
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:

God, Our Creator, we are grateful for the material and spiritual gifts and benefits which You bestow upon us daily. We are grateful, too, that we are citizens of this state and country with a diversity of cultures, philosophies and political parties. As we are entering a new economic era of change and competition, teach us to work together in addressing the concerns of labor and management. May we keep in mind the dedication and contribution of American workers to the development of this country and state on Labor Day weekend.

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.

Resignation of Representative Gregory W. Sullivan of Norwood.

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


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

Dear Mr. Speaker:

For the past eighteen years, it has been my privilege and great honor to serve with you and our colleagues in the Legislature. I want you to know that I appreciate the friendship and professionalism that you have extended to me over those years.

I have deep respect for the citizens of our state who offer their service to the public as candidates for public office, and I have even greater respect for leaders such as yourself who take on tough challenges with determination and commitment.

I have recently accepted the offer of appointment to become the Chief of the Management Division of the Office of the Inspector General, to serve under our esteemed former colleague, Robert.
Cerasoli. I look forward to continuing to work on behalf of the public toward the goal of a cost-efficient and caring government. I will begin this new job on September 8, 1992.

Therefore, please accept this letter as notification of my resignation as the elected representative of the 12th Norfolk District, effective at the end of the day, September 7, 1992.

I would also like to request that legislation be passed to provide that the general election in November be considered a special election, to allow the newly elected State Representative for this district to take office immediately upon election.

Sincerely,

GREGORY W. SULLIVAN,
State Representative.

Resolutions.

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

Resolutions (filed by Mrs. Cleven of Chelmsford) congratulating Captain George A. Ripsom USNR on the occasion of his retirement;
Resolutions (filed by Mr. Dempsey of Haverhill) relative to the observance of John Greenleaf Whittier Day;
Resolutions (filed by Mr. Goguen of Fitchburg) commemorating the dedication of the main hall of the Fitchburg Senior Center to Bernard D. "Brud" O’Neill;
Resolutions (filed by Representatives LeLacheur of Lowell, Cleven of Chelmsford, Cox of Lowell and Rourke of Lowell) congratulating Chief Frank Froton of the Lowell Fire Department on the occasion of his retirement;
Resolutions (filed by Mr. Manning of Milton) commending Chief Richard Wells on the occasion of his retirement from the Milton Police Department; and
Resolutions (filed by Mr. Rushing of Boston) commending Charles and Hilda McStravick on the happy occasion of their seventieth wedding anniversary;

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

A report of the Commissioner of the Division of Capital Planning and Operations (under Section 1 of Chapter 231 of the Acts of 1988 and amended by Section 6 of Chapter 167 of the Acts of 1992) relative to procedures for the procurement of design and construction services under the design build method outlining the procedure by which said division will procure the new Massachusetts State Track Facility at Roxbury Community College;
First annual report from the Office of the President of Boston University (under Section 13 of Chapter 133 of the Acts of 1989) relative to the Boston University/City of Chelsea partnership concerning the public school system of said city;

The annual report of the Capital Resource Company (under Section 12 of Chapter 816 of the Acts of 1977) describing the formation and current status of said company; and

A quarterly report of the Department of Employment and Training (under Section 68 of Chapter 233 of the Acts of 1983) relative to the condition of the Commonwealth's Unemployment Compensation Trust Fund;

Severally placed on file.

Petitions.

Mr. Decas of Wareham presented a petition (accompanied by bill, House, No. 6064) of Charles N. Decas (by vote of the town) for legislation to authorize the town of Wareham to pay to Ann DeMelo a certain sum of money for salary due in a prior fiscal year; and the same was referred to the committee on Local Affairs. Sent to the Senate for concurrence.

Mr. LeLacheur of Lowell presented a petition (subject to Joint Rule 12) of Edward A. LeLacheur relative to the definition of the words "alcoholic beverages"; 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. Landers of Palmer, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Government Regulations. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Bosley of North Adams, petition (subject to Joint Rule 12) of Daniel E. Bosley relative to the keeping of capuchin monkeys, so-called, under the exotic wildlife law.

By Mr. DiMasi of Boston, petition (subject to Joint Rule 12) of Salvatore F. DiMasi and another relative to the penalties for engaging in sexual conduct for a fee.

By Mrs. Menard of Somerset, petition (subject to Joint Rule 12) of Joan M. Menard relative to children in need of services.

By Mrs. Parente of Milford, petition (subject to Joint Rule 12) of Marie J. Parente relative to defining certain reports of child abuse. Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

The House Bill establishing a statewide registration of domestic violence offenses (House, No. 6017) came from the Senate passed to be engrossed, in concurrence, with the following amendments:
In section 1 striking out the three sentences contained in lines 26 to 34, inclusive, and inserting in place thereof the following three sentences: “Upon receipt of information that an outstanding warrant exists against the named defendant, a judge shall order that the appropriate law enforcement officials be notified and shall order that any information regarding the defendant’s most recent whereabouts shall be forwarded to such officials. In all instances where an outstanding warrant exists, a judge shall make a finding, based upon all of the circumstances, as to whether an imminent threat of bodily injury exists to the petitioner or to the public. In all instances where such an imminent threat of bodily injury is found to exist, the judge shall notify the appropriate law enforcement officials of such finding and such officials shall take all necessary actions to execute any such outstanding warrant as soon as is practicable.”;

In section 2 striking out the three sentences contained in lines 25 to 33, inclusive, and inserting in place thereof the following three sentences: “Upon receipt of information that an outstanding warrant exists against the named defendant, a judge shall order that the appropriate law enforcement officials be notified and shall order that any information regarding the defendant’s most recent whereabouts shall be forwarded to such officials. In all instances where an outstanding warrant exists, a judge shall make a finding, based upon all of the circumstances, as to whether an imminent threat of bodily injury exists to the petitioner or to the public. In all instances where such an imminent threat of bodily injury is found to exist, the judge shall notify the appropriate law enforcement officials of such finding and such officials shall take all necessary actions to execute any such outstanding warrant as soon as is practicable.”;

In section 4 striking out the three sentences contained in lines 10 to 18, inclusive, and inserting in place thereof the following three sentences: “Upon receipt of information that an outstanding warrant exists against the named defendant, a judge shall order that the appropriate law enforcement officials be notified and shall order that any information regarding the defendant’s most recent whereabouts shall be forwarded to such officials. In all instances where an outstanding warrant exists, a judge shall make a finding, based upon all of the circumstances, as to whether an imminent threat of bodily injury exists to the petitioner or to the public. In all instances where such an imminent threat of bodily injury is found to exist, the judge shall notify the appropriate law enforcement officials of such finding and such officials shall take all necessary actions to execute any such outstanding warrant as soon as is practicable.”;

In section 5 striking out the three sentences contained in lines 23 to 31, inclusive, and inserting in place thereof the following three sentences: “Upon receipt of information that an outstanding warrant exists against the named defendant, a judge shall order that the appropriate law enforcement officials be notified and shall order that any information regarding the defendant’s most recent whereabouts shall be forwarded to such officials. In all instances where an outstanding warrant exists, a judge shall make a finding, based upon all of the circumstances, as to whether an imminent threat of bodily injury exists to the petitioner or to the public. In all instances where
Domestic violence offenses, —
statewide registration.

such an imminent threat of bodily injury is found to exist, the judge shall notify the appropriate law enforcement officials of such finding and such officials shall take all necessary actions to execute any such outstanding warrant as soon as is practicable.”; 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 statewide registration of domestic violence offenses, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.”.

Under suspension of the rules, on motion of Mr. DiMasi of Boston, the amendments were considered forthwith.

Mr. Tolman of Watertown then moved that the House concur with the Senate in its amendments with further amendments by striking out, in sections 1, 2, 4 and 5, in each instance, the words “or to the public” (inserted by amendment by the Senate); and in section 7 by striking out, in line 4 (as printed), the words “September seventh” and inserting in place thereof the words “September thirtieth”, and by striking out, in line 28 (as printed), the words “September fourteenth” and inserting in place thereof the words “October ninth”.

The further amendments were adopted.

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

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 1694) of Robert A. Antonioni for legislation to authorize certain school building assistance funds for the building of a school in Leominster. To the committee on Education, Arts and Humanities.

Petition (accompanied by bill, Senate, No. 1695) of Charles E. Shannon, Paul E. Caron, James P. Jajuga and Vincent P. Ciampa for legislation relative to olympic-style amateur boxing in the Commonwealth. To the committee on Government Regulations.

Petition (accompanied by bill, Senate, No. 1696) of Donald E. Duplease, Arthur J. Rocheleau, David A. Lapointe and Robert D. Wetmore for legislation to require the celebration of Memorial Day on May 30th. To the committee on the Judiciary.

Petition (accompanied by bill, Senate, No. 1697) of Robert D. Wetmore for legislation to create a Ware River watershed advisory committee. To the committee on Natural Resources and Agriculture.

Report 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 Patrick F. Landers III for legislation to authorize Hampden County to refund certain notes. Under suspension of Rule 42, on motion of Mr. Landers of Palmer, the report was considered forthwith. Joint Rule 12 was
suspended; and the petition (accompanied by bill) was referred to
the committee on Counties. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Authorizing the town of Westford to borrow money to update
its comprehensive master plan (see House, No. 5755); and
Establishing the board of selectmen/town manager form of
administration in the town of Great Barrington (see House, No.
6005, amended);
(Which severally originated in the House);
Severally having been certified by the Clerk to be rightly and truly
prepared for final passage, were passed to be enacted; and they were
signed by the acting Speaker and sent to the Senate.

Orders of the Day.

House Bills

Relative to disclosure of automobile bumper quality (House,
No. 1463);
Authorizing the Governor to designate an additional justice of the
peace in the town of Winthrop (House, No. 3381);
Relative to the reporting of felony convictions for the purpose of
verifying eligibility for certain firearm licenses (House, No. 4581) (its
title having been changed by the committee on Bills in the Third
Reading);
Authorizing the town of Easton to transfer certain bond funds
for other uses (House, No. 5895); and
Authorizing the town of Easton to transfer control of certain
conservation land (House, No. 5896, changed);
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. Finneran
of Boston) declared a recess subject to the call of the Chair, there
being no objection; and at seven minutes after twelve o'clock noon
the House was called to order with Mr. Finneran in the Chair.

Emergency Measure.

The engrossed Bill establishing a statewide registration of
domestic violence offenses (see House, No. 6017, 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 2 to 0.
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 nine minutes after twelve o'clock noon, on motion of Mr. Tolman of Watertown (Mr. Finneran of Boston being in the Chair), the House adjourned, to meet on Tuesday next at eleven o'clock A.M., in an Informal Session.
Tuesday, September 8, 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:

Eternal God, You have created us in Your image by bestowing upon us an eternal destiny, intelligence and a free will to make decisions. At the opening of a new school year, we pray for all students that they will be properly motivated, challenged intellectually, and will take advantage of their educational opportunities. We also pray that teachers and administrators will have the patience and experience to impart a respect for learning and a respect for other people.

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. Knapik of Westfield) congratulating the Westfield fourteen to fifteen year old Babe Ruth all-star team for a most successful nineteen ninety-two season; and

Resolutions (filed by Mr. Sullivan of Abington) commending Alfred and Cecille Norman for their many years of devoted service for the Abington softball leagues;

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

Annual, Bi-monthly and Special Reports.

The annual report of the State Lottery Commission (under Section 24 of Chapter 10 of the General Laws) relative to the total revenues, prize disbursements and other expenses of the Lottery and the Arts Lottery for the year ending June 30, 1992; and

The bi-monthly report of the Executive Office of Transportation and Construction (under Section 178 of Chapter 653 of the Acts of 1989) submitting an account of the costs incurred in connection with the depression of the Central Artery and the construction of a third harbor tunnel; and

Reports

Of the Bureau of Special Investigations (submitted under authority of Section 30T(6) of Chapter 7 of the General Laws) for the month of June, 1992; and

Of the Bureau of Special Investigations (submitted under authority of Section 30T(6) of Chapter 7 of the General Laws) for the month of July, 1992;

Severally sent to the Senate for its information.

Real property,—inventory.

Annual reports

Of the Division of Capital Planning and Operations (under Section 40K of Chapter 7 of the General Laws) relative to the inventory of real property owned, rented or occupied by public agencies; and

Of the Workers’ Compensation Advisory Council (under paragraph 2 of Section 17 of Chapter 23E of the General Laws) on the workers’ compensation system;

Severally placed on file.

Workers’ Compensation Advisory Council.

Northampton,—Axel Diaz pension.

