Wednesday, July 5, 1995.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Cohen of Newton 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 depend upon You for the wisdom and the courage to remain faithful to You and to our own responsibilities. Guide us as we formulate public policy and strive to make fair and responsible legislative choices. In our pluralistic society, teach us to respect others and their views even when we disagree on serious issues. Inspire us to propose policy and legislation which encourages people to seek the goals for which they were created and to serve the common good.

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

At the request of the Chair (Mr. Cohen), 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. Kennedy of Brockton) congratulating Michael J. Lamond on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Messrs. McIntyre of New Bedford, Cabral of New Bedford, Koczera of New Bedford, Quinn of Dartmouth and Straus of Mattapoisett) commending the environmental work of Hands Across the River;

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

Papers from the Senate.

The following order, adopted by the Senate, was considered:

Ordered. That, notwithstanding the provisions of Joint Rule 10, the committee on Insurance be granted until Tuesday, July 18, 1995, within which time to make its final report on current Senate documents numbered 27, 364, 661, 683, 734, 735, 736, 737, 738, 739,
740, 742, 743, 744, 745, 746, 747, 748, 750, 751, 752, 753, 755, 757, 760, 761, 762, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 775, 776, 777, 778, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 794, 795, 796, 798, 799, 800, 801, 802, 803, 804, 805, 808, 809, 812, 813, 1219, 1824 and 1893.

Under suspension of Rule 42, on motion of Mr. McDonough of Boston, the order was considered forthwith; and it was adopted, in concurrence.

The following order, adopted by the Senate, was considered forthwith, under suspension of Rule 42, on motion of Mr. McDonough of Boston, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Insurance be granted until Friday, September 1, 1995, within which time to make its final report on current Senate [A] document number 793.

Pending the question on adoption of the order, Mr. McDonough moved that it be amended by striking out [at “A”] the following: “document number 793” and inserting in place thereof the following: “documents numbered 793 and 1926”.

The amendment was adopted; and the order, as amended, then also was adopted, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House.

A Bill relative to the Reading school department (Senate, No. 1539) (on a petition), passed to be engrossed by the Senate, was read [Local Approval Received].

Under suspension of the rules, on motion of Mr. Jones of North Reading, the bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed, in concurrence, its title having been changed by said committee to read: An Act relative to the school department of the town of Reading.

A report of the committee on Education, Arts and Humanities, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1786) of Cheryl A. Jacques and Elliott Reinert for legislation relative to enhancing access to educational software for public schools,— and recommending that the same be referred to the committee on State Administration.

A report of the committee on Government Regulations, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 427) of James P. Jajuga, Paul E. Caron, Vincent P. Ciampa, Robert M. Koczera, J. Michael Ruane and Salvatore F. DiMasi for legislation relative to second hand motor vehicle dealers,— and recommending that the same be referred to the committee on Public Safety.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence.
By Mr. Petrolati of Ludlow, for the committee on Local Affairs, on a petition, a Bill authorizing the town of Ludlow to convey land in the Commonwealth for use as a veterans cemetery (House, No. 5211), which was read [Local Approval Received].

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

By Mr. Rushing of Boston, for the committee on Public Service, recommending that the annual report of the Division of Public Employee Retirement Administration (under Section 102 of Chapter 32 of the General Laws) relative to the percentum change in the average cost-of-living as shown by the United States consumer price index for the year 1994 when compared with such index for the year 1993 (House, No. 3081) be placed on file.

Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Mr. Turkington of Falmouth, for the committee on Counties on the part of the House, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1261) of Alvin E. Thompson that the Commonwealth be directed to pay a certain sum of money owed by Hampden County to Hampshire County,— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Turkington of Falmouth, for the committee on Counties, asking to be discharged from further consideration of the residue of the petition (accompanied by bill, House, No. 1481) of William J. McManus II for legislation to regulate the closing of the Essex County Hospital,— and recommending that the same be referred to the committee on Counties on the part of the House.

