro to establish a funding schedule for the retirement system of said city; and the same was referred, under Rule 24, to the committee on Rules.

A petition of Louis P. Bertonazzi and Daniel J. Ranieri (by vote of the town) for legislation relative to the compensation of elected officials of the town of Bellingham, 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. 1727) was referred, in concurrence, to the committee on Public Service.

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 Daniel E. Bosley and others (with the approval of the mayor and city council) for legislation to authorize the city of North Adams to remove itself from membership in the Northern Berkshire Solid Waste Management District. Under suspension of Rule 42, on motion of Mr. Bosley of North Adams, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Natural Resources and Agriculture. Sent to the Senate for concurrence.

By Ms. Buell of Greenfield, for the committee on Health Care, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 6053) of Joan M. Menard for legislation to authorize the Department of Public Health to promulgate rules and regulations for the testing for radon gas emissions in municipal and state residential dwellings, — and recommending that the same be referred to the committee on Natural Resources and Agriculture. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Mr. Caron of Springfield, for the committee on Public Safety, on House, Nos. 3428, 5564 and 5736, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning railroad grade crossings, warning devices on school buses and the display of red and blue lights on police vehicles (House, No. 6149). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.
Emergency Measure.

The engrossed Bill establishing a sick leave bank for a certain employee of the Trial Court (see House, No. 6018), 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 2 to 0. Sent to the Senate for concurrence.

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

Engrossed Bills.

The engrossed Bill validating certain actions taken by the town of Weymouth relative to a zoning bylaw (see House bill printed in House, No. 5974) (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 acting Speaker and sent to the Senate.

Engrossed bills

Authorizing the city known as the town of Methuen to make a certain payment (see Senate, No. 1658) (which originated in the Senate); and

Authorizing the town of Lynnfield to expend a certain fund (see House, No. 5754) (which originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Order.

On motion of Mr. Kollios of Millbury, —

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 fourteen minutes after eleven o'clock A.M., on motion of Mrs. Murray of Cohasset (Mr. Moore of Uxbridge being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.
Prayer.

Pledge of allegiance.

Prayer.

Thursday, October 15, 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:

Gracious God, we profess our belief in You, in Your presence in our world, and in Your personal interest in each of us. We pray for Your assistance as we struggle to remain faithful to You and to our commitments and convictions. We humbly ask for the wisdom to see reality as it is and the patience to address the complex current needs of people and our communities. As we plan for the future, may we learn from the successes and failures of our predecessors, and to face squarely the human dimensions of the unique challenges of these difficult times.

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) congratulating Attorney Francis D. and Mrs. Jean Privitera upon their selection as “Man and Woman of the Year” by the Knights of Don Orione;

Resolutions (filed by Representatives Cleven of Chelmsford, Brett of Boston, Finneran of Boston and Fitzgerald of Boston) honoring Richard W. Blaney for his many contributions to the Boston Center for Blind Children;

Resolutions (filed by Representatives Cleven of Chelmsford and Krekorian of Reading) honoring Joan A. McLaughlin for her many years of service to the North Shore Boston Chapter of the Compassionate Friends;

Resolutions (filed by Representatives Cleven of Chelmsford and Krekorian of Reading) honoring Jean E. O’Hare and Thomas J. O’Hare for their many years of service to the North Shore Boston Chapter of the Compassionate Friends; and

Resolutions (filed by Messrs. Manning of Milton and Galvin of Canton) congratulating Richard E. Coburn on the occasion of his retirement as Assistant Superintendent of the Randolph Public Schools;

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. Galvin, 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 Mrs. Parente of Milford, petition (accompanied by bill, House, No. 6159) of Marie J. Parente (by vote of the town) relative to the eligibility of persons for election to fill vacancies as town meeting members in the town of Milford. To the committee on Election Laws.

By Mr. Brett of Boston, petition (accompanied by bill, House, No. 6160) of James T. Brett (with the approval of the mayor and city council) relative to the revision of contracting procedures in the city of Boston. To the committee on Local Affairs.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Gannon of Boston, petition (subject to Joint Rule 12) of Paul J. Gannon for legislation to authorize the Trial Court of the Commonwealth to establish a sick leave bank for Carmen Chicketti, an employee of said court.

By Mr. Hodgkins of Lee, petition (subject to Joint Rule 12) of Christopher J. Hodgkins relative to the registration of seasonal motor vehicles.