Mr. Nagle of Northampton presented a petition (accompanied by bill, House, No. 6065) of William P. Nagle, Jr., and Stanley C. Rosenberg (with the approval of the mayor and city council) for legislation to authorize the city of Northampton to grant a pension to Axel Diaz; and the same was referred to the committee on Public Service. Sent to Senate for concurrence.

Judicial retirement,—repeal.

Mr. Blanchette of Lawrence presented a petition (subject to Joint Rule 12) of Kevin P. Blanchette, Douglas W. Petersen and other members of the General Court for legislation to repeal certain provisions of the judicial retirement law; and the same was referred, under Rule 24, to the committee on Rules.

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

Petitions severally were presented and referred as follows:

By Mr. Bosley of North Adams, petition (subject to Joint Rule 12) of Daniel E. Bosley, Shannon P. O’Brien and Christopher J. Hodgkins relative to further regulating rate increases by electric companies.

By the same member, petition (subject to Joint Rule 12) 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.

By Mr. Cahir of Bourne, petition (subject to Joint Rule 12) of Thomas S. Cahir relative to the sales tax on “traded-in” motor vehicles.
By Mr. Hawke of Gardner (by request), petition (subject to Joint Rule 12) of Donald E. Duplease and others for legislation to establish the date for the celebration of Memorial Day as May thirtieth of each year.

By Mr. Hermann of North Andover (by request), petition (subject to Joint Rule 12) of Anthony Silva, Jr., relative to further regulating the operation of motor vehicles.

By Mr. Klimm of Barnstable, petition (subject to Joint Rule 12) of John C. Klimm for legislation to authorize the leasing of real estate by fire districts.

By the same member, petition (subject to Joint Rule 12) of John C. Klimm for legislation to provide a penalty for tendering an insufficient funds check to a fire district.

By the same member, petition (subject to Joint Rule 12) of John C. Klimm for legislation to provide for assistant treasurers of fire districts.

By Mr. Kollios of Millbury, petition (subject to Joint Rule 12) of Paul Kollios relative to further regulating certain medical procedures under the medical care and assistance program.

By Mr. Manning of Milton, petition (subject to Joint Rule 12) of M. Joseph Manning relative to recreation and park self-supporting service revolving funds in cities and towns.

By Mr. Mara of Brockton, petition (subject to Joint Rule 12) of Francis G. Mara for legislation to establish upon the books of the Commonwealth a separate fund to be known as the “Board of Registration in Medicine trust fund”.

By Mr. Mariano of Quincy, petition (subject to Joint Rule 12) of Ronald Mariano for legislation to prohibit the Water Resources Authority from transporting sludge, sewerage or similar solid waste material without approval of local communities.

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

**Papers from the Senate.**

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

Petition (accompanied by bill, Senate, No. 1702) of Charles E. Shannon, Michael Capuano, Vincent P. Ciampa, David H. Locke, Paul C. Casey and Patricia D. Jehlen for legislation to further regulate health maintenance organizations. To the committee on Insurance.

Petition (accompanied by bill, Senate, No. 1703) of David H. Locke and Kevin Poirier for legislation to expedite repairs of a dam in North Attleborough. To the committee on State Administration.

**Engrossed Bills.**

The engrossed Bill establishing a statewide registration of domestic violence offenses (see House, No. 6017, amended) (which originated in the Senate), 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.
Bills enacted.

Engrossed bills
Relative to the retirement rights of Raymond McGrath, a police officer of the city of Worcester (see House, No. 5323);
Relative to the procedure for filling town meeting member vacancies in the town of Brookline (see House, No. 5782); and
Establishing a funding schedule for the retirement system of the city of Taunton (see House, No. 5876);
(Which severally originated in the House);
Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the Speaker and sent to the Senate.

Order.

On motion of Mr. Draisen of Boston, —

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

Mr. Tobin of Quincy then moved that as a mark of respect to the memory of Charles L. Shea, a member of the House from Quincy from 1959 to 1966, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at twenty-six minutes after eleven o'clock A.M., the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.
Thursday, September 10, 1992.

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

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

Eternal God, we reflect on Your reality for a moment and ask for Your help in our effort to remain faithful to You. We humbly ask for pardon for those occasions when we were unfaithful to Your precepts. During these days of intense political debates, guide us so that issues, principles and needs of society will be rationally discussed. May the well-being of constituents, our communities and our neighborhoods be our priorities.

We ask You to 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.

Opinions of the Justices of the Supreme Judicial Court.

A communication from the Honorable the Justices of the Supreme Judicial Court of the Commonwealth relative to opinions on certain questions of law concerning cost items for collective bargaining agreements between unions representing employees and the Commonwealth [see House, No. 5583] (for opinions, see House, No. 6072), filed in the office of the Clerk prior to today's sitting, was read for the information of the House; and placed on file.

Resolutions.

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

- Resolutions (filed by Mr. Galvin of Canton) congratulating Jack White for his outstanding contributions and achievements;
- Resolutions (filed by Mr. Kafka of Sharon) honoring Harry Malone on the occasion of his retirement;
- Resolutions (filed by Mr. Karol of Attleboro) congratulating the Attleboro YMCA on the occasion of its one hundred and twenty-fifth anniversary;
- Resolutions (filed by Mr. Karol of Attleboro) commending the National Business Travel Association on the occasion of its annual meeting in Boston;
- Resolutions (filed by Mr. Landers of Palmer) on the occasion of "National Housekeepers Week";
- Resolutions (filed by Mr. Palumbo of Newbury) on the occasion of the dedication of the town of Rowley's Witchcraft Victim Memorial in Margaret Scott's memory; and
Resolutions (filed by Mr. Sullivan of Abington) congratulating Randolph W. “Randy” Staples on the occasion of his retirement from the Whitman Fire 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. Galvin, 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 Foxboro Thoroughbred, Inc., and Foxboro Harness, Inc. (under Section 2 of Chapter 128C of the General Laws) submitting copies of all contracts, agreements or conditions for the simulcasting of horse races, was placed on file.

Petitions.

Mr. Honan of Boston presented a petition (accompanied by bill, House, No. 6069) of Kevin G. Honan (with the approval of the mayor and city council) for legislation to clarify water and sewer rates in the city of Boston; and the same was referred to the committee on Local Affairs. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Brewer of Barre, petition (subject to Joint Rule 12) of Stephen M. Brewer relative to the uniform procurement law.

By Mr. Fitzgerald of Boston, petition (subject to Joint Rule 12) of Kevin W. Fitzgerald relative to the territorial jurisdiction of the Boston Municipal Court.

By Mr. Forman of Plymouth, petition (subject to Joint Rule 12) of Peter Forman for legislation to release a certain restriction on land located in the town of Plymouth.

By Mr. Honan of Boston, petition (subject to Joint Rule 12) of Kevin G. Honan (with the approval of the mayor and city council) for legislation to provide for drug free elderly and handicapped housing development zones in the city of Boston.

By Mr. Karol of Attleboro, petition (subject to Joint Rules 12 and 9) of Stephen J. Karol, Robert A. Havern and Thomas S. Cahir for legislation to change the harbor lines in Fort Point 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.

By Mr. Turkington of Falmouth, petition (subject to Joint Rule 12) of Eric Turkington and another relative to the Martha’s Vineyard Commission.

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

Papers from the Senate.

A report of the committee on the Judiciary, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1678) of Edward P. Kirby for legislation relative
to sexually dangerous persons, and recommending that the same be referred to the committee on Criminal Justice, — accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 1698) of Jane M. Swift (by vote of the town) for legislation relative to the mobile home rent control board in the town of Williamstown; and

Petition (accompanied by bill, Senate, No. 1699) of Jane M. Swift (by vote of the town) for legislation relative to purchase or lease of mobile home parks in the town of Williamstown;

Severally to the committee on Local Affairs.

Petition (accompanied by bill, Senate, No. 1701) of Jane M. Swift (by vote of the town) for legislation relative to tax abatements for mobile home tenants in the town of Williamstown. To the committee on Taxation.

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

Petition (accompanied by bill, Senate, No. 1704) of Stanley C. Rosenberg and Richard T. Moore for legislation relative to institutional inhabitants. To the committee on Election Laws.

Petition (accompanied by bill, Senate, No. 1705) of David H. Locke, Richard R. Tisei, Peter Forman, Robert C. Buell and Lucile P. Hicks for legislation to provide victims of domestic abuse with the option of maintaining the confidentiality of the records of their complaint. To the committee on the Judiciary.

Petition (accompanied by bill, Senate, No. 1706) of Stanley C. Rosenberg and Thomas M. Petrolati (by vote of the town) for legislation relating to the amortization of bond anticipation notes in the town of Granby. To the committee on Local Affairs.

Petition (accompanied by bill, Senate, No. 1707) of Stanley C. Rosenberg, Robert A. Havern, Thomas C. Norton, Ellen Story, Edward M. Lambert, Jr., and Thomas F. Birmingham for legislation to provide for an early retirement program for employees of public institutions of higher education. To the committee on Public Service.

Petition (accompanied by bill, Senate, No. 1708) of Louis P. Bertonazzi for legislation to designate a certain corner in the town of Milford as the Louis "Burke" Rizoli Memorial Corner. To the committee on Transportation.

Report of a Committee.

By Mr. Rushing of Boston, for the committee on Local Affairs, on a petition, a Bill relative to the operation of the water system for the town of Hanson (House, No. 5812, changed in section 4 by striking out, in lines 5, 6, 7 and 8, the words "or towns adjoining thereto, not already appropriated for the purpose of a public water supply by another governmental body, and the water rights
connected with any such water sources,"), which was read [Local Approval Received].

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

Engrossed Bill.

The engrossed Bill relative to the charter of the city of Holyoke (see House, No. 5684) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Order.

On motion of Mr. Haley of Weymouth,—

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

Mr. Brewer of Barre then moved that as a mark of respect to the memory of Charles E. Shepard, a member of the House from Warren from 1941 to 1946, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at eighteen minutes after eleven o'clock A.M. (Mr. Serra of Boston being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.

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

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

Gracious God, at the beginning of this new week, we call upon You in Your goodness to enlighten and guide us in personal and legislative matters. We pray for the wisdom and patience to evaluate correctly the pressing political, philosophical and ethical issues of the day. Let our final decisions be guided by right reason, the common good, Your will and precepts. During these times of urban and suburban change, may the civil and human rights of all be respected and protected.

We ask 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. Cruz of West Bridgewater) on the occasion of the rededication of the War Memorial Park in West Bridgewater;

Resolutions (filed by Mr. Honan of Boston) congratulating Mr. and Mrs. David J. Barrett on the occasion of their fiftieth wedding anniversary;

Resolutions (filed by Ms. Kerans of Danvers) relative to the commemorative observance of the three hundredth anniversary of the Salem Village Witchcraft Trials of sixteen hundred and ninety-two;

Resolutions (filed by Mrs. McKenna of Holden) on the occasion of the dedication of the "Memorial to Richard H. Smith", and

Resolutions (filed by Mr. Tolman of Watertown) honoring Charles T. Burke on the occasion of his ninetieth birthday;

Mr. Voke of Chelsea, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of Rule 41, in each instance, on motion of Mr. Tolman, 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. Forman of Plymouth, petition (subject to Joint Rule 12) of Peter Forman for legislation to exempt the Plymouth/Carver Regional School District from its teachers’ salary deferral for fiscal year nineteen hundred and ninety-three.

By Mr. Hodgkins of Lee, petition (subject to Joint Rule 12) of Christopher J. Hodgkins and Jane M. Swift relative to certain contributions to and benefits of the Unemployment Insurance Trust Fund.

By Mr. Kennedy of Brockton, petition (subject to Joint Rule 12) of Thomas P. Kennedy relative to community antenna television rates.

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

Papers from the Senate.

The following order was adopted, in concurrence:

Ordered, That a convention of the two branches be held at half past two o’clock P.M., on Wednesday, September 16, 1992, for the purpose of receiving such communication as His Excellency the Governor may be pleased to make to them, relating to the concerns of the Commonwealth.

A Bill designating an area of Route 16 in the town of Milford as the Louis “Burke” Rizoli Memorial Walkway (Senate, No. 1710) (reported on a petition Senate, No. 1708), passed to be engrossed by the Senate, was read.

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, in concurrence.

Bills

Increasing the amount of income which may be derived from the real and personal property held by the First Congregational Society in the town of Becket (Senate, No. 1599) (reported on a petition); and

Validating a contract of the town of Methuen (Senate, No. 1658) (reported on a petition) [Local Approval Received];

Severally passed to be engrossed by the Senate, were read; and they were placed in the Orders of the Day for the next sitting for a second reading.