By Mr. Turkington of Falmouth, for the committee on Counties, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2522) of Edward J. Kennedy and Steven C. Panagiotakos that provision be made for the reimbursement to Middlesex County for the costs of the rental of court facilities; and

Of the petition (accompanied by bill, House, No. 2523) of Edward J. Kennedy and Steven C. Panagiotakos that provision be made for an annual reimbursement to each county for costs of the rental of court facilities; and

Of the petition (accompanied by bill, House, No. 4678) of Joan M. Menard that the Comptroller of the Commonwealth be directed to reimburse Bristol County for certain court rentals;
By Mr. Haley of Weymouth, for the committee on Criminal Justice, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4256) of Anthony M. Scibelli relative to emergency temporary releases for persons incarcerated for conviction of driving under the influence of intoxicating beverages;

By Mr. Angelo of Saugus, for the committee on Government Regulations, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1299) of John C. Klimm, Eric Turkington and Henri S. Rauschenbach for legislation to authorize the simultaneous holding of certain alcoholic beverages licenses by the Cape Cod Brew House, Inc., Shannon's, Inc., and Snarky, Inc.;

Of the petition (accompanied by bill, House, No. 4287) of Mary Jeanette Murray and Janet W. O'Brien for legislation to provide for the issuance of a birth certificate to Norman Richard Greenfield; and

Of the petition (accompanied by bill, House, No. 4416) of Vincent A. Pedone for legislation to authorize the simultaneous holding of alcoholic beverages licenses by the Seven Hills Brewery, LTD., and the Main Street Brewing Co.; and

Of the petition (accompanied by bill, House, No. 4663) of Anthony M. Scibelli and Robert T. Markel (mayor) (with the approval of the mayor and city council) for legislation to authorize the licensing authority of the city of Springfield to issue a license for the sale of all alcoholic beverages and a license for the sale of malt beverages manufactured by the licensee to be drunk on the premises to Pioneer Valley Brewing Company, Inc., d/b/a Pioneer Valley Brew Pub;

By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3014) of Frank M. Hynes for legislation to establish a program of assistance grants to cities and towns for water supply improvements;

By Mr. Rushing of Boston, for the committee on Public Service, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2461) of William Dalton relative to the salaries of state employees in collective bargaining units; and

Of the petition (accompanied by bill, House, No. 3449) of Christopher J. Hodgkins for legislation to establish the position of motor vehicle license examiner under the provisions of the civil service law;

By Mr. Hodgkins of Lee, for the committee on State Administration, asking to be discharged from further consideration of so much of the recommendations of the Executive Office of Economic Affairs (House, No. 89) as relates to exempting certain records from public record disclosure requirements (accompanied by bill, House, No. 90);

Of so much of the recommendations of the Department of Environmental Management (House, No. 114) as relates to authorizing the commissioner of said department to enter into leases for certain facilities (accompanied by bill, House, No. 119);
Of so much of the recommendations of the Department of Environmental Management (House, No. 114) as relates to authorizing the lease of land to the Massachusetts Firefighting Academy and granting certain restrictive easements to the United States (accompanied by bill, House, No. 121);

Of so much of the recommendations of the Office of the Inspector General (House, No. 163) as relates to improving procedures for the issuance of public debt (accompanied by bill, House, No. 164);

Of so much of the recommendations of the Office of the Inspector General (House, No. 163) as relates to further regulating the procurement of services by the Commonwealth (accompanied by bill, House, No. 165);

Of so much of the recommendations of the Office of the Inspector General (House, No. 163) as relates to regulating related party transactions in state contracts (accompanied by bill, House, No. 166);

Of so much of the recommendations of the Office of the Inspector General (House, No. 163) as relates to amending certain public bidding laws (accompanied by bill, House, No. 167);

Of so much of the recommendations of the Office of the Inspector General (House, No. 163) as relates to further regulating the establishment and administration of certain funds by state agencies (accompanied by bill, House, No. 168);

Of so much of the recommendations of the Office of the Inspector General (House, No. 163) as relates to making a technical change regarding said office (accompanied by bill, House, No. 169);

Of so much of the recommendations of the Office of the Inspector General (House, No. 163) as relates to providing for the efficient procurement of supplies by the Commonwealth (accompanied by bill, House, No. 170);

Of so much of the recommendations of the Office of the Inspector General (House, No. 163) as relates to requiring the open and accountable acquisition and disposition of real property by state authorities (accompanied by bill, House, No. 171);

Of so much of the recommendations of the Office of the Inspector General (House, No. 163) as relates to providing for the procurement of services in municipalities, districts and counties (accompanied by bill, House, No. 172);

Of so much of the recommendations of the Executive Office of Public Safety (House, No. 212) as relates to transferring a certain parcel of land from the Metropolitan District Commission to the Department of Correction (accompanied by bill, House, No. 238);

Of the petition (accompanied by bill, House, No. 437) of Evelyn G. Chesky for legislation to further regulate inquiries of the State Ethics Commission;