By Mrs. Kehoe of Dedham, petition (subject to Joint Rule 12) of Marie-Louise Kehoe for legislation to authorize an appropriation of a certain sum of money for the payment of a settlement agreement entered into by the Department of Correction and Regis A. Burke.

By the same member, petition (subject to Joint Rule 12) of Marie-Louise Kehoe, Lida E. Harkins and David H. Locke for legislation to authorize an appropriation of a certain sum of money for the removal of lead paint in the veterans development of the Needham housing authority.

By Mr. Lawless of Orleans, petition (subject to Joint Rule 12) of Robert C. Lawless relative to the issuance of a real estate brokers license to Roger Cove of the town of Harwich.

By Mrs. Walrath of Stow, petition (subject to Joint Rule 12) of Patricia A. Walrath and Robert A. Durand relative to the payment of estimated income taxes by persons collecting unemployment compensation.

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

Papers from the Senate.

Bills

Providing for the abandonment and conveyance of a right of way in the city of Brockton (Senate, No. 1691, amended in section 1 by striking out, in lines 3 and 4, the words "and directed") (reported on Senate, No. 1670); and

Relative to a drainage easement in the town of Easton (Senate, No. 1714) (reported on a petition);

Severally passed to be engrossed by the Senate, were read; and
they were referred, under Rule 33, to the committee on Ways and Means.

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

Petition (accompanied by bill, Senate, No. 1728) of Michael J. Barrett, Barbara E. Gray, Mary Jane Gibson, Marc D. Draizen, Warren E. Tolman, William R. Keating and others [for list of additional petitioners, see printed bill] for legislation to require the inclusion of additional information in the statewide domestic violence record keeping system. To the committee on the Judiciary.

Petition (accompanied by bill, Senate, No. 1729) of David H. Locke, Thomas Hudner, Jr., and other members of the General Court for legislation to further regulate the bonus payment to Gulf War veterans. To the committee on Taxation.

Reports of Committees.

By Mr. Flaherty of Cambridge, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rules 12 and 9 be suspended on the petition of Stephen J. Karol, Robert A. Havern and Thomas S. Cahir for legislation to change the harbor lines in Fort Port Channel and authorizing certain structures and fill of the Central Artery and third harbor tunnel project to extend beyond existing harbor lines in said channel. Under suspension of Rule 42, on motion of Mr. Cahir of Bourne, the report was considered forthwith. Joint Rules 12 and 9 were suspended; and the petition (accompanied by bill) was referred to the committee on Natural Resources and Agriculture. Sent to the Senate for concurrence.

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

Petition (accompanied by bill) of Stephen J. Karol and David H. Locke (with the approval of the mayor and city council) for legislation to authorize the city of Attleboro to establish a funding schedule for the retirement system of said city. To the committee on Public Service.

Petition (accompanied by bill) of Carol A. Donovan and another relative to real estate tax exemptions for spouses of certain veterans. To the committee on Taxation.

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

By Mr. DiMasi of Boston, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for a certain employee of the Trial Court of the Commonwealth (House, No. 6151), which was read.

Under suspension of the rules, on motion of Mr. Morrissey 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. Sent to the Senate for concurrence.

By Mr. Blanchette of Lawrence, for the committee on Public Service, on a message from His Excellency the Governor, a Bill relative to civil service positions in the city of Chelsea (printed in House, No. 6034), which was read.

Under suspension of the rules, on motion of Mr. Voke of Chelsea, 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 a petition, a Bill authorizing the removal of the office of chief of the fire department of the town of Hingham from under the civil service laws (House, No. 6061), which was read [Local Approval Received].

Under suspension of the rules, on motion of Mrs. Murray of Cohasset, 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 exempting the office of chief of the fire department in the town of Hingham from the provisions of the civil service law. Sent to the Senate for concurrence.

By Mr. Finneran of Boston, for the committee on Ways and Means, that the Bill relative to archery (House, No. 5420) ought to pass.

Under suspension of the rules, on motion of Mr. Karol of Attleboro, 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.

Orders of the Day.

The engrossed Bill relative to adoption consents (see House, No. 1333) (which had been returned to the House by His Excellency the Governor with recommendation of amendment) (for message, see House, No. 6156) was considered.