A report of the Trustees of the Boston Metropolitan District (under Section 2 of Chapter 383 of the Acts of 1929) for the year nineteen hundred and ninety-one (Senate, No. 1686) was read for the information of the House and returned to the Senate to be placed on file.
Reports of Committees.

By Mr. Serra of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Patricia D. Jehlen, Janet W. O'Brien, Vincent P. Ciampa and Carmen D. Buell relative to equal educational opportunity grants. Under suspension of Rule 42, on motion of Ms. Jehlen of Somerville, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Education, Arts and Humanities. Sent to the Senate for concurrence.

By Mr. Finneran of Boston, for the committee on Ways and Means, that the Bill further regulating manufactured housing communities (House, No. 6047) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 6075).

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

The amendment recommended by the committee on Ways and Means, — then was adopted; and the substituted bill was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Pacheco of Taunton, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time forthwith; and it was passed to be engrossed. The bill (House, No. 6075) then was sent to the Senate for concurrence.

By Mr. Walsh of Agawam, for the committee on Government Regulations, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1695) of Charles E. Shannon, Paul E. Caron, James P. Jajuga and Vincent P. Ciampa for legislation relative to olympic-style amateur boxing in the Commonwealth, — and recommending that the same be referred to the committee on Public Safety. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, on House, Nos. 280, 284 and 3025, a Bill relative to those veterans who have participated in military actions facing armed opposition (House, No. 284).

By Mr. Caron of Springfield, for the committee on Public Safety, on a message from His Excellency the Governor, a Bill to transfer control of the Treatment Center from the Department of Mental Health to the Department of Correction to further protect the public safety and to improve the quality of treatment (printed in House, No. 5903, changed in section 3 by adding at the end thereof the following sentence: “Existing civil commitments to the Treatment Center shall not be vacated by the transfer to a correctional institution.”; in section 5 by inserting after the word “occur”, in line 43, the words “the employer of persons participating in the

Equal educational opportunity grants.

Manufactured housing communities.

Olympic-style amateur boxing.

Veterans of armed opposition.

Treatment center.— transfer.
access program”; in section 6 by striking out, in line 6, the words “upon the expiration of such person’s criminal sentence”, by striking out, in line 25, the word “criminal” and inserting in place thereof the word “civil”, and by inserting after the word “residency”, in line 57, the words “any employer of the resident, the Criminal History Systems Board”; and by adding at the end thereof the following section:

“SECTION 7. No provision of this act which requires modification of the federal consent decrees entered in King v. Greenblatt and Williams v. Lesiak shall go into effect unless and until the United States District Court for the District Court of Massachusetts enters an order modifying federal consent decrees so that such provision or provisions are not inconsistent with those orders.”

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

By Mr. Moore of Uxbridge, for the committee on Election Laws, on a petition, a Bill providing for recall elections in the town of Warwick (House, No. 5988) [Local Approval Received].

By Mr. Jordan of Springfield, for the committee on Housing and Urban Development, on Senate, No. 495 and House, Nos. 3369 and 5177, a Bill to protect condominium residents (House, No. 6074).

By Mr. Mara of Brockton, for the committee on Insurance, on a petition, a Bill increasing the amount of death benefits paid by the Medford Police Relief Association, Incorporated (House, No. 5543).

By Mr. Rushing of Boston, for the committee on Local Affairs, on Senate, No. 895 and House, No. 557, a Bill to further regulate homes deemed uninhabitable (House, No. 6076).

By Mr. Caron of Springfield, for the committee on Public Safety, on a petition, a Bill relative to the towing of vehicles (House, No. 5677).

By the same member, for the same committee, on a petition, a Bill relative to the towing of vehicles (House, No. 5678).

By the same member, for the same committee, on a petition, a Bill further regulating the use of certain roller devices (House, No. 5997).

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

By Mr. Caron of Springfield, for the committee on Public Safety, ought NOT to pass, on the petition (accompanied by bill, House, No. 5820) of Patricia A. Walrath, Nancy Achin Sullivan and Lida E. Harkins relative to motor vehicle sound amplification systems. Placed in the Orders of the Day for the next sitting, the question being on acceptance.

Engrossed Bill.

The engrossed Bill authorizing the town of Easton to transfer certain bond funds for other uses (see House, No. 5895) (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.

Recess.

At thirteen minutes after eleven o’clock A.M., the Chair (Mr. Serra of Boston) declared a recess subject to the call of the Chair, there being no objection; and at eight minutes after two o’clock P.M. the House was called to order with Mr. Serra in the Chair.

Report of a Committee.

Mr. Finneran of Boston, for the committee on Ways and Means, on a message from His Honor the Lieutenant-Governor, Acting Governor (House, No. 5843), reports, in part, a Bill relative to providing for capital outlays for the acquisition and upgrading of major information technology systems (House, No. 6073), which was read [Total Expenditure: $92,070,000.00 — Bond Issue: $70,945,000.00 — Federal Reimbursement: $21,125,000.00].

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

Engrossed Bill.

The engrossed Bill designating an area of Route 16 in the town of Milford as the Louis “Burke” Rizoli Memorial Walkway (see Senate, No. 1710) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Order.

On motion of Mr. Flaherty of Cambridge, —

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

At twenty-one minutes after two o’clock P.M., on motion of Mr. Draisen of Boston (Mr. Serra of Boston being in the Chair), the House adjourned, to meet on Wednesday next at eleven o’clock A.M.
Wednesday, September 16, 1992.

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

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

God, Our Creator, we take this moment for prayer to ask for guidance as we carry out our responsibilities and respond to the needs of the people and our communities. Inspire us to propose thoughtful, relevant and sensible remedies to the economic and cultural challenges of the times. By our commitment to sound principles may we be a symbol of hope and trust to the people whom we represent. Prosper our efforts to encourage all people, from our youth to our elderly, to employ their talents and gifts to serve You, their neighbors and their constituents, and not merely to serve self-interests.

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.

Statement Concerning Representative Decas of Wareham.

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

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Decas of Wareham, is unable to be present in the House Chamber for a portion of today's sitting due to the death of his brother. Any roll calls that he may miss today will be due entirely to the reason stated.

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

Statement Concerning Representative Hermann of North Andover.

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

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

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

Statement of Representative Kennedy of Brockton.

During consideration of the Orders of the Day, Mr. Kennedy of Brockton 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 in the House Chamber for a portion of today's sitting due to my attendance at funeral services for my godfather. Any roll calls that I missed today was due entirely to the reason stated.

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

Statement Concerning Representative Peters of Charlton.

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

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

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

Resolutions.

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

Resolutions (filed by Mr. Blanchette of Lawrence) congratulating Mary E. McGowan on the occasion of her retirement as a dedicated public servant of the Commonwealth of Massachusetts Registry of Motor Vehicles;

Resolutions (filed by Ms. Brenton of Burlington) congratulating Marcelle Schnitger upon her selection as Bedford's Citizen of the Year;

Resolutions (filed by Mr. Doran of Lexington) commending Michael Bumbaca on the occasion of his being presented the Eagle Award;

Resolutions (filed by Mr. Kafka of Sharon) congratulating Chief Bernard Francis Coffey of the Sharon Police Department on the occasion of his retirement;

Resolutions (filed by Mr. Krekorian of Reading) recognizing and honoring Chief Leonard J. Redfern of the Reading Fire Department on the occasion of his retirement;

Resolutions (filed by Mr. Poirier of North Attleborough) congratulating the Fiske Public Library in Wrentham on the occasion of its one hundredth anniversary; and

Resolutions (filed by Mr. Poirier of North Attleborough) congratulating Robert McQuade for being selected to receive the "Elizabeth Wells Memorial Award" by the National Association of Housing and Redevelopment officials;

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

Communication.

A communication from the Sterling Suffolk Racecourse Limited Partnership (under Section 2 of Chapter 128C of the General Laws) submitting copies of contracts for the simulcasting of horse races, was placed on file.

Petition.

Ms. Bump of Braintree presented a petition (subject to Joint Rule 12) of Suzanne M. Bump, Louis P. Bertonazzi and Charles F. Flaherty for legislation to establish a small business capital access program for Massachusetts; 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. Flaherty of Cambridge, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Commerce and Labor. Sent to the Senate for concurrence.

Paper from the Senate.

A petition (accompanied by bill, Senate, No. 1709) of William R. Keating (by vote of the town) for legislation to authorize the town of Easton to convey a certain parcel of conservation land to the water division of the department of public works, was referred, in concurrence, to the committee on Local Affairs.

Report of a Committee.

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 Byron Rushing, J. James Marzilli, Jr., and John E. McDonough relative to the licensing of certain public establishments in cities and towns and the installation of condom vending machines on the premises of such establishments. Under suspension of Rule 42, on motion of Mr. Rushing of Boston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Government Regulations. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Designating a certain area of Webb State Park in the town of Weymouth as the Domenic J. Sansone Memorial Promontory (see House, No. 5936); and
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 severally originated in the House);
Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the Speaker and sent to the Senate.

Orders of the Day.

Senate bills
Relative to redemption of empty beverage containers (Senate, No. 1530);
Increasing the amount of income which may be derived from the real and personal property held by the First Congregational Society in the town of Becket (Senate, No. 1599); and
Validating a contract of the town of Methuen (Senate, No. 1658) and

House bills
Increasing the amount of death benefits paid by the Medford Police Relief Association, Incorporated (House, No. 5543);
Relative to the towing of vehicles (House, No. 5677);
Relative to the towing of vehicles (House, No. 5678);
Providing for recall elections in the town of Warwick (House, No. 5988);
Further regulating the use of certain roller devices (House, No. 5997);
Expediting resolution of legal proceedings involving children in need of care and protection (House, No. 6004);
To protect condominium residents (House, No. 6074); and
To further regulate homes deemed uninhabitable (House, No. 6076);
Severally were read a second time; and they were ordered to a third reading.

The House report of the committee on Public Safety, ought NOT to pass, on the petition (accompanied by bill, House, No. 5820) of Patricia A. Walrath, Nancy Achin Sullivan and Lida E. Harkins relative to motor vehicle sound amplification systems, was accepted.

The motion of Mr. Businger of Brookline, that the committee on Ways and Means be discharged from further consideration of the House Bill conforming the General Laws to the Constitutional amendment abolishing the state census (House, No. 3355) was considered.
Pending the question on the motion to discharge the committee, further consideration thereof was postponed, on motion of the same member, until Tuesday, September 29.
Recess.

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

Engrossed Bills — Land Takings.

The engrossed Bill authorizing the city of Boston to sell and convey a certain parcel of park land in the city of Boston (see House, No. 5406) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Pending the question on passing the bill to be enacted, at five minutes after one o'clock P.M., on motion of Mr. Draisen of Boston (Mr. Serra of Boston being in the Chair), the House recessed until half past one o'clock P.M.; and at that time the House was called to order with the Speaker in the Chair.

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

[See Yea and Nay No. 275 in Supplement.]

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

The engrossed Bill authorizing the city of Boston to use certain park land in the city of Boston for the relocation of and the addition to a certain building to be used as a visitor information center (see House, No. 5523) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 138 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 276 in Supplement.]

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

The engrossed Bill authorizing the town of Chilmark to convey an interest in certain conservation land (see House, No. 5764, changed and amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 138 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 277 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.
purposes, etc., as defined by Article XCVII of the Amendments to
the Constitution; and on the roll call 134 members voted in the
affirmative and 0 in the negative.
[See Yea and Nay No. 277 in Supplement.]
Therefore the bill was passed to be enacted; and it was signed by
the Speaker and sent to the Senate.

Motions to Direct the Clerk to Place Certain
Matters Before the House.

Mr. Blanchette of Lawrence moved that the Clerk be directed to
place before the House so much of the message from His Excellency
the Governor as relates to his disapproval of item 0612-1030 in
section 2 (for message, see House, No. 6077) of the engrossed Bill
making appropriations for the fiscal year ending June thirtieth,
nineteen hundred and ninety-two to provide for supplementing
certain existing appropriations and for certain other activities and
projects [see House, No. 6010, amended]; and the motion prevailed.

Item 0612-1030 (cost-of-living increase for retired public
employees) in section 2 was considered as follows:

"OFFICE OF THE TREASURER
AND RECEIVER-GENERAL.

0612-1030 For the fiscal year nineteen hundred and ninety-
three costs to the commonwealth’s pension
liability fund attributable to the cost-of-living
increase pursuant to chapter seventy of the acts
of nineteen hundred and ninety-two 60,000,000”.

After debate the question on passing item 0612-1030 (contained
in section 2), notwithstanding said objections, was determined by
yeas and nays, as required by Chapter I, Section I, Article II of the
Constitution, and Section 5 of Article LXIII of the Amendments
to the Constitution; and on the roll call 144 members voted in the
affirmative and 0 in the negative.