Of the petition (accompanied by bill, House, No. 440) of Robert Kraus for legislation to prohibit certain public authorities from appropriating funds to encourage public lobbying efforts;
Of the petition (accompanied by bill, House, No. 446) of Mary Jeanette Murray and Robert L. Hedlund for legislation to prohibit certain public authorities from appropriating funds to encourage public lobbying efforts;

Of the petition (accompanied by bill, House, No. 642) of M. Joseph Manning relative to the issuance of bonds, notes or securities under the uniform procurement law;

Of the petition (accompanied by bill, House, No. 827) of John A. Businger for legislation to make certain changes in the bidding law for public construction contracts;

Of the petition (accompanied by bill, House, No. 828) of John A. Businger that the State Secretary be authorized to issue identification cards to residents of the Commonwealth;

Of the petition (accompanied by bill, House, No. 829) of the Associated Subcontractors of Massachusetts, Christopher J. Hodgkins and others for legislation to clarify indemnity responsibility for general contractors and subcontractors relative to public construction;

Of the petition (accompanied by bill, House, No. 1032) of Shaun P. Kelly and Jane M. Swift for legislation to increase the membership of the Board of Directors of the Massachusetts Turnpike Authority;

Of the petition (accompanied by bill, House, No. 1229) of Stephen M. Brewer for legislation to further regulate state grants for public libraries and authorizing the employment of librarians-in-charge in certain towns;

Of the petition (accompanied by bill, House, No. 1232) of Daniel F. Keenan for legislation to require the Massachusetts Turnpike Authority to make payments to certain cities and towns;

Of the petition (accompanied by bill, House, No. 1236) of Douglas W. Stoddart relative to the uniform procurement of recycled paint products for facilities of the Commonwealth;

Of the petition (accompanied by bill, House, No. 1269) of John P. McCarthy and Stephen M. Brewer relative to the cost of school transportation;

Of the petition (accompanied by bill, House, No. 1404) of Stephen M. Brewer and another that military personnel and Peace Corps volunteers be exempt from state fee requirements for licensing and bonding;

Of the petition (accompanied by bill, House, No. 1410) of Thomas P. Kennedy relative to expanding the authority of the Bureau of Special Investigations;

Of the petition (accompanied by bill, House, No. 2109) of Marie J. Parente for legislation to regulate the filing fees of certain public charities;

Of the petition (accompanied by bill, House, No. 2274) of Thomas M. Menino, Vincent G. Mannering and other members of the General Court relative to a bond authorization for the Department of Environmental Protection for certain capital projects of the Commonwealth;
Of the petition (accompanied by bill, House, No. 2276) of Shirley Owens-Hicks, John E. McDonough, Kevin W. Fitzgerald and another relative to the participation of minority business enterprises and women business enterprises in public construction;

Of the petition (accompanied by bill, House, No. 2665) of the Construction Industries of Massachusetts, James V. DiPaola and Patrick F. Landers III relative to the indemnifying liability for hazardous material on public works projects;

Of the petition (accompanied by bill, House, No. 2824) of William P. Nagle, Jr., and Warren E. Tolman for legislation to further regulate the awarding of certain public contracts;

Of the petition (accompanied by bill, House, No. 2838) of Angelo M. Scaccia and another that the Division of Capital Planning and Operations be authorized to acquire certain Quincy Quarry land for reservation purposes;

Of the petition (accompanied by bill, House, No. 2839) of Angelo M. Scaccia and another that the Division of Capital Planning and Operations be authorized to acquire portions of the Prowse Farm land for reservation purposes;

Of the petition (accompanied by bill, House, No. 3058) of IUOE, Local 98, AFL-CIO, Daniel E. Bosley and another for legislation to provide for equity in the awarding of certain contracts;

Of the petition (accompanied by bill, House, No. 3064) of Shaun P. Kelly for legislation to further regulate the purchase of land by the Commonwealth;

Of the petition (accompanied by bill, House, No. 3264) of Patrick F. Landers III relative to the utilization of certain property of the Belchertown State School;

Of the petition (accompanied by bill, House, No. 3266) of Douglas W. Petersen, Mary Jeanette Murray, Michael P. Cahill and Bruce E. Tarr that the Department of Environmental Protection be directed to rescind certain requirements relative to services of engineers, land surveyors and architects;

Of the petition (accompanied by bill, House, No. 3267) of Douglas W. Petersen, Mary Jeanette Murray, John C. Klimm, Barbara Gardner and James P. Jajuga for legislation to provide for the elimination of certain surcharges on professional registration fees;