The amendment recommended by His Excellency the Governor then was adopted in the following form (as approved by the committee on Bills in the Third Reading):

By striking out all after the enacting clause and inserting in place thereof the following:

"The first paragraph of section 2 of chapter 210 of the General Laws, as appearing in the 1990 Official Edition, is hereby amended..."
by adding the following sentence: — The execution of said written consent shall not be required by any prior agreement.”.

Sent to the Senate for concurrence.

The engrossed Bill establishing a sick leave bank for an employee of the Department of Social Services (see House, No. 5850) (which had been returned to the House by His Excellency the Governor with recommendation of amendment) (for message, see House, No. 5986) was considered.

The amendment recommended by His Excellency the Governor then was considered in the following form (as approved by the committee on Bills in the Third Reading):

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 department of social services is hereby authorized and directed to establish a sick leave bank for Jeff Rogers, an employee of said department of social services. Any employee of said department of social services may voluntarily contribute one or more of his personal or vacation days to said sick leave bank for use by said Jeff Rogers.”

The amendment was rejected. Sent to the Senate for its action.

The House Bill relative to certain actions of the Board of Bank Incorporation (House, No. 10), 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 Mr. Walsh of Agawam, —

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 twenty minutes after eleven o’clock A.M., on motion of Mr. Walsh of Agawam, 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 thank You for the material and spiritual blessings which You bestow upon us daily. We, too often, take Your gifts and the benefits which we enjoy as citizens of this state and country for granted. As we work together to resolve the political, economic and religious issues of these times, teach us to focus our attention on the principles and not the personalities involved. While committed to our own views and convictions, may we continue to respect the rights and opinions of others.

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 harness horse racing (House, No. 6161) was filed in the office of the Clerk on Friday last.

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

Resolutions.

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

Resolutions (filed by Mr. Binienda of Worcester) congratulating Sergeant Robert D. Whitney of the Leicester police department on the occasion of his retirement;

Resolutions (filed by Ms. Gibson of Belmont) honoring Mary Shannon for her many accomplishments;

Resolutions (filed by Mr. Kafka of Sharon) congratulating Dr. John G. Murray on the occasion of his retirement as Superintendent of the Stoughton public schools;

Resolutions (filed by Mr. Lawless of Orleans) congratulating Chief James J. Meads on the occasion of his retirement from the Provincetown police department;

Resolutions (filed by Mrs. McKenna of Holden) congratulating Mr. and Mrs. Dominic Erali on the occasion of their fiftieth wedding anniversary;

Resolutions (filed by Mr. Moore of Uxbridge) commending patrolman Edwin Bergeron of the Uxbridge police department for his life saving action;
Resolutions (filed by Mr. Moore of Uxbridge) honoring Jeffrey Stanovich for his role in fighting the forest fires in the state of Idaho; and

Resolutions (filed by Mr. Sullivan of Abington) congratulating Frances T. Olsen on the occasion of her retirement as Whitman town clerk;

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.

**Petitions.**

Petitions severally were presented and referred as follows:

By Mr. Connolly of Everett, petition (accompanied by bill, House, No. 6165) of Edward G. Connolly and Thomas F. Birmingham (with the approval of the mayor, common council and board of aldermen) relative to the appointment of the treasurer in the city of Everett; and

By Mr. Giglio of Medford, petition (accompanied by bill, House, No. 6166) of Anthony P. Giglio, Charles E. Shannon and Vincent P. Ciampa (with the approval of the mayor and city council) for legislation to increase the salary of the mayor of the city of Medford; Severally to the committee on Local Affairs. Severally sent to the Senate for concurrence.

Mr. Businger of Brookline presented a petition (subject to Joint Rule 12) of John A. Businger, Lois G. Pines, Marc D. Draisen, Kevin W. Fitzgerald, Gloria L. Fox and Alvin E. Thompson for legislation to further regulate the rental housing voucher program for the Commonwealth; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Serra of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, reported recommending that Joint Rule 12 be suspended. Under suspension of Rule 42, on motion of Mrs. Walrath of Stow, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Housing and Urban Development. Sent to the Senate for concurrence.

**Papers from the Senate.**

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

Petition (accompanied by bill, Senate, No. 1731) of Walter J. Boverini for legislation relative to certain hazardous waste disposal. To the committee on Natural Resources and Agriculture.

Petition (accompanied by bill, Senate, No. 1732) of Walter J. Boverini for legislation relative to the appointment of Karen
Moriarty as a state police officer notwithstanding the maximum age requirement. To the committee on Public Service.