[See Yea and Nay No. 278 in Supplement.]
Therefore item 0612-1030 (contained in section 2) was passed,
notwithstanding the objections of His Excellency (more than two-
thirds of the members present and voting having voted in the
affirmative). Sent to the Senate for its action.

Mr. Blanchette of Lawrence then moved that the Clerk be directed
to place before the House so much of the message from His
Excellency the Governor as relates to his disapproval of item 0612-
1030 in section 2B. I (for message, see House, No. 6077) of the
engrossed Bill making appropriations for the fiscal year ending June
thirtieth, nineteen hundred and ninety-two to provide for
supplementing certain existing appropriations and for certain other
activities and projects [see House, No. 6010, amended]; and the
motion prevailed.

Item 0612-1030 (cost-of-living increase for retired public
employees) in section 2B. I was considered as follows:
Retired public employee
cost-of-living
increase,
item 0612-1030,
passed,—
yea and nay
No. 279.

The question on passing item 0612-1030 (contained in section 2B. I), notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 144 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 279 in Supplement.]

Therefore item 0612-1030 (contained in section 2B. I) was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

**Joint Session of the Two Houses to Consider Legislative Amendments to the Constitution.**

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

**JOINT SESSION**

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

Mr. Boverini moved that the Joint Session be in recess until two o'clock P.M. on Monday, November 9; and this motion prevailed.

Mr. Sullivan of Abington doubted this vote and asked for a count of the Joint Session. A count of the Joint Session was then taken and the motion to recess prevailed by a vote of 53 to 45. Accordingly, at thirteen minutes past two o'clock P.M., the Joint Session was recessed until two o'clock P.M. on Monday, November 9.

**Joint Session.**

At half past two o'clock P.M., pursuant to assignment, the two branches met in

**CONVENTION**

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

**Order Adopted.**

On motion of Mr. Locke, —

*Ordered*, That a committee be appointed to consist of five members of the Senate and such number as the House may join to wait upon His Excellency the Governor and inform him that the two branches of the General Court are now in convention for the purpose of receiving such communication as His Excellency may be pleased to make to them, relating to the concerns of the Commonwealth.
Senators White, Boverini, Bertonazzi, Shannon and Lane, and Representatives O'Brien of Easthampton, Pacheco of Taunton, Morrissey of Quincy, Magnani of Framingham, Walsh of Boston and Clancy of Lynn were appointed; and, under the escort of the Sergeant-at-Arms, the committee left the Chamber.

Subsequently, Mr. Boverini, for the committee, reported that His Excellency the Governor would immediately attend upon the convention. The committee was then discharged.

Shortly thereafter, His Excellency William F. Weld, Governor of the Commonwealth and His Honor Argeo Paul Cellucci, Lieutenant Governor of the Commonwealth entered the Chamber under the escort of the Sergeant-at-Arms.

His Excellency the Governor thereupon addressed the Convention relative to economic concerns of the Commonwealth.

His Excellency the Governor and the Lieutenant Governor withdrew from the Chamber under the escort of the Sergeant-at-Arms.

At six minutes before three o'clock P.M., on motion of Mr. Boverini, the Convention was dissolved, and the Senate returned to its Chamber under the escort of the Sergeant-at-Arms.

Recess.

At seven minutes before three o'clock P.M., on motion of Mr. Voke of Chelsea (the Speaker being in the Chair), the House recessed until half past three o'clock P.M.; and at twenty-four minutes before four o'clock the House was called to order with the Speaker in the Chair.

Paper from the Senate.

The engrossed Bill authorizing the town of Sharon to convey a certain parcel of conservation land (see House, No. 5894, amended) came from the Senate with the endorsement that said branch had concurred with the House in its amendment with a further amendment in section 2 striking out, in line 19 (as engrossed), the word "see", the first time it appears, and inserting in place thereof the word "said".

Under suspension of Rule 35, on motion of Mr. Kafka of Sharon, 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.

Engrossed Bill — State Loan.

The engrossed Bill relative to providing for capital outlays for the acquisition and upgrading of major information technology systems (see House, No. 6073) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.
On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 136 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 280 in Supplement.]

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

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

MR. SPEAKER: During the taking of the above yeas and nays, I was absent from the House Chamber on official business in another part of the State House and was not notified that a roll call was in progress. Had I been present when the vote was taken, I would have voted in the affirmative.

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

Subsequently Ms. Bump of Braintree asked unanimous consent to make a statement; and, there being no objection, she addressed the House as follows:

MR. SPEAKER: During the taking of the above yeas and nays, I was absent from the House Chamber on official business in another part of the State House. Had I been present when the vote was taken, I would have voted in the affirmative.

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

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the town of Sharon to convey a certain parcel of conservation land (see House, No. 5894, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 133 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 281 in Supplement.]

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

Order.

On motion of Mr. Voke of Chelsea, —

Ordered, That when the House adjourns today, it adjourn to meet tomorrow 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. DiMasi of Boston then moved that as a mark of respect to the memory of Christopher A. Iannella, a member of the House from Boston from 1951 to 1958, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at twenty-two minutes after four o'clock P.M. (the Speaker being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M., in an Informal Session.
Thursday, September 17, 1992.

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

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

Lord God, we ask You to watch over us today and every day and grant us the intellectual and moral courage to live up to Your expectations. In Your kindness, help us to cope with the responsibilities of our personal and legislative obligations. As we struggle with the human and political problems of the times, may we remain sensitive to the needs and concerns of the people in our communities. With Your assistance, may we conquer our frustrations and plan for a more prosperous future.

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.

Statement of Representative Ciampa of Somerville.

During the session, Mr. Ciampa of Somerville asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:

MR. SPEAKER: During the taking of Yea and Nay No. 278, at the preceding sitting, I was present in the House Chamber and voted in the affirmative. Nevertheless, I now find that due to an error in the electronic voting machine, I was not recorded as having voted. Had the voting machine been in proper working order, I would have been recorded in the affirmative.

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

Resolutions.

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

Resolutions (filed by Mr. DeFilippi of West Springfield) honoring Diane Schumacher on the occasion of her being inducted into the National Softball Hall of Fame; and

Resolutions (filed by Mrs. Lewis of Bridgewater) congratulating Chief Raymond E. Chappell of the Raynham Fire Department 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. DeFilippi, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.
The House Bill relative to the creation of a revolving trust fund to aid in the financing of water pollution abatement projects (House, No. 6008) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1711.

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

The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. The Speaker then appointed Representatives Finneran, Angelo of Saugus and Decas of Wareham as the committee on the part of the House. Sent to the Senate to be joined.

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

Petition (accompanied by bill, Senate, No. 1712) of Robert D. Wetmore and others for legislation relative to educational requirements for certain substitute teachers. To the committee on Education, Arts and Humanities.

Petition (accompanied by bill, Senate, No. 1713) of Robert D. Wetmore for legislation to establish requirements for appointment as an environmental police officer. To the committee on Natural Resources and Agriculture.

Petition (accompanied by bill, Senate, No. 1714) of William R. Keating for legislation relative to a drainage easement in the town of Easton. To the committee on State Administration.

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 M. Joseph Manning relative to recreation and park self-supporting service revolving funds in cities and towns. Under suspension of Rule 42, on motion of Mrs. Menard, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Local Affairs. Sent to the Senate for concurrence.

By Mr. Serra of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Joan M. Menard relative to children in need of services. Under suspension of Rule 42, on motion of Mrs. Menard of Somerset, 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.
Shirley,— By Mr. Finneran of Boston, for the committee on Ways and Means, on a petition, a Bill relative to the construction of a police station and public works facility in the town of Shirley (House, No. 6028), which was read [Local Approval Received].

Under suspension of the rules, on motion of Mrs. Walrath of Stow, 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.

Order.

On motion of Mr. Draisen of Boston, —

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

At sixteen minutes after eleven o'clock A.M., on motion of Mr. Draisen, 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 depend upon Your assistance to guide and direct us in our decision-making process. Help us to keep clearly in mind the purpose for which You have made us in Your likeness. By understanding and accepting Your precepts and ways, may we experience peace of mind and soul, personal happiness and fulfillment. Strengthened by Your personal concern for us, may we cope with the pressures and stresses of daily living as we carry out our personal and legislative duties.

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.

Messages from the Governor.

A message from His Excellency the Governor recommending legislation relative to authorizing the creation of economic opportunity areas (House, No. 6083) was filed in the office of the Clerk on Thursday, September 17.

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

A message from His Excellency the Governor recommending legislation relative to the immediate stimulation of increased job creating activity within the Commonwealth through the Massachusetts Industrial Finance Agency (House, No. 6084) was filed in the office of the Clerk on Thursday, September 17.

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

A message from His Excellency the Governor recommending legislation relative to the establishment of the Massachusetts development agency (House, No. 6085) was filed in the office of the Clerk on Thursday, September 17.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on State Administration. Sent to the Senate for concurrence.
A message from His Excellency the Governor recommending legislation relative to the capital gains tax (House, No. 6086) was filed in the office of the Clerk on Thursday, September 17.

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

A message from His Excellency the Governor recommending legislation relative to investment tax credit (House, No. 6087) was filed in the office of the Clerk on Thursday, September 17.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Taxation. 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 Speaker Flaherty of Cambridge) congratulating Somerville-Cambridge Elder Services, Inc., on the occasion of its twentieth anniversary;

Resolutions (filed by Mr. Knapik of Westfield) congratulating Albert F. Ferst on the occasion of his being honored by the Westfield Kiwanis Club;

Resolutions (filed by Mr. Knapik of Westfield) congratulating the Westfield Kiwanis Club on the occasion of its seventieth anniversary; and

Resolutions (filed by Ms. Resor of Acton) congratulating Michael P. Puschak on the occasion of his receiving the Eagle Award of the Boy Scouts of America;

Mr. Voke of Chelsea, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of Rule 41, in each instance, on motion of Ms. Resor, 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. Lewis of Bridgewater, petition (accompanied by bill, House, No. 6080) of Jacqueline Lewis (by vote of the town) relative to discontinuance permits for mobile home parks in the town of Raynham; and

By the same member, petition (accompanied by bill, House, No. 6081) of Jacqueline Lewis (by vote of the town) relative to the establishment and administration of rent regulations and the control of evictions in mobile home parks in the town of Raynham; Severally to the committee on Local Affairs. Severally sent to the Senate for concurrence.
Representative Flaherty of Cambridge and Senator Bulger presented a joint petition (subject to Joint Rule 12) of Charles F. Flaherty and William M. Bulger for legislation to designate the pier at the University of Massachusetts at Boston as the John T. Fallon Pier; and the same was referred, under Rule 24, to the committee on Rules.

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

Subsequently Mr. Flaherty, for the committee on Rules, on the foregoing petition, reported a Bill designating the pier at the University of Massachusetts at Boston as the John T. Fallon Pier (House, No. 6082), which was read.

Under suspension of Rule 41, on motion of Mr. Draisen of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Rushing, 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. Bosley of North Adams presented a petition (subject to Joint Rule 12) of Daniel E. Bosley, Robert A. Havern and Shannon P. O'Brien relative to restoring solvency to the Unemployment Compensation Fund; and the same was referred, under Rule 24, to the committee on Rules.

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

Petitions severally were presented and referred as follows:

By Mr. Cangiamila of Billerica, petition (subject to Joint Rule 12) of Brion M. Cangiamila for legislation to exempt certain home contractors from the law relative to registration.

By Mrs. Parente of Milford, petition (subject to Joint Rule 12) of Marie J. Parente and another relative to further regulating surchargeable incidents under the safe driver insurance plan.

By Mr. Ranieri of Bellingham, petition (subject to Joint Rule 12) of Daniel J. Ranieri, Louis P. Bertonazzi and Marie J. Parente relative to authorizing the towns of Bellingham and Blackstone to enter into agreements with the city of Woonsocket, Rhode Island, for the treatment and disposal of wastewater.
Cities and towns,— early retirement.

By Mrs. Walrath of Stow, petition (subject to Joint Rule 12) of Patricia A. Walrath and other members of the General Court relative to the early retirement programs of cities and towns. Severally, under Rule 24, to the committee on Rules.

Orders of the Day.

The Senate Bill relative to redemption of empty beverage containers (Senate, No. 1530), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

The House Resolutions memorializing the Congress of the United States to enact legislation establishing a Charles River Valley National Heritage Corridor (House, No. 1289), reported by the committee on Bills in the Third Reading to be correctly drawn, were adopted. Sent to the Senate for concurrence.

Recess.