Of the petition (accompanied by bill, House, No. 3452) of Thomas S. Cahir relative to open meetings of regional and district governmental bodies;

Of the petition (accompanied by bill, House, No. 3461) of the Massachusetts Organization of State Engineers and Scientists and Marie J. Parente relative to the opening of public records for inspection;

Of the petition (accompanied by bill, House, No. 3629) of Edward B. Teague III and other members of the House relative to public disclosure laws;

Of the petition (accompanied by bill, House, No. 3630) Edward B. Teague III and other members of the General Court for legislation to prohibit certain public authorities from appropriating funds to encourage public lobbying efforts; and
Of the petition (accompanied by bill, House, No. 3823) of Walter A. DeFilippi for legislation to further regulate construction contracts by public agencies;

Of the petition (accompanied by bill, House, No. 3826) of Daniel J. Valianti that facilities of the Commonwealth using natural gas be required to procure such fuel through competitive bidding;

Of the petition (accompanied by bill, House, No. 3827) of Daniel J. Valianti relative to debarment proceedings of contractors by the Division of Capital Planning and Operations;

Of the petition (accompanied by bill, House, No. 4013) of James T. Brett for legislation to authorize the Division of Capital Planning and Operations to convey certain utility easements over Commonwealth-owned land in the city of Boston to Arborway Metal Finishing, Incorporated;

Of the petition (accompanied by bill, House, No. 4016) of James T. Brett that the Division of Capital Planning and Operations and the Metropolitan District Commission be authorized to convey a parcel of land in the city of Boston to Elizabeth and Ralph Larato;

Of the petition (accompanied by bill, House, No. 4021) of Sally P. Kerans relative to the development of certain state-owned property at Danvers State Hospital in the towns of Danvers and Middleton;

Of the petition (accompanied by bill, House, No. 4211) of Nancy H. Evans, Barbara E. Gray, Bruce E. Tarr and Mary Jane Simmons for legislation to provide for the formulation and implementation of a computerized public information center;

Of the petition (accompanied by bill, House, No. 4217) of Daniel J. Valianti for legislation to establish fees for teacher certification;

Of the petition (accompanied by bill, House, No. 4385) of Jacqueline Lewis for legislation to authorize the Division of Capital Planning and Operations to convey a certain parcel of land in the town of Bridgewater to said town for recreational purposes;

Of the petition (accompanied by bill, House, No. 4387) of James R. Miceli and John D. O'Brien (by vote of the town) for legislation to authorize the town of Tewksbury to solicit license agreements or lease certain land formerly conveyed to said town by the Division of Capital Planning and Operations;

Of the petition (accompanied by bill, House, No. 4540) of Evelyn G. Chesky relative to the rules and regulations for the purchase of supplies and equipment by the Commonwealth;

Of the petition (accompanied by bill, House, No. 4637) of Richard Shepardson for legislation to authorize reimbursement for certain improvements and alterations on property leased from the Commonwealth;

Of the message from His Excellency the Governor recommending legislation relative to certain state land in the town of Danvers (House, No. 4809); and

Of the petition (accompanied by bill, House, No. 5087) of Geoffrey D. Hall for legislation to authorize the Division of Capital Planning and Operations to acquire certain land in the town of Ayer for use by the Ayer District Court;
And recommending that the same severally be referred to the committee on Ways and Means.

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

By Mr. Golden of Lowell, for the committee on Public Safety, on House, No. 2625, a Bill relative to the use of plowing equipment on motor vehicles (House, No. 5235). Read; and referred, under Rule 33, to the committee on Ways and Means.

Engrossed Bills.

Engrossed bills
Relative to the sale of tobacco products (see House, No. 2509);
Further regulating the sale of alcoholic beverages in the town of Greenfield (see House, No. 4661);
Authorizing the town of Greenfield to issue an additional license for the sale of wine and malt beverages to be drunk on the premises (see House, No. 4753);
Relative to a certain retired firefighter of the city of Lowell (see House, No. 4831);
Relative to the funding schedule for the retirement system of the city of Haverhill (see House, No. 4878);
Relative to the charter of the town of North Andover (see House, No. 4991, changed and amended);
Relative to preliminary elections in the city of Holyoke (see House, No. 5068); and
Relative to the board of health of the town of Webster (see House, No. 5207);
(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.