Reports of Committees.

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

Petition (accompanied by bill) of Robert C. Lawless relative to the issuance of a real estate brokers license to Roger Cove of the town of Harwich. To the committee on Government Regulations.

Petition (accompanied by bill) of Paul J. Gannon for legislation to authorize the Trial Court of the Commonwealth to establish a sick leave bank for Carmen Chicketti, an employee of said court. To the committee on the Judiciary.

Petition (accompanied by bill) of Patricia A. Walrath and Robert A. Durand relative to the payment of estimated income taxes by persons collecting unemployment compensation. To the committee on Taxation.

Under suspension of Rule 42, on motion of Mrs. Walrath of Stow, 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 Shipbuilding Administration, on a petition, a Bill establishing the United States naval shipbuilding museum corporation (House, No. 6032). Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Rushing of Boston, for the committee on Local Affairs, on a petition, a Bill authorizing the town of North Andover to issue bonds for the acquisition of a sewer system and pump station building and equipment and interests in land (House, No. 6107), which was read [Local Approval Received].

Under suspension of the rules, on motion of Mr. Hermann of North Andover, 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.

Emergency Measure.

The engrossed Bill relative to the merger or consolidation of certain banks (see House, No. 6092), 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.
Orders of the Day.

The House Bill relative to police line-of-duty injuries in the town of South Hadley (House, No. 5964) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. Dempsey of Haverhill, —

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. Hermann of North Andover then moved that as a mark of respect to the memory of William J. Casey, a member of the House from Lawrence in 1939 and 1940, from 1943 to 1948, inclusive, and from 1957 to 1964, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at thirteen minutes after eleven o'clock A.M., on motion of Mr. Hermann, the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.
Thursday, October 22, 1992.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Walsh of Agawam 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 and Your assistance to carry out our legislative and personal obligations. We pray for the courage to remain faithful to You and Your values as well as the strength to address the social and political issues of the day. May we, as elected representatives of the people, unite constituents in causes which respect human dignity, racial equality and personal responsibility. Teach us to live in peace as members of the one human family.

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

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

Resolutions.

The Speaker being in the Chair, —

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

Resolutions (filed by Mr. Hermann of North Andover) congratulating AT&T's Merrimack Valley Works on being named winner of the Malcolm Baldrige National Quality Award;

Resolutions (filed by Mr. Miceli of Wilmington) congratulating Lawrence R. Hunewill on the occasion of his one hundredth birthday;

Resolutions (filed by Mr. Sullivan of Abington) congratulating Dr. Conrad Jankowski on his many accomplishments;

Resolutions (filed by Mr. Walsh of Agawam) honoring Anthony M. Scibelli, founder, on the occasion of the twenty-fifth anniversary of the founding of Springfield Technical Community College;

Resolutions (filed by Ms. Walsh of Boston) congratulating Emma Haid on the occasion of her one hundred and fifth birthday; and

Resolutions (filed by Ms. Walsh of Boston) congratulating John Recchia on the occasion of his one hundred and first 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. Walsh of Agawam, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.
Mr. Hayward of Lynn presented a petition (subject to Joint Rule 12) of Jeffery J. Hayward and Edward J. Clancy, Jr., for legislation to expedite the collection of local property taxes; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Serra of Boston, 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. Hayward, 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.

A Bill authorizing the city of Leominster to pay a certain unpaid bill (Senate, No. 1665), passed to be engrossed by the Senate, was read [Local Approval Received].

Under suspension of the rules, on motion of Mr. Rushing 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, in 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 Marie-Louise Kehoe for legislation to authorize an appropriation of a certain sum of money for the payment of a settlement agreement entered into by the Department of Correction and Regis A. Burke; and

Petition (accompanied by bill) of Marie-Louise Kehoe, Lida E. Harkins and David H. Locke for legislation to authorize an appropriation of a certain sum of money for the removal of lead paint in the veterans development of the Needham housing authority;

Severally to the committee on Ways and Means.

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

By Mr. Finneran of Boston, for the committee on Ways and Means, that the Bill relative to a drainage easement in the town of Easton (Senate, No. 1714) ought to pass with an amendment in section 2 by striking out, in line 4, the word “reasonable”.

Under suspension of Rule 41, on motion of Mr. Finneran, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill, as amended, was ordered to a third reading.
Under suspension of the rules, on motion of the same member, the bill (Senate, No. 1714, amended) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence in the amendment adopted by the House.