At twenty-five minutes before twelve o'clock noon, on motion of Mr. Draisen of Boston, the House recessed until half past twelve o'clock; and at twenty-seven minutes before one o'clock P.M. the House was called to order.

Emergency Measure.

The engrossed Bill designating the pier at the University of Massachusetts at Boston as the John T. Fallon Pier (see House, No. 6082), 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.

Order.

On motion of Mr. Voke of Chelsea, —

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

At four minutes after one o'clock P.M., on motion of Mr. Voke, the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.
Thursday, September 24, 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:

Almighty God, we place our trust in You, in the virtues and values which You have made known to us and in Your personal concern for our well-being. In Your goodness, help us to respond to Your expectations by remaining faithful to our religious convictions, our right conscience and Your precepts. Let our minds and hearts be filled with peace, with gratitude for the blessings we enjoy, and with a good feeling towards the people whom we serve as representatives. 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 Messrs. Voke of Chelsea, DeLeo of Winthrop and Reinstein of Revere) congratulating the Chelsea, Revere, Winthrop Home Care Corporation on the occasion of their twentieth anniversary;

Resolutions (filed by Mr. Voke of Chelsea) honoring William Griffin on the occasion of his retirement;

Resolutions (filed by Mr. Blanchette of Lawrence) honoring Dr. Nina E. Scarito on the occasion of her seventy-fifth birthday;

Resolutions (filed by Mr. Forman of Plymouth) congratulating Ralph F. DeFuria on the occasion of his retirement;

Resolutions (filed by Mr. Mara of Brockton) acknowledging December sixth through twelfth as Polycystic Kidney Disease Awareness Week;

Resolutions (filed by Messrs. McDonough of Boston and Scaccia of Boston) congratulating Detective Sergeant Russell P. Childers on the occasion of his retirement from the Boston Police Department; and

Resolutions (filed by Mr. Turkington of Falmouth) memorializing Congress to issue a stamp commemorating the centennial celebration of the writing of “America the Beautiful” by Katherine Lee Bates;

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

Order.

An Order (filed this day by Mr. Brett of Boston) relative to authorizing the committee on Banks and Banking to make an investigation and study of the availability of capital for a small business, the effect of bank failures and consolidations on consumer banking services, and other related matters (House, No. 6091) was referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Mr. Serra of Boston, for the committees on Rules, then reported that the order ought to be adopted. Referred, under Rule 33, to the committee on Ways and Means.

Mr. Finneran of Boston, for the committee on Ways and Means, reported that the order ought to be adopted. Under suspension of Rule 42, on motion of Mr. Brett, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Petitions.

Mr. McDonough of Boston presented a petition (subject to Joint Rule 12) of John E. McDonough for legislation to increase the membership of the Commonwealth Quality Improvement Council; 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. McDonough, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration. Sent to the Senate for concurrence.

Mr. Rushing of Boston presented a petition (subject to Joint Rule 12) of Michael J. Connolly, Byron Rushing, Bill Owens, Shirley Owens-Hicks and Gloria L. Fox relative to the placing of certain questions on the ballot for the nineteen hundred and ninety-two biennial state election; 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. Rushing, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Election Laws. Sent to the Senate for concurrence.
Papers from the Senate.

The House Bill relative to the creation of a revolving trust fund to aid in the financing of water pollution abatement projects (House No. 6008) came from the Senate with the endorsement that said branch had insisted on its amendment (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1711) (in which the House had non-concurred). The bill bore the further endorsement that the Senate had concurred with the House in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators White, Norton and Kirby had been joined as the committee on the part of the Senate.

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

Petition (accompanied by bill, Senate, No. 1715) of the Lynn City Council, by Richard C. Colucci, councillor, for legislation to increase the penalty for common streetwalking and certain other offenses. To the committee on Criminal Justice.

Petition (accompanied by bill, Senate, No. 1716) of Walter J. Boverini for legislation relative to granting temporary licenses for the sale of wine at auctions. To the committee on Government Regulations.

Petition (accompanied by bill, Senate, No. 1717) of Walter J. Boverini for legislation relative to unfair practices in contracting for clinical laboratory services. To the committee on Insurance.

Petition (accompanied by bill, Senate, No. 1718) of Robert D. Wetmore and Patrick F. Landers III for legislation relative to the jurisdiction of the Palmer District Court. To the committee on the Judiciary.

Petition (accompanied by bill, Senate, No. 1719) of Patricia McGovern for legislation relative to early retirement incentive for municipal employees. To the committee on Public Service.

Petition (accompanied by bill, Senate, No. 1720) of Walter J. Boverini and Douglas W. Petersen for legislation to authorize the Division of Capital Planning and Operations to convey certain easements located in the city of Lynn to the town of Swampscott. To the committee on State Administration.

Reports of Committees.

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

Petition (accompanied by bill) of Marv Daniels for legislation to authorize a boy or girl eight years of age or older to be employed in the sale or delivery of newspapers. To the committee on Commerce and Labor.

Petition (accompanied by bill) of Thomas P. Kennedy relative to community antenna television rates. To the committee on Government Regulations.
Capuchin monkeys,—
keeping.

Petition (accompanied by bill) of Daniel E. Bosley relative to the keeping of capuchin monkeys, so-called, under the exotic wildlife law; and

Bellingham and Blackstone,—
wastewater.

Petition (accompanied by bill) of Daniel J. Ranieri, Louis P. Bertonazzi and Marie J. Parente relative to authorizing the towns of Bellingham and Blackstone to enter into agreements with the city of Woonsocket, Rhode Island, for the treatment and disposal of wastewater;

Cities and towns,— early retirement.

Severally to the committee on Natural Resources and Agriculture.

Petition (accompanied by bill) of Patricia A. Walrath and other members of the General Court relative to the early retirement programs of cities and towns. To the committee on Public Service.

Schooner Ernestina Commission.

Petition (accompanied by bill) of Antonio F. D. Cabral, Joseph B. McIntyre, William Q. MacLean, Jr., Robert M. Koczera and Bruce E. Tarr relative to the Schooner Ernestina Commission. To the committee on State Administration.

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

Weymouth,—
validate acts.

By Mr. Rushing of Boston, for the committee on Local Affairs, on a message from His Excellency the Governor, a Bill validating certain actions taken by the town of Weymouth relative to a zoning bylaw (printed in House, No. 5974), which was read.

Under suspension of Rule 41, on motion of Mr. Haley of Weymouth, the bill was read a second time forthwith; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Mariano of Quincy, 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.

Wareham Fire District.

By the same member, for the same committee, on a petition, a Bill authorizing the Wareham Fire District to rescind a certain vote (House, No. 6031), which was read.

Under suspension of the rules, on motion of Mr. Decas of Wareham, 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.

Wareham,—
Ann DeMelo.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Wareham to pay a certain unpaid bill (House, No. 6064), which was read [Local Approval Received].

Under suspension of the rules, on motion of Mr. Decas of Wareham, 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.
Mr. Finneran of Boston, for the committee on Ways and Means, on a message from His Excellency the Governor (House, No. 5330), reports, in part, a Bill relative to appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-three (House, No. 6090), which was read.

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

Engrossed Bill.

The engrossed Bill relative to appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-three (see House, No. 6090) (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.

Reconsideration.

Mr. Walsh of Agawam moved that the vote be reconsidered by which the House, at the preceding sitting, passed to be engrossed, in concurrence, the Senate Bill relative to redemption of empty beverage containers (Senate, No. 1530); and, there being no objection, the motion to reconsider was entertained forthwith and it prevailed.

Pending the recurring question on passing the bill to be engrossed, in concurrence, it was recommitted to the committee on Bills in the Third Reading, on further motion of the same member.

Orders of the Day.

The House Bill increasing the amount of death benefits paid by the Medford Police Relief Association, Incorporated (House, No. 5543), 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 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 five minutes after twelve o'clock noon, on motion of Ms. Donovan of Woburn (Mr. Serra of Boston being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.

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

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

Eternal God, we believe in You and in Your personal interest in each of us. We also believe that down through the centuries, as the Bible teaches, You have communicated with us, Your sons and daughters, in a variety of ways. Today the Jewish Community observes Rosh Hashanah, the beginning of a holy season. May this season and Your spiritual help bring to each member of the Jewish Community peace, happiness and joy.

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.

Messages from the Governor — Bill Returned with Recommendations of Amendment.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill authorizing the town of Chilmark to convey an interest in certain conservation land [see House, No. 5764, changed and amended] (for message, see House, No. 6095) was filed in the office of the Clerk on Friday, September 25.

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

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

A message from His Excellency the Governor returning with recommendation of amendment 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] (for message, see House, No. 6096) was filed in the office of the Clerk on Friday, September 25.

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

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Haley of Weymouth, 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. Voke of Chelsea) congratulating Martha Hayden on the occasion of her retirement;
- Resolutions (filed by Mr. Voke of Chelsea) congratulating Helen Whiteside on the occasion of her retirement;
- Resolutions (filed by Mr. Bosley of North Adams) congratulating Elizabeth “Betty” Toohey, Director of the Adams Free Library, on the occasion of her retirement;
- Resolutions (filed by Mr. DiMasi of Boston) congratulating Patricia Tanso on her many accomplishments;
- Resolutions (filed by Mrs. Harkins of Needham) recognizing October as Domestic Violence Awareness Month;
- Resolutions (filed by Mr. Hermann of North Andover) congratulating the Dorchester High School for Boys class of 1942 on the occasion of the fiftieth anniversary of their graduation;
- Resolutions (filed by Mr. Kliimm of Barnstable) on the occasion of the Barnstable County Fire Prevention Weekend;
- Resolutions (filed by Ms. O’Brien of Hanover) congratulating the First Parish Church of Norwell on the occasion of its three hundred and fiftieth anniversary;
- Resolutions (filed by Mr. Poirier of North Attleborough) congratulating Chief Wendell J. McNamara on the occasion of his retirement from the Wrentham Fire Department; and
- Resolutions (filed by Messrs. Travis of Rehoboth and Karol of Attleboro) congratulating Christian Cameron Hosford on earning the prestigious rank of Eagle Scout;

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

Petition.

Mr. Cox of Lowell presented a petition (subject to Joint Rule 12) of John F. Cox for legislation to provide for a tax credit for fees paid to public schools; 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. Cox, 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.

Papers from the Senate.

A Bill authorizing the establishment of the geriatric authority of Hampshire County and providing for the financing thereof (printed...
A Bill relative to the disposition of certain state owned property at the "Ponkapoag outdoor center", so-called, at the Blue Hills Reservation in the town of Canton (Senate, No. 1447) (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.

A petition of James P. Jajuga, Joseph Salvo, Raffi Takesian, Maureen Donovan, Carol L. DeLano, Joseph J. Pappalardo and Joyce Campagnone (with the approval of the town council) for legislation to provide for the election of housing authority members in the city known as the town of Methuen and to establish a limitation on terms of members, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Housing and Urban Development.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1721) was referred, in concurrence, to the committee on Housing and Urban Development.

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 D. Belden relative to unemployment compensation benefits during periods of labor disputes. To the committee on Commerce and Labor.

Petition (accompanied by bill) of Brion M. Cangiamila for legislation to exempt certain home contractors from the law relative to registration. To the committee on Government Regulations.

Petition (accompanied by bill) of Brion M. Cangiamila and Marie J. Parente relative to visitation rights of parents of assaulted or abused children. To the committee on Human Services and Elderly Affairs.

Petition (accompanied by bill) of Brion M. Cangiamila for legislation to authorize the Department of Highways to establish a sick leave bank for Charles J. McPherson, an employee of said department. To the committee on Public Service.

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

By Mr. Moore of Uxbridge, for the committee on Election Laws, on a petition, a Bill relative to the placing of certain questions on the ballot for the nineteen hundred and ninety-two state election (House, No. 6093), which was read.

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

By Mr. Walsh of Agawam, for the committee on Government Regulations, asking to be discharged from further consideration of so much of the message from His Honor the Lieutenant-Governor, Acting Governor, recommending legislation relative to increasing the penalties for operating a motor vehicle while under the influence of alcohol to further protect the public safety (House, No. 5863) as relates to posting notices of penalties for driving while under the influence and driving while drinking from an open container of alcohol (being sections 24 and 25), and recommending that the same severally be referred to the committee on Criminal Justice. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Mr. Serra of Boston, for the committees on Rules of the two branches, acting concurrently, that the Bill to promote the effective management of the Massachusetts criminal justice system (House, No. 5865) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Engrossed Bills.