At twenty-three minutes after eleven o’clock A.M., on motion of Mr. Cahir of Bourne (Mr. Cohen of Newton being in the Chair), the House adjourned, to meet tomorrow at eleven o’clock A.M., in an Informal Session.
Thursday, July 6, 1995.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Voke 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 Thomas J. Sullivan, Priest Secretary to the Bishop and Director of Vocations, Diocese of Worcester, as follows:

Prayer.

Lord God, during this week in which we have commemorated our national and state freedoms, we are grateful for the many blessings that You have given to us. We praise You. We bless Your name. We call You Holy. Thank You for the virtues that You have instilled in us and taught us. Help us to remain faithful to them. Help us to be a blessing on all those we serve in our beloved Commonwealth, in a very special way the poor, the alienated, the sick, and the homeless. Endow us with the insight to allow still more citizens to be involved in the political process which guides our freedom. Give to us all the happiness we long for; the holiness to which we are all called; and the health we need to pursue our livelihoods.

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

Mr. Goguen of Fitchburg then moved that the prayer be spread upon the records of the House; and the motion prevailed.

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

Guest of the House.

During today's sitting, the Chair (Mr. Voke of Boston) declared a recess subject to the call of the Chair, there being no objection; and introduced Reverend Thomas J. Sullivan who, as guest chaplain, had offered the prayer for the opening of today's session. Reverend Sullivan was recently appointed Diocesan Director of Vocations for the Worcester Diocese and Priest Secretary for the Most Reverend Daniel P. Reilly, Bishop of Worcester. The Chair then presented Reverend Sullivan with previously adopted Resolutions of the House of Representatives and congratulated him on his outstanding achievements. He was the guest of Representative Goguen of Fitchburg.

Resolutions.

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

Resolutions (filed by Mrs. Sprague of Walpole) congratulating Ruth Ekberg on the occasion of her installation as District President.
for the Norfolk District No. 5 and Ladies Auxiliary, Veterans of Foreign Wars of the United States of America; and

Resolutions (filed by Mrs. Sprague of Walpole) congratulating Russell Kittredge on the occasion of his installation as District Commander for the Norfolk District No. 5, Veterans of Foreign Wars of the United States of America;

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. Sprague, 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 Miss Garry of Dracut, petition (accompanied by bill, House, No. 5244) of Colleen M. Garry and John D. O'Brien (by vote of the town) for legislation to provide for a senior citizen safety road in the town of Dracut;

By Mr. Hynes of Marshfield, petition (accompanied by bill, House, No. 5245) of Frank M. Hynes (by vote of the town) for legislation to authorize the town of Marshfield to release certain conservation restrictions;

By Mr. Petersen of Marblehead, petition (accompanied by bill, House, No. 5246) of Douglas W. Petersen and Edward J. Clancy, Jr. (by vote of the town) for legislation to authorize the town of Marblehead to lease a certain parcel of land to the Marblehead-Swampscott YMCA located in said town; and

By Mr. Vallee of Franklin, petition (accompanied by bill, House, No. 5247) of James E. Vallee and David P. Magnani (with the approval of the town council) for legislation to authorize the town of Franklin to deny, revoke or suspend local licenses or permits for refusal to pay local taxes, fees, assessments, betterments or any other municipal charges;

Severally to the committee on Local Affairs.

Severally sent to the Senate for concurrence.

Mr. Marzilli of Arlington presented a petition (subject to Joint Rule 12) of J. James Marzilli, Jr., David B. Cohen, Antonio F. D. Cabral, Sally P. Kerans, Jay R. Kaufman and Anne M. Paulsen for legislation to establish a moratorium on demutualizations of mutual insurance companies; 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. Marzilli, the report was considered forthwith. Joint Rule 12 was suspended; and the petition
Petitions severally were presented and referred as follows:

By Mr. Brett of Boston, petition (subject to Joint Rule 12) of James T. Brett relative to the expiration date of gift certificates.

By Mr. Cohen of Newton, petition (subject to Joint Rule 12) of David B. Cohen, Paul C. Demakis and Stephen M. Brewer relative to the control of traffic at work sites.

By Mrs. Cuomo of North Andover, petition (subject to Joint Rule 12) of Donna F. Cuomo and other members of the General Court for legislation to provide violence prevention education for children.

By the same member, petition (subject to Joint Rule 12) of Donna F. Cuomo, Frank G. Cousins, Jr., and Marianne Brenton relative to the licensing of insurance agents and brokers.