By Mr. Finneran of Boston, for the committee on Ways and Means, that the Bill authorizing the city of Boston to take an easement in two parcels of parkland and to convey a certain parcel of parkland in the city of Boston (House, No. 5515) [Local Approval Received] ought to pass.

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, its title having been changed by said committee to read: An Act authorizing the city of Boston to take an easement in two parcels of parkland and to convey a certain parcel of land in the city of Boston. Sent to the Senate for concurrence.

By Mr. Finneran of Boston, for the committee on Ways and Means, on a message from His Excellency the Governor a Bill relative to the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 6136), which was read.

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

By Ms. Resor of Acton, for the committee on Counties, on a petition, a Bill authorizing Hampden County to refund certain notes (House, No. 6067, changed in section 1 by striking out, in line 18, the words “or private”), which was read.

Under suspension of the rules, on motion of Mr. Landers of Palmer, 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. DiMasi of Boston, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for a certain employee of the Commonwealth (House No. 6162), which was read.

Under suspension of the rules, on motion of Mr. Gannon 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. Rushing of Boston, for the committee on Local Affairs, on a petition, a Bill relative to the use of a certain parcel of land in the town of Concord for housing purposes (House No. 6025), which was read [Local Approval Received].
Under suspension of the rules, on motion of Ms. Resor of Acton, the bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Rushing of Boston, for the committee on Local Affairs, on House, No. 6089, an Order relative to authorizing the committee on Local Affairs to make an investigation and study of a certain House document concerning recreational and park self-supporting service revolving funds in cities and towns (House, No. 6167).

By Mrs. Murray of Cohasset, for the same committee, on House, No. 6060, an Order relative to authorizing the committee on Local Affairs to make an investigation and study of a certain House document concerning violations of the rules and regulations of the board of sewer commissioners of the town of Cohasset (House, No. 6168).

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

**Emergency Measure.**

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 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 acting Speaker and sent to the Senate.

**Engrossed Bill.**

The engrossed Bill relative to the merger or consolidation of certain banks (see House, No. 6092) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

**Orders of the Day.**

The engrossed Bill designating the reconstructed state boat ramp on the Back River in the town of Weymouth as the Joseph F. Carven, Sr. Boat Ramp (see House, No. 5985) (which had been returned to
the House by His Excellency the Governor with recommendation of amendment) (for message, see House, No. 6096), was considered.

The amendment recommended by His Excellency the Governor then was adopted in the following form (as approved by the committee on Bills in the Third Reading):

By striking out all after the enacting clause and inserting in place thereof the following:

“The reconstructed public boat ramp on Back River in the town of Weymouth shall be designated and known as the Joseph F. Carven, Sr. Boat Ramp, in honor of Joseph F. Carven, Sr., a prominent civic leader in said town of Weymouth for many years. A suitable marker bearing said designation shall be erected by the public access board within the department of fisheries, wildlife and environmental law enforcement in compliance with the standards of said department.”

Sent to the Senate for concurrence.

The House Bill providing for recall elections in the town of Rochester (printed as Senate, No. 1619), 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 to amend the charter of Norwell to enable the town to combine two separate elected positions, highway surveyor and director of lands and natural resources, into one elected position (House No. 5989) 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 relative to the charter of the town of Norwell (House, No. 6174), which was read.

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

Recess.

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

Emergency Measure.

The engrossed Bill establishing a sick leave bank for a certain employee of the Trial Court of the Commonwealth (see House, No. 6162), 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 2 to 0. Sent to the Senate for concurrence.

Order.

The Speaker having been in the Chair, —

On motion of Mr. Walsh of Agawam, —

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 eight minutes before twelve o'clock noon, on motion of Mr. Rushing of Boston (Mr. Walsh of Agawam being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.
Monday, October 26, 1992.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Serra of Boston in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

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

Gracious God, we turn to You for direction in our desire to serve You and our constituents faithfully during these uneasy times. Inspire us to be leaders who are concerned with the well-being of the people and our communities. Grant us the knowledge and wisdom to articulate the issues of the day, so that our political discussions revolve around problems, not personalities. May we learn from past history as we plan for today and the future of our Commonwealth.

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.

Resolutions.