Engrossed bills
Increasing the fines for certain criminal offenses (see House, No. 526);
Relative to the power of the Pocumtuck Valley Memorial Association (see House, No. 5481);
Providing for the control of evictions from and discontinuance of mobile home park accommodations in the city of Taunton (see House, No. 5690);
Establishing the economic development and industrial corporation of the city of Salem (see House, No. 5915);
Further regulating preliminary elections in the town of North Attleborough (see House, No. 5939);
Designating a certain family housing project in the city of Salem as Farrell Court (see House, No. 6016); and
Relative to the construction of a police station and public works facility in the town of Shirley (see House, No. 6028);
(Which severally originated in the House);
Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the Speaker and sent to the Senate.

Order.

On motion of Ms. Donovan of Woburn, —
Ordered, That when the House adjourns today, it adjourn to meet tomorrow 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. Brett of Boston then moved that, as a mark of respect to the memory of John Edward Hurley, a member of the House from Boston (Dorchester) from 1931 to 1934, inclusive, and Treasurer and Receiver General of the Commonwealth from 1945 to 1947, inclusive, and also from 1949 to 1952, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at fourteen minutes after eleven o'clock A.M., the House adjourned, to meet tomorrow at eleven o'clock A.M., in an Informal Session.
Tuesday, September 29, 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:

Eternal God, we pause for this moment to consider our relationship to You and to ask for guidance in our daily affairs. Bless our efforts to address both the needs of the people whom we represent and the needs of the Commonwealth. During these times of world wide changes, which call for a re-ordering of our priorities, grant us the wisdom to make sensible judgments and intelligent decisions. By our commitment to developing a just society, may we encourage people to use their talents for self-improvement, for the benefit of others and for the benefit of society. May we help people in their quest for personal happiness and fulfillment.

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 His Honor the Lieutenant Governor, Acting Governor.

A message from His Honor the Lieutenant-Governor, Acting Governor, submitting recommendations for making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-three to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 6104) was filed in the office of the Clerk subsequent to adjournment of the preceding sitting.

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

Resolutions.

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

Resolutions (filed by Mr. Cahir of Bourne) honoring the twentieth anniversary of Cape Cod Alcoholism Intervention and Rehabilitation Unit, Inc., also known as Gosnold on Cape Cod;

Resolutions (filed by Mr. Cahir of Bourne) honoring Paul Rothfeld upon his retirement after twenty years of service to Cape Cod Alcoholism Intervention and Rehabilitation Unit, Inc.;

Resolutions (filed by Messrs. Clancy of Lynn and Hayward of Lynn) recognizing the exchange program between Lynn Classical High School and Heinrich-Boll-Gesamtschule, Oberhausen, Germany;
Resolutions (filed by Mrs. Menard of Somerset) honoring Eldridge W. "Al" Buffum upon his retirement as business agent for Local 254, Service Employees International Union, AFL-CIO; and Resolutions (filed by Representatives Murray of Cohasset, Hynes of Marshfield and O'Brien of Hanover) congratulating Wigmore Pierson and the crew of the television show "Pierson to Person" on the fifth anniversary of their first episode;

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. Cahir, 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. Ciampa of Somerville, petition (accompanied by bill, House, No. 6105) of Grace A. Abruzzio, Vincent P. Ciampa and others (with the approval of the mayor and board of aldermen) relative to the issuance of licenses for the sale of goods, wares and merchandise in the city of Somerville;

By Mr. Forman of Plymouth, petition (accompanied by bill, House, No. 6106) of Peter Forman (by vote of the town) for legislation to authorize the town of Plymouth to establish a special account in the town treasury to be known as the "Plymouth promotions fund";

By Mr. Hermann of North Andover, petition (accompanied by bill, House, No. 6107) of Joseph N. Hermann (by vote of the town) for legislation to authorize the town of North Andover to issue bonds for the acquisition of a sewer system and pump station building and equipment and interests in certain land; and

By Mr. Scibelli of Springfield, petition (accompanied by bill, House, No. 6108) of Robert T. Markel (mayor) and Anthony M. Scibelli (with the approval of the mayor and city council) for legislation to authorize the city of Springfield to establish a liability insurance fund for the water department of said city;

Severally to the committee on Local Affairs.

Severally sent to the Senate for concurrence.

Mr. Landers of Palmer presented a petition (subject to Joint Rule 12) of Patrick F. Landers III and Robert D. Wetmore for legislation to authorize the Division of Capital Planning and Operations to convey certain parcels of land to the town of Belchertown; 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. Landers, the report was considered forthwith. Joint Rule 12 was suspended; and the petition
Mr. Landers of Palmer presented a petition (subject to Joint Rule 12) of Patrick F. Landers III and Robert D. Wetmore that the Division of Capital Planning and Operations be authorized to convey a certain parcel of land to the housing authority of the town of Belchertown; 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. Landers, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration. Sent to the Senate for concurrence.

Mr. Voke of Chelsea presented a petition (subject to Joint Rule 12) of Richard A. Voke and other members of the General Court relative to appropriations for certain recreational facilities at the Metropolitan District Commission; 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. Voke, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Ways and Means. Sent to the Senate for concurrence in the suspension of Joint Rule 12.

Petitions severally were presented and referred as follows:

By Mrs. Gray of Framingham, petition (subject to Joint Rule 12) of Barbara E. Gray and Michael W. Morrissey for legislation to authorize the Supreme Judicial Court of the Commonwealth to establish a sick leave bank for Dolores Dupre, an employee of said court.

By Mr. Reinstein of Revere, petition (subject to Joint Rule 12) of William G. Reinstein for legislation to authorize the Cambridge District Court to establish a sick leave bank for Deborah Mingo, an employee of said court.

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

Paper from the Senate.

A Bill making a corrective change in the law relative to the landfill capping expense fund in the town of Dartmouth (Senate, No. 1688) (reported on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was placed in the Orders of the Day for the next sitting for a second reading.
By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, on a petition, a Bill providing suitable recognition of those residents of Massachusetts who served in the armed forces of the United States during the Persian Gulf Conflict (House, No. 6070, changed in section 1 by striking out, in lines 4 and 5, the words “the end of the Persian Gulf conflict as determined by federal authorities” and inserting in place thereof the words “April eleventh, nineteen hundred and ninety-one”) [Cost: $3,000,000.00].

By Mr. Hodgkins of Lee, for the committee on State Administration, on a petition, a Bill authorizing the Division of Capital Planning and Operations to grant easements over certain public access boating facility in the town of Shrewsbury (House, No. 6071).

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

By Mr. Brett of Boston, for the committee on Banks and Banking, on Senate, No. 5, a Bill relative to the merger or consolidation of certain banks (House, No. 6092).

By Mr. Rushing of Boston, for the committee on Local Affairs, on a petition, a Bill authorizing the City Library Association of Springfield to introduce an admissions fee to its museums at the Quadrangle (House, No. 5396).

By the same member, for the same committee, on a petition, a Bill relative to the Lincoln housing commission (House, No. 5940) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill establishing a water privilege fee in the town of Merrimac (House, No. 5942) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to police line-of-duty injuries in South Hadley (House, No. 5964) [Local Approval Received].

By the same member, for the same committee, on a petition, a 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) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill providing for the appointment of the tax collector in the town of Groveland (House, No. 6023) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill providing for the appointment of the town treasurer in the town of Groveland (House, No. 6024) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the city of Worcester to lease a certain building in Newton Hill Park (House, No. 6026) [Local Approval Received].
By Mr. Caron of Springfield, for the committee on Public Safety, on a petition, a Bill relative to the separation of prisoners (House, No. 5203).

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

Reconsideration.

Mr. Caron of Springfield asked unanimous consent to move reconsideration of the vote by which the House, on April 29, accepted the House report of the committee on the Judiciary, ought NOT to pass, on the petition (accompanied by bill, House, No. 1710) of Paul E. Caron and other members of the General Court for legislation to establish a public safety fund for law enforcement agencies; and, there being no objection, the motion to reconsider was entertained and it prevailed.

Pending the recurring question on acceptance of the report, the petition was recommitted, on further motion of the same member.

Order.

On motion of Mr. Voke of Chelsea, —

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

At twelve minutes after eleven o'clock A.M., on motion of Mr. Voke, the House adjourned, to meet tomorrow at eleven o'clock A.M.
Wednesday, September 30, 1992.

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

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

Gracious God, we depend upon Your guidance to carry out our legislative responsibilities. We pray for the wisdom to evaluate accurately the proposals which come before us and the courage to endorse sensible legislation which at the moment may be unpopular. As elected leaders, may we work to unite various constituencies in pursuing sound common goals. Let our vision of the future be one in which men and women, labor and management, people from diverse racial and ethnic backgrounds, and from our youth to our elderly work together for a prosperous, peaceful and caring society.

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 pledges of allegiance to the flag.

Statement of Representative Gardner of Holliston.

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

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

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

Statement of Representative Schur of Newton.

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

MR. SPEAKER: I would like to call to the attention of the House the fact that I will not be present in the House Chamber for the final part of today's sitting due of official legislative business in my district. If I were present for the taking of the yeas and nays on passing to be enacted the engrossed Bill relative to the creation of a revolving trust fund to aid in the financing of water pollution abatement projects (House, No. 6008) (see Yea and Nay No. 296), I would have been recorded in the affirmative. Any other roll calls that I may miss today will be due entirely to the reason stated.

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

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

Resolutions (filed by Mr. Petersen of Marblehead) commending the sister city visit of the towns of Marblehead and Fowey, Cornwall, England; and

Resolutions (filed by Messrs. Tobin of Quincy, Mariano of Quincy and Morrissey of Quincy) congratulating Arthur Ciampa, Executive Director of Cerebral Palsy of the South Shore Area, Inc., on the occasion of his retirement;

Mrs. Menard of Somerset, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of Rule 41, in each instance, on motion of Mr. Petersen, 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 Water Resources Commission (under Regulation 313 CMR 4.06 [3]) submitting an amended report (see House Journal for July 7, 1992) of its decision to approve an Interbasin Transfer Act application by the Water Resources Authority for construction of relief facilities for the New Neponset Valley Sewer System, was placed on file.

Special Report.

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 August, 1992, was sent to the Senate for its information.

Petitions.

Mr. Walsh of Agawam presented a petition (accompanied by bill, House, No. 6066) of Michael P. Walsh and Jane M. Swift (by vote of the town) for legislation to provide for recall elections in the town of Chester; 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 Ms. Hornblower of Groton, petition (subject to Joint Rule 12) of Augusta Hornblower relative to the municipal early retirement program.

By Mr. Kelly of Dalton, petition (subject to Joint Rule 12) of Shaun P. Kelly for legislation to provide for medical coverage by health maintenance organizations for certain illnesses.

By Mr. Mara of Brockton, petition (subject to Joint Rule 12) of Francis P. Mara relative to further regulating the awarding of high school diplomas.
By Mr. Miceli of Wilmington, petition (subject to Joint Rule 12) of James R. Miceli for legislation to clarify certain medical benefits under the health insurance laws.

By Ms. Walsh of Boston, petition (subject to Joint Rule 12) 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.

By Mr. Walsh of Peabody, petition (subject to Joint Rule 12) of Thomas P. Walsh relative to the crime of carjacking, so-called.

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

Papers from the Senate.

A Bill to expedite repairs of a dam in North Attleborough (Senate, No. 1703) (reported on a petition), passed to be engrossed by the Senate, was read.

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

A petition of Robert A. Havern that provision be made for an investigation and study by a special commission (including members of the General Court) relative to the process by which the Commonwealth issues motor vehicle drivers licenses to qualified applicants, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Safety.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by resolve, Senate, No. 1722) was referred, in concurrence, to the committee on Public Safety.

A petition of Robert A. Durand and Nancy H. Evans for legislation relative to acceptance by the Secretary of State's office of applications for submission of questions to be submitted to the voters, came from the Senate referred, under suspension of Joint Rule 12, to the Senate committee on Ways and Means.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1723) was referred to the Senate committee on Ways and Means.

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 7B be suspended on the petition of Bruce E. Tarr and Robert C. Buell that the town of Rockport be authorized to lease the school administration building for housing for elderly persons. Under suspension of Rule 42, on motion of Mr. Tarr of Gloucester, the report was considered forthwith. Joint Rule 7B was
suspended; and the petition (accompanied by bill) was referred to the committee on Local Affairs. Sent to the Senate for concurrence.

By Mr. Serra of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Thomas S. Cahir relative to the definition of the word "elevator". Under suspension of Rule 42, on motion of Mr. Cahir of Bourne, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Safety. Sent to the Senate for concurrence.

By Mrs. Menard of Somerset, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Barbara E. Gray and Michael W. Morrissey for legislation to authorize the Supreme Judicial Court of the Commonwealth to establish a sick leave bank for Dolores Dupre, an employee of said court. Under suspension of Rule 42, on motion of Mrs. Gray of Framingham, 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.

Subsequently Mr. DiMasi of Boston, for the committee on the Judiciary, on the foregoing petition, reported a Bill establishing a sick leave bank for a certain employee of the court system (House, No. 6116), which was read.

Under suspension of the rules, on motion of Mrs. Gray of Framingham, the bill was read a second time forthwith; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Morrissey of Quincy, the bill was read a third time; and it was passed to be engrossed, its title having been changed by said committee to read: An Act establishing a sick leave bank for a certain employee of the judiciary. Sent to the Senate for concurrence.

By Mr. Jordan of Springfield, for the committee on Housing and Urban Development, on Senate, Nos. 488, 489, 501, 505, 507 and 521 and House, Nos. 34, 39, 556, 559, 560, 924, 1135, 2824, 3368, 3587, 4109 and 5052, an Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning rental assistance programs in the Commonwealth (House, No. 6109).

By the same member, for the same committee, on Senate, Nos. 500 and 506 and House, Nos. 359, 926, 1310, 3168, 3913, 4258, 4260, 4261, 4262 and 4676, an Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning zoning in cities and towns and the development of low and moderate income housing (House, No. 6110).
By the same member, for the same committee, on Senate, No. 514 and House, Nos. 358, 360, 361, 362, 363, 734, 735, 1312, 1693, 1889, 1897, 3016, 3166, 3585 and 4108, an Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning recreational facilities of the Metropolitan District Commission and other related matters (House, No. 6111).

By the same member, for the same committee, on House, Nos. 921, 1311, 1691, 3734, 4263, 4671 and 4672, an Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain House documents concerning alterations, conversions or discontinuances of mobile home parks and other related matters (House, No. 6112).

Severally referred, under Joint Rule 29, to the committees on Rules.

Engrossed Bill.

The engrossed Bill increasing the amount of death benefits paid by the Medford Police Relief Association, Incorporated (see House, No. 5543) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Orders of the Day.

House bills
Relative to the issuance of certain licenses (House, No. 97, changed);
Relating to privileged communications between social workers and clients (House, No. 274);
Relative to the care of minor children when their parents are arrested (House, No. 2083); and
Exempting the positions of sealer of weights and measures, chief deputy sealer of weights and measures and deputy sealer of weights and measures in the city of Newton from the provisions of the civil service law (House, No. 5322);
Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The Senate Bill making a corrective change in the law relative to the landfill capping expense fund in the town of Dartmouth (Senate, No. 1688) was read a second time; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Gonsalves of Dartmouth, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, in concurrence, its title having been changed by said committee to read: An Act further regulating the landfill capping expense fund in the town of Dartmouth.
House bills

Relative to the separation of prisoners (House, No. 5203);
Relative to the Lincoln housing commission (House, No. 5940);
Establishing a water privilege fee in the town of Merrimac (House, No. 5942);
Relative to police line-of-duty injuries in South Hadley (House, No. 5964);
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);
Providing for the appointment of the tax collector in the town of Groveland (House, No. 6023);
Providing for the appointment of the town treasurer in the town of Groveland (House, No. 6024); and
Authorizing the city of Worcester to lease a certain building in Newton Hill Park (House, No. 6026);

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

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

The Senate Bill prohibiting the sale of certain cleaning products containing phosphorus (Senate, No. 931) 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 prohibiting the sale of certain cleansing products containing phosphorus (House, No. 6113), which was read. The amendment was adopted.

Pending the question on passing the substituted bill to be engrossed, Mr. Driscoll of Northbridge moved, there being no objection, that it be amended by adding at the end thereof the following section:

"SECTION 3. On or before the effective date of this act, the commissioner shall furnish to the clerk of the senate, the clerk of the house of representatives, the senate committee on ways and means and the house committee on ways and means a report relative to the economic impact of the provisions contained herein. Such economic impact report shall include but not be limited to information on alternative product availability, additional costs, if any, to the consumer, additional costs, if any, to the commonwealth for this program and any other relevant information deemed appropriate by the commissioner."

The amendment was adopted.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Teague of Yarmouth asked for a count of the House to ascertain if a quorum was present. The Speaker, having
determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 133 members were recorded as being in attendance.

[See Yea and Nay No. 282 in Supplement.]

Therefore a quorum was present.

Pending the question on passing the bill (House, No. 6113, printed as amended) to be engrossed, Mr. Mann of Hanson then moved, there being no objection, that the bill be amended by substitution of a bill with the same title (House, No. 6122), which was read. The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

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

MR. SPEAKER: During the taking of the above yeas and nays, I was absent from the House Chamber on official business in another part of the State House. Had I been present when the vote was taken, I would have voted in the affirmative.

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

The House Bill relative to the protection of condominium residents (House, No. 6074) (its title having been changed by the committee on Bills in the Third Reading) was read a third time.

Said committee reported recommending that the bill be amended in section 5 (as printed) by striking out the sentence contained in lines 26 to 29, inclusive; in section 6 (as printed) by striking out, in lines 4 and 5, the words "or by the effective date of this subsection, whichever comes later,"; in section 9 (as printed) by striking out the sentence contained in lines 24, 25 and 26; in section 15 (as printed) by adding at the end thereof, the following paragraph:

"(11) If the organization of unit owners is a trust or unincorporated association, an instrument signed by a majority of the trustees or of the managing board named in the master deed and duly attested as the act of such trust or association may be relied on as conclusively establishing that such instrument was the free act of the trust or association, and shall be binding upon such trust or association when recorded. No purchaser, mortgagee, lender or other person dealing with the trustees or the managing board of the association, as they appear of record, shall be bound to ascertain or inquire further as to the persons who are then trustees or members of the managing board nor be affected by any notice, implied or actual, relative thereto, other than a recorded certificate thereof, and such recorded certificate shall be conclusive evidence of the personnel of said trustees or members of the managing board and of any changes therein."; by inserting after section 17 (as printed) the following section:

"SECTION 19. Section 5 of chapter 188 of the General Laws, as appearing in the 1990 Official Edition, is hereby amended by adding the following paragraph: —
No estate of homestead shall affect a lien established under section six of chapter one hundred and eighty-three A.; and by inserting after section 19 (as printed) the following two sections:

"SECTION 21. The provisions of section two of chapter one hundred and eighty-three A of the General Laws, as amended by section six of this act, relating to the creation of leasehold condominiums shall apply only to leasehold condominiums created after December thirty-first, nineteen hundred and ninety-two.

SECTION 22. Notwithstanding the provisions of paragraph (4) of section four of chapter one hundred and eighty-three A of the General Laws, a unit owner, as defined in section one of said chapter one hundred and eighty-three A, who on the effective date of this act has acquired title to a unit, as defined in said section one, shall within ten days of said effective date provide the written notice required in said paragraph (4)."

The amendments were adopted.

Pending the question on passing the bill, as amended, to be engrossed, further consideration thereof was postponed, on motion of Mr. Jordan of Springfield, until after disposition of the remaining matters in the Orders of the Day.

Subsequently, the remaining matters in the Orders of the Day having been disposed of, the bill was considered further, pending which, Mr. DeFilippi of West Springfield moved that it be amended in section 6 by adding at the end thereof the following paragraph:

"(6) The organization of unit owners shall report to the mortgagee or mortgage servicing entities the identity of any unit owner who is at least three months in arrears with regard to a common expense assessment by registered mail, and the organization shall send a copy of such notification to said delinquent owner."

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 27 members voted in the affirmative and 122 in the negative.

[See Yea and Nay No. 283 in Supplement.]

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

Therefore the amendment was rejected.

The bill then was passed to be engrossed. Mr. Jordan moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill (House, No. 6074, amended) then was sent to the Senate for concurrence.

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

Pending the question on the motion to discharge the committee, further consideration thereof was postponed, in motion of the same member, until Tuesday, October 13.
Bullfighting,—prohibit.

The Senate Bill prohibiting bullfighting (Senate, No. 962) was considered.
Pending the question on ordering the bill to a third reading, further consideration thereof was postponed, on motion of Mr. Angelo of Saugus, until Monday, November 16.

Primary elections,—unenrolled voters.

The House Bill relative to the party enrollment of unenrolled voters at primary elections (House, No. 714, amended) was considered.
Pending the question on concurring with the Senate in its amendment, as amended, further consideration thereof was postponed, on motion of Mr. Moore of Uxbridge, until Monday, November 16.

Springfield,—museum fees.

The House Bill authorizing the City Library Association of Springfield to introduce an admissions fee to its museums at the Quadrangle (House, No. 5396) was read a second time; and it was ordered to a third reading.

Banks,—mergers.

The House Bill relative to the merger or consolidation of certain banks (House, No. 6092) was read a second time; and it was ordered to a third reading.
Subsequently, under suspension of the rules, on motion of Mr. Brett of Boston, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Order.

An Order (filed this day by Mr. Serra of Boston) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently.

Ordered, That, notwithstanding the provisions of Joint Rule 10, joint standing committees and the committees on Rules of the two branches, acting concurrently, be granted until Thursday, November 12, within which to make reports on all matters referred to them.

Mr. Voke of Chelsea, for the committees on Rules, then reported that the order ought to be adopted. Under suspension of Rule 42, on motion of the same member, the order was considered forthwith.
After debate on the question on adoption of the order, the sense of the House was taken by yeas and nays, at the request of Mr. Teague of Yarmouth; and on the roll call 113 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 284 in Supplement.]
Therefore the order was adopted. Sent to the Senate for concurrence.

Motions to Direct the Clerk to Place Certain Matters Before the House.

Mr. Blanchette of Lawrence moved that the Clerk be directed to place before the House so much of the message from His Excellency
the Governor as relates to his disapproval of item 3722-9100 (contained in section 2B. I) (for message, see House, No. 6077) of the engrossed Bill making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-two to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 6010, amended]; and after remarks (Mr. Serra of Boston being in the Chair) the motion prevailed.

Item 3722-9100 (abandoned building demolition) was considered as follows:

"EXECUTIVE OFFICE OF COMMUNITIES AND DEVELOPMENT.

3722-9100 ............................................ 5,000,000"

After debate (Mr. Voke of Chelsea being in the Chair) the question on passing item 3722-9100 (contained in section 2B. I) notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 132 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 285 in Supplement.]

Therefore item 3722-9100 (contained in section 2B. I) was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Bosley of North Adams moved that the Clerk be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of section 328 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Section 328 (apprentice agreement standards) was considered as follows:

"SECTION 328. Chapter 23 of the General Laws, as appearing in the 1990 Official Edition, is hereby amended by striking out section 111 and inserting in place thereof the following new section: —

Section 111. Every apprentice agreement entered into under sections eleven E to eleven L, inclusive, shall substantially conform to the following basic standards: —

(1) A provision that not less than two thousand hours of employment as an apprentice in the occupation therein referred to shall be required in order to learn such occupation shall be included therein;

(2) A schedule of the work processes to be learned in the occupation shall be set forth therein;

(3) A progressively increasing scale of wages for the apprentice,
during the period of his apprenticeship, averaging approximately one-half of the rate of pay of a journeyman over a similar period, shall be set forth therein:

(4) A provision for approximately one hundred and fifty hours per year of related classroom instruction for the apprentice during said period of apprenticeship shall be included therein;

(5) Notwithstanding the provisions of section eleven G, neither the director of apprenticeship, the commissioner, nor the apprenticeship council shall set up and establish conditions and training standards for apprentice agreements which are in conflict with the ratio established in apprenticeable occupations operated by the joint labor management apprentice training programs approved under the provisions of this chapter;

(6) A concise and accurate statement of the terms and conditions of the employment and training of the apprentice shall be set forth therein, and also a statement that such apprenticeship agreement shall be filed, as soon as possible after its execution, with the apprenticeship council; and

(7) A statement that such agreement may be terminated, within six months of its execution, by either the employer or the apprentice involved, for any reason, shall be included therein."

After debate the question on passing section 328, notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 115 members voted in the affirmative and 33 in the negative.

[See Yea and Nay No. 286 in Supplement.]

[Mr. Cruz of West Bridgewater answered "Present" in response to his name].