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

- Resolutions (filed by Mr. Caron of Springfield) on the death of Jeffrey D. Grossman of Wellesley;
- Resolutions (filed by Mr. Giglio of Medford) congratulating the Medford Women's Club on the occasion of its one hundredth anniversary;
- Resolutions (filed by Mr. Kafka of Sharon) congratulating Dr. John G. Murray on the occasion of his retirement;
- Resolutions (filed by Ms. Resor of Acton) congratulating Michael James Bridges on earning the prestigious rank of Eagle Scout;
- Resolutions (filed by Ms. Resor of Acton) congratulating James Hunter Groninger on earning the prestigious rank of Eagle Scout; and
- Resolutions (filed by Mr. Sullivan of Abington) on the occasion of National Pharmacy Week October twenty-fifth through thirty-first, nineteen hundred and ninety-two;

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

A report of the Bureau of Special Investigations (submitted under authority of Section 30T(6) of Chapter 7 of the General Laws) for the month of September, 1992, was sent to the Senate for its information.

Reports

The first annual report from the Office of the Receiver of the city of Chelsea (under Section 12 of Chapter 200 of the Acts of 1991) of the operation and administration of said city for the period September 11, 1991 to July 31, 1992;

Of the Massachusetts Legal Assistance Corporation (under Section 10 of Chapter 221A of the General Laws) relative to the description and evaluation of each program and a summary of the expenditures for such programs for the fiscal year ending June 30, 1992; and

Of annual audits of the Massachusetts Technology Development Corporation (under Section 7 of Chapter 40G of the General Laws) for the years ending June 30, 1991 and June 30, 1992; Severally placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Cox of Lowell, petition (accompanied by bill, House, No. 6175) of John F. Cox (by vote of the town) relative to the residence of certain registered voters in the town of Dracut. To the committee on Election Laws.

By Mr. Kafka of Sharon, petition (accompanied by bill, House, No. 6176) of Louis L. Kafka and William R. Keating (by vote of the town) relative to the group health plan of the employees of the town of Stoughton. To the committee on Public Service. Severally sent to the Senate for concurrence.

Mr. Klimm of Barnstable presented a petition (subject to Joint Rule 12) of John C. Klimm and Robert C. Lawless for legislation to authorize the Department of Public Welfare to contract for regional administration of a certain pilot program established to reduce homelessness in Barnstable County; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Serra of Boston, 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. Klimm, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Human Services and Elderly Affairs. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Hodgkins of Lee, petition (subject to Joint Rule 12) of Christopher J. Hodgkins for legislation to authorize the Secretary
of Administration and Finance to provide funding and assistance for the improvement of local town halls.

By Mr. Lawless of Orleans, petition (subject to Joint Rule 12) of Robert C. Lawless for legislation to authorize courts of the Commonwealth to advance the action for a speedy trial.

By Mrs. Murray of Cohasset, petition (subject to Joint Rule 12) of Mary Jeanette Murray relative to the Hingham North Sewer District.

By the same member, petition (subject to Joint Rule 12) of Mary Jeanette Murray relative to notification by the Department of Community Affairs to owners of real property of certain changes in laws affecting such property.

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

Papers from the Senate.

A petition of Matthew J. Amorello and John R. Driscoll for legislation relative to the transfer of a state-owned water line in the county of Worcester, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1733) was referred, in concurrence, to the committee on State Administration.

Engrossed Bills.

The engrossed Bill establishing a sick leave bank for a certain employee of the Trial Court of the Commonwealth (see House, No. 6162) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill relative to civil service positions in the city of Chelsea (see House bill printed in House, No. 6034) (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 acting Speaker and sent to the Senate.

Engrossed bills

Authorizing the city of Leominster to pay a certain unpaid bill (see Senate, No. 1665) (which originated in the Senate);

Relative to the operation of the water system for the town of Hanson (see House, No. 5812, changed); and

Exempting the office of chief of the fire department in the town of Hingham from the provisions of the civil service law (see House, No. 6061);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly
prepared for final passage, were passed to be enacted; and they were
signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The House Bill authorizing the City Library Association of
Springfield to introduce an admissions fee to its museums at the
Quadrangle (House, No. 5396), 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 Mr. Flaherty of Cambridge, —

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 a quarter after eleven o'clock A.M., on motion of Mr. Flaherty
(Mr. Serra of Boston being in the Chair), the House adjourned, to
meet on Thursday next at eleven o'clock A.M., in an Informal
Session.
Thursday, October 29, 1992.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Finneran 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 pause for this moment of prayer to reflect on Your reality, Your presence in our lives and on our need for Your assistance in resolving issues. In Your goodness, remind us of the oneness of the human family and the concern we ought to have for all people in our communities. As elected leaders, and with Your help, may we unite all segments of society in promoting causes which promote human dignity, responsible decision-making and rational discussion of complex public policy.