Therefore section 328 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Cohen of Newton moved that the Clerk be directed to place before the House so much of the message from His Excellency the Governor as relates to his reduction of item 4406-3000 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 4406-3000, which had been reduced, was considered, as follows:

"4406-3000 For a program of assistance to families and individuals who are homeless or in danger of becoming homeless, including assistance to organizations which provide food, shelter, housing search, and limited related services to the homeless and indigent; provided, that the
department may allocate funds to other agencies for the purposes of this program; provided further, that the department shall notify the house and senate committees on ways and means of all such allocations; provided further, that the winter shelters, so-called, be operated year-round; provided further, that not less than nine million dollars shall be obligated for a contract with the Pine Street Inn located in the city of Boston; provided further, that not less than seven hundred eighty-three thousand seven hundred and two dollars be obligated for a comprehensive multi-service day treatment program for the homeless in the city of Boston; provided further, that at least as many shelter spaces as were provided for homeless families and individuals during fiscal year nineteen hundred and ninety-two be made available in fiscal year nineteen hundred and ninety-three; provided further, that of the amount appropriated herein an amount not less than three million, four hundred fifteen thousand, four hundred and sixteen dollars shall be expended for the Health Care for the Homeless programs in Boston, Worcester, and Springfield and also the Pip Shelter in Worcester, Daybreak Shelter in Lawrence, and Long Island Shelter in Boston, including not less than four hundred sixty-three thousand and ninety-six dollars for the Boston program operated by the Boston Trustees of Health and Hospitals 34,468,823".

[The Governor reduced the item to $32,688,400.]

After remarks the question on passing item 4406-3000, in section 2, notwithstanding said reduction, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 149 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 287 in Supplement.]

Therefore item 4406-3000 (contained in section 2) was passed, notwithstanding the reduction of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Correia of Fall River moved that the Clerk be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of item 8400-0001 in section 2 (for message, see House, No. 6077) of the engrossed Bill making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-two to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 6010, amended]; and the motion prevailed.

Item 8400-0001 (Registry of Motor Vehicles branch office in the city of Fall River) was considered as follows:
Fall River Registry of Motor Vehicles, item 8400-0001, ye and nay No. 288.

Supplemental appropriations, — Section 2B. I, item 8400-0001.

Fall River Registry of Motor Vehicles, item 8400-0001, passed,— yea and nay No. 289.

8400-0001 For the administration program of the registry of motor vehicles; provided that the registrar is hereby authorized and directed to reopen the branch office of the registry located in the city of Fall River .............................. 750,000

Highway Fund .............. 100.0%.

After debate the question on passing item 8400-0001, in section 2, notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 117 members voted in the affirmative and 30 in the negative.

[See Yea and Nay No. 288 in Supplement.]

Therefore item 8400-0001 (contained in section 2) was passed, notwithstanding the objections of His Excellency (more than two-thir ds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Correia of Fall River moved that the Clerk be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of item 8400-0001 (contained in section 2B. I) (for message, see House, No. 6077) of the engrossed Bill making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-two to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 6010, amended]; and the motion prevailed.

Item 8400-0001 (Fall River Registry of Motor Vehicles) was considered as follows:

8400-0001 750,000

The question on passing item 8400-0001 (contained in section 2B. I) notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 111 members voted in the affirmative and 29 in the negative.

[See Yea and Nay No. 289 in Supplement.]

Therefore item 8400-0001 (contained in section 2B. I) was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Lawless of Orleans moved that the Clerk be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of section 61 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the
maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Section 61 (Provincetown coastline map) was considered as follows:

"SECTION 61. Notwithstanding any general or special law to the contrary, the department of environmental protection, hereinafter known as the department, is hereby authorized and directed to expend a sum not to exceed thirty thousand dollars for the creation of a definitive map of the town of Provincetown coastline which shall distinguish the historic high water mark between the Cape Cod National Seashore and Howland Street along the commonwealth tidelands of said town. Such map shall include specifications to comply with regulations, as promulgated by the department, pursuant to chapter ninety-one of the General Laws."

After debate the question on passing section 61, notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 148 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 290 in Supplement.]

Therefore section 61 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Lambert of Fall River moved that the Clerk be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of section 124 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Section 124 (adult literacy program) was considered as follows:

"SECTION 124. Notwithstanding any general or special law to the contrary, the department of education in coordination with other state agencies shall develop a comprehensive system, subject to appropriation, for the delivery of adult basic education and literacy services that will ensure opportunities leading to universal basic adult literacy and better employment opportunities. Said system shall be designed to strengthen, enhance, and where needed, to create intensive community based literacy programs for AFDC recipients and other unemployed and marginally employed adults who need a foundation of basic skills to qualify for further education, job training and employment. These trainees shall include parents of young children who need strong basic skills to move their families out of poverty and raise the educational aspirations of their children."
Said system shall also include instruction for immigrants, migrants, and refugees who need English language and literacy skills to function effectively at home and in the workplace. Instruction to the aforesaid populations will emphasize instruction at the lowest grade levels.

Said system shall further include instruction for young persons, aged sixteen through twenty-four, who have dropped out of school without sufficient skills to qualify for employment. Instruction shall be designed with emphasis on linking education with vocational training and supported work.

In order to accomplish the goals developed by the department and to strengthen the capacity of the current adult literacy network, the department of education shall distribute grants, subject to appropriation, to provide comprehensive literacy services, including support services, in the context of adults daily lives in their communities, including, but not limited to, public housing, schools, the workplace, correctional institutions, community-based organizations, community colleges, libraries, and in social and cultural organizations.

The department shall endeavor to develop the following objectives: (1) a full continuum of services that take an adult from the lowest level of literacy or English language proficiency through high school completion leading to advanced education and training; (2) a network of self-trained, full-time adult literacy and English as a second language professional instructors, qualified to provide high quality effective services; (3) a strong documentation and evaluation capacity that will enable the state to determine what methods of instruction and what means of service delivery are most effective in educating adults; and (4) coordinated accountability mechanisms that simplify existing reporting and refunding processes.

The department shall convene a working committee to devise and recommend more adequate and appropriate funding mechanisms. The working committee will include one representative each of the Departments of Education, Public Welfare, Employment and Training, the Education and Human Services Secretaries, the Governor or Lieutenant Governor, two members from the Education and Ways and Means Committees selected by the Senate President and Speaker of the House, and not less than five representatives drawn from a diverse cross section of the adult basic education providers and advocacy groups. The working committee shall report its findings and recommend appropriate legislation not later than October fifteenth, nineteen hundred and ninety-two.”

Adult literacy program, section 124 passed, yea and nay No. 291.

Adult literacy program, section 124 passed, yea and nay No. 291.

[See Yea and Nay No. 291 in Supplement.] Therefore section 124, was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and
voting having voted in the affirmative). Sent to the Senate for its action.

There being no objection, — Representatives Story of Amherst and Kollios of Millbury moved that the Clerk be directed to place before the House so much of the message from His Excellency the Governor as relates to his reduction of item 4120-4000 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 4120-4000, which had been reduced, was considered as follows:

"Massachusetts Rehabilitation Commission.

4120-4000 For the independent living assistance program of the commission for individuals with disabilities, including not more than eight positions ....... 3,590,000".

[The Governor reduced the item to $3,490,000 and disapproved the wording: "including not more than eight positions"].

After remarks the question on passing item 4120-4000, in section 2, notwithstanding said reduction, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 148 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 292 in Supplement.]

Therefore item 4120-4000 (contained in section 2) was passed, notwithstanding the reduction of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Kennedy of Brockton moved that the Clerk be directed to place before the House so much of the message from His Excellency the Governor as relates to his reduction of item 1120-4005 in section 2 (for message, see House, No. 6000) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-three for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 5800]; and the motion prevailed.

Item 1120-4005, which had been reduced, was considered, as follows:

"George Fingold Library.

1120-4005 For the administration of the George Fingold Library; provided, that not less than two hundred thousand dollars be obligated for the purchase of books, periodicals, and microfilms to maintain a current government research
library collection; and provided further, that
saw library shall maintain regular hours of
operation from nine a.m. to five p.m., including
not more than thirty positions 

[The Governor reduced the item to $659,602 and disapproved the
following wording: "provided, that not less than two hundred
dollars be obligated for the purchase of books,
periodicals, and microfilms to maintain a current government
research library collection; and provided further, that said library
shall maintain regular hours of operation from nine a.m. to
five p.m."]

After remarks the question on passing item 1120-4005, in section 2,
notwithstanding said reduction, was determined by yeas and nays,
as required by Chapter I, Section 1, Article II of the Constitution,
and Section 5 of Article LXIII of the Amendments to the
Constitution; and on the roll call 148 members voted in the
affirmative and 0 in the negative.

[See Yea and Nay No. 293 in Supplement.]

Therefore item 1120-4005 (contained in section 2) was passed,
notwithstanding the reduction of His Excellency (more than two-
thirds of the members present and voting having voted in the
affirmative). Sent to the Senate for its action.

Recesses.

At half past five o'clock P.M., on motion of Mr. Lambert of Fall
River (Mrs. Menard of Somerset being in the Chair), the House
recessed until the hour of six o'clock P.M.; and at eight minutes after
six o'clock the House was called to order with Mrs. Menard in the
Chair.

The House thereupon, on motion of Mr. Cox of Lowell, took a
further recess until twenty minutes before eight o'clock P.M.; and
at that time the House was called to order with the Speaker in the
Chair.

Paper from the Senate.

The House Bill relative to the placing of certain questions on the
ballot for the nineteen hundred and ninety-two state election (House,
No. 6093) came from the Senate passed to be engrossed, in
concurrence, with the following amendment:

Inserting after section 1 the following two sections:

"SECTION 1A. Notwithstanding the provisions of paragraph (i)
of section twenty-one C of chapter fifty-nine of the General Laws,
the state secretary may accept applications for the submission of
questions to be submitted to the voters under the provisions of said
paragraph (i) of said section twenty-one C of said chapter fifty-nine
for the biennial state election to be held in the year nineteen hundred
and ninety-two, or any other applicable law.

SECTION IB. Notwithstanding the provisions of section forty-
two C of chapter fifty-four of the General Laws, the state secretary
may accept applications for the submission of questions to be
submitted to the voters under the provisions of said section 42C of
said chapter fifty-four for the biennial state election to be held in
the year nineteen hundred and ninety-two, or any other applicable
law."

Under suspension of the rules, on motion of Mr. Rushing of
Boston, the amendment was considered forthwith; and it was
adopted, in concurrence.

Report of a Committee.

Mr. Finneran of Boston, for the committee of conference on the
disagreeing votes of the two branches, with reference to the Senate
amendment (striking out all after the enacting clause and inserting
in place thereof the text of Senate document numbered 1711) of the
House Bill relative to the creation of a revolving trust fund to aid
in the financing of water pollution abatement projects (House,
No. 6008) reports recommending that the House recede from its
non-concurrence with the Senate in its amendment and concur
therein with the following further amendment:

Striking out all after the enacting clause and inserting in place
thereof the text of House document numbered 6123; and that the
Senate concur in the further amendment.

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

Engrossed Bill.

The engrossed Bill relative to the release on bail of certain persons
(see House, No. 5772, amended) (which originated in the House),
having been certified by the Clerk to be rightly and truly prepared
for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the
House was taken by yeas and nays, at the request of Mr. McIntyre
of New Bedford; and on the roll call 128 members voted in the
affirmative and 0 in the negative.

[See Yea and Nay No. 294 in Supplement.]

[Mr. Draisen of Boston answered “Present” in response to his
name.]

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

Engrossed Bill — Land Taking.

The engrossed Bill to expedite repairs of a dam in North
Attleborough (see Senate, No. 1703) (which originated in the
Senate), having been certified by the Clerk to be rightly and truly
prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of
the House was taken by yeas and nays (this being a bill providing
for the taking of land or other easements used for conservation
purposes, etc., as defined by Article XCVII of the Amendments to
the Constitution); and on the roll call 127 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 295 in Supplement.]

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

Emergency Measure.

Mr. Serra of Boston being in the Chair, — the engrossed Bill relative to the creation of a revolving trust fund to aid in the financing of water pollution abatement projects (see House, No. 6008, 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 39 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the gift, loan or pledging of the credit of the Commonwealth as defined by Section 1 of Article LXII of the Amendments to the Constitution); and on the roll call 130 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 296 in Supplement.]

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

Order.

On motion of Mr. Scaccia of Boston, —

Ordered, That when the House adjourns today, it adjourn to meet tomorrow 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. Finneran of Boston then moved that when the House adjourns today, it do so in appreciation of the seventy-two years of outstanding service of D. Joseph Burke to the Massachusetts House of Representatives and to the people of the Commonwealth, this being Mr. Burke’s final day of employment; and the motion prevailed.

Accordingly, at twenty-two minutes before nine o’clock P.M., on motion of Mr. Scaccia of Boston (Mr. Serra of Boston being in the Chair), the House adjourned, to meet tomorrow at eleven o’clock A.M., in an Informal Session.