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

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

Resolutions.

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

- Resolutions (filed by Mr. Bosley of North Adams) on the occasion of the one hundredth anniversary of the Hoosac Hose Company;
- Resolutions (filed by Messrs. Ciampa of Somerville and Connolly of Everett) congratulating Mr. and Mrs. Joseph Simione, Jr., on the occasion of their twenty-fifth wedding anniversary;
- Resolutions (filed by Mr. Doran of Lexington) congratulating Daan DeBrouckere on receiving the Eagle Award of the Boy Scouts of America;
- Resolutions (filed by Mr. Scaccia of Boston) congratulating Claire R. Nolan on the occasion of her retirement as Director of Physical Education of the Waltham Public Schools; and
- Resolutions (filed by Mr. Sullivan of Abington) congratulating Thomas B. Maloney, Jr., 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. Bosley, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.
Mr. Flaherty of Cambridge presented a petition (subject to Joint Rule 12) of Charles F. Flaherty, Richard A. Voke, Carmen D. Buell and J. James Marzilli, Jr., for an appropriation of a certain sum of money to provide for an investigation by a special commission (including members of the General Court) relative to the business tax policy of the Commonwealth; 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. Finneran of Boston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committees on Rules of the two branches, acting concurrently. Sent to the Senate for concurrence.

Subsequently Mr. Flaherty, for the committees on Rules, on the foregoing petition, reported a Bill making an appropriation and providing for an investigation and study by a special commission relative to the business tax policy of the Commonwealth (House, No. 6200). Read; and referred, under Rule 33, to the committee on Ways and Means.

Mr. Finneran of Boston, for the committee on Ways and Means, then reported recommending that the bill ought to pass. Under suspension of Rule 41, on motion of the same member, 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. Buell of Greenfield, 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. Sent to the Senate for concurrence.

Mr. Constantino of Clinton presented a petition (accompanied by bill, House, No. 6179) of William Constantino, Jr. (by vote of the town) for legislation to provide for recall elections in the town of West Boylston; and the same was referred to the committee on Election Laws. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Gannon of Boston, petition (subject to Joint Rule 12) of Paul J. Gannon relative to lump sum agreements for workers' compensation.

By Mrs. Murray of Cohasset, petition (subject to Joint Rule 12) of Mary Jeanette Murray relative to the towing of motor vehicles.

By Mr. Turkington of Falmouth, petition (subject to Joint Rule 12) of Eric Turkington relative to the early retirement incentive program.

Severally, under Rule 24, to the committee on Rules.
The House Bill relative to revolving funds for public school transportation (House, No. 5891) came from the Senate passed to be engrossed, in concurrence, with amendments adding at the end thereof the following two sections:

"SECTION 2. Section 115 of chapter 150 of the acts of 1990, is hereby amended by striking out, in line 1, the word 'Notwithstanding' and inserting in place thereof the following words: — During fiscal year nineteen hundred and ninety-one and the two subsequent fiscal years and notwithstanding.

SECTION 3. Section two of this act shall take effect as of July first, nineteen hundred and ninety-one."; 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 provide for certain changes to public school transportation revolving funds and relative to other financial matters, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."; and striking out the title and inserting in place thereof the following title: "An Act relative to revolving funds for public school transportation and certain financial matters."

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

**Public school transportation,— revolving funds.**

**Reports of Committees.**

By Mr. Rushing of Boston, for the committee on Local Affairs, on a petition, a Bill relative to the stabilization fund of the town of Southampton (House, No. 5941), which was read [Local Approval Received].

Under suspension of the rules, on motion of Mr. Nagle of Northampton, 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 the transfer of a state owned water line in Worcester County. Sent to the Senate for concurrence.

By Mr. Hodgkins of Lee, for the committee on State Administration, on a petition, a Bill relative to the transfer of a state-owned water line in the county of Worcester (printed as Senate, No. 1733), which was read.

Under suspension of the rules, on motion of Mr. Driscoll of Northbridge, 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 the transfer of a state owned water line in Worcester County. Sent to the Senate for concurrence.

**Southampton,— stabilization fund.**

**Worcester,— transfer water line.**
The engrossed Bill authorizing the city of Gloucester to pay certain unpaid compensation (see House, No. 5840) (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.

The Speaker being in the Chair, — the engrossed Bill establishing a sick leave bank for Adeline Pompeo an employee of the Trial Court of the Commonwealth (see House, No. 6151), 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 4 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 House Bill authorizing the city of Worcester to lease a certain building in Newton Hill Park (House, No. 6026), 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.

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

The engrossed Bill relative to revolving funds for public school transportation and certain financial matters (see House, No. 5891, 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) was passed to be enacted; and it was signed by the Speaker and sent to the Senate.
Engrossed Bill.
The engrossed Bill making an appropriation and providing for
an investigation and study by a special commission relative to the
business tax policy of the Commonwealth (see House, No. 6200)
(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.

Recess.
At twenty-five minutes after twelve o'clock noon, the Speaker
declared a recess subject to the call of the Chair, there being no
objection; and at fourteen minutes before one o'clock P.M., the
House was called to order with the Speaker in the Chair.

Paper from the Senate.
The House Bill relative to the revision of terms of mortgages
(House, No. 6022) came from the Senate passed to be engrossed,
in concurrence, with certain amendments.

Under suspension of Rule 35, on motion of Mr. Travis of
Rehoboth, the amendments (reported by the committee on Bills in
the Third Reading to be correctly drawn, as changed) were
considered forthwith, as follows:

Striking out all after the enacting clause and inserting in place
thereof the following:

"SECTION 1. Chapter 183 of the General Laws is hereby
amended by inserting after section 63 the following section: —

Section 63A. The holder of a mortgage may, at the request of the
owner of the equity of redemption exercise one or more of the
following options: (i) revise the rate of interest, (ii) extend the term
or (iii) change the amount of the periodic payments of an existing
note and mortgage from said owner which it holds on a one to four
family, owner-occupied residence located in the commonwealth;
provided, however, that (i) no additional money shall be loaned or
advanced thereon, except in accordance with section twenty-eight A;
and (ii) the interest rate on any such note and mortgage, after any
such revision, shall not be in excess of the interest rate on the exist-
ing note and mortgage so revised. The provisions of paragraph (4)
of section six of chapter one hundred and sixty-seven E relative
to loan to value requirements shall not apply to a bank, as defined
in said chapter, in any revision made pursuant to this section. An
extension of time for payment on a mortgage pursuant to this section
may be made without the consent of the holders of junior
encumbrances and without loss of priority and shall not be construed
so as to grant to any such holder of a junior encumbrance rights
which, except for said extension of time for payment, he would not
otherwise have. No such mortgage amended or revised pursuant to
this section shall be construed to be a rewritten or refinanced
mortgage loan.

["A"] Notwithstanding the provisions of section sixty-three, a
holder of any such mortgage may charge a fee in connection with
any such revision; provided, however, that any such fee shall not exceed three-fourths of one percent of the outstanding balance of the existing note and mortgage as of the date of any such revision or of the revised balance pursuant to such revision, whichever is greater. Such holder shall not assess any additional fees, points, so-called, or similar charges on the said owner of the equity of redemption for any such revision.

For the purposes of this section, the term 'rewritten or refinanced mortgage loan' shall mean a loan that requires originating or underwriting services similar to an original mortgage application.”;

and 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 provide for the revision of terms of certain mortgages, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

Mr. Brett of Boston then moved that the House concur with the Senate in its amendments with a further amendment striking out the third paragraph [at “A”] and inserting in place thereof the following paragraph:

“Notwithstanding the provisions of section sixty-three, a holder of any such mortgage may charge a fee in connection with any such revision; provided, however, that any such fee shall constitute reimbursement for reasonable expenses related to such revision, but in no event shall such fee exceed three-fourths of one percent of the outstanding balance of the existing note and mortgage as of the date of any such revision or of the revised balance pursuant to such revision, whichever is greater. Such holder shall not assess any additional fees, points, so-called, or similar charges on the said owner of the equity of redemption for any such revision.”.

The further amendment was adopted.

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

Order.

On motion of Mr. Collaro of Worcester, —

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 ten minutes before one o’clock P.M., on motion of Mr. Collaro (the Speaker being in the Chair), the House adjourned, to meet on Monday next at eleven o’clock A.M., in an Informal Session.