By Mr. Cresta of Wakefield, petition (subject to Joint Rule 12) of Brian M. Cresta relative to authorizing the Division of Capital Planning and Operations to acquire a certain parcel of land in the town of Middleton.

By Ms. Flavin of Easthampton, petition (subject to Joint Rule 12) of Nancy Flavin and Stanley C. Rosenberg relative to authorizing the South Hadley housing authority to make a certain payment to the Lawler Construction Company.

By Mr. Jones of North Reading (by request), petition (subject to Joint Rule 12) of Pamela Van Beaver relative to real estate purchase and sale agreements.

By Mr. Kraus of Kingston, petition (subject to Joint Rule 12) of Robert Kraus and Charles N. Decas relative to civil defense appointments in towns in proximity to nuclear power plants.

By Mr. Kulik of Worthington, petition (subject to Joint Rule 12) of Stephen Kulik and Stanley C. Rosenberg (by vote of the town) for legislation to limit access by all forms of motorized and vehicular traffic on certain roads in the town of Montague.

By Mr. Panagiotakos of Lowell, petition (subject to Joint Rule 12) of Steven C. Panagiotakos, Thomas A. Golden, Jr., Edward A. LeLacheur and Daniel P. Leahy relative to designating the riverwalk on the grounds of the Lowell Heritage State Park in the city of Lowell as the Scott Finnernal Memorial Riverwalk.

By Mrs. Parente of Milford, petition (subject to Joint Rule 12) of Marie J. Parente and other members of the General Court for an investigation by a special commission (including members of the General Court) relative to the effects of privatization on the delivery of human services.

By Mr. Peterson of Grafton, petition (subject to Joint Rule 12) of George N. Peterson, Jr., for legislation to designate a certain bridge in the town of Northbridge as the Floyd Convent Memorial Bridge.
By Mr. Reinstein of Revere, petition (subject to Joint Rule 12) of William G. Reinstein and Paul C. Casey for legislation to require a certificate of completion of a course on domestic violence prior to issuance of a marriage license.

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

Papers from the Senate.

The engrossed Bill establishing an extended illness leave bank for certain employees of the Commonwealth (see Senate, No. 1837, amended) came from the Senate with the endorsement that it had been returned to said branch by His Excellency the Governor, in accordance with the provisions of Article II of Section I of Chapter I of the Constitution, with his objections thereto in writing (for message, see Senate, No. 1935); and that the Senate had passed the bill, notwithstanding the objections of the Governor.

There being no objection, the bill was placed in the Orders of the Day for the next sitting, the question being on passing it, notwithstanding the objections of His Excellency the Governor.

The House Bill establishing a unified transportation system in the Boston metropolitan area (House, No. 4814) came from the Senate passed to be engrossed, with the following amendments:

Striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1944; striking out the title and inserting in place thereof the following title: "An Act providing for the operation of the Third Harbor Tunnel and a study of the unified transportation system in the Boston metropolitan area."; and striking out the emergency preamble and inserting in place thereof the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is immediately to establish the operation of the Third Harbor Tunnel and to initiate a study of a unified transportation system in the Boston metropolitan area, therefore it is hereby declared an emergency law, necessary for the immediate preservation of the public convenience."

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

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

Bills
Relative to establishing the position of town administrator in the town of Carver (Senate, No. 77, changed by adding at the end thereof the following section:
SECTION 4. Upon approval of the General Court, this measure must be approved at the next annual election in the town of Carver. (on a petition) [Local Approval Received];

Relative to a certain conservation restriction in the town of Wayland (Senate, No. 1831) (on a petition) [Local Approval Received]; and

Relative to the operations of Quincy Hospital (Senate, No. 1854) (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.

Reports

Of the committee on State Administration, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 267) of Michael C. Creedon for legislation to require certification of competitive bidding as a prerequisite for reimbursement for school transportation services;

Of the petition (accompanied by bill, Senate, No. 1479) of Matthew J. Amorello for legislation relative to the establishment of a state anthem;

Of the petition (accompanied by bill, Senate, No. 1483) of Thomas F. Birmingham and Ralph Harriman for legislation relative to the penalties for violations of law regulating subcontracting;

Of the petition (accompanied by bill, Senate, No. 1489) of Cheryl A. Jacques for legislation relative to the leasing or sale of state owned land;

Of the petition (accompanied by bill, Senate, No. 1491) of James P. Jajuga, Frank G. Cousins, Jr., Brian S. Dempsey, Kenneth T. Lyons and James M. Barry for legislation relative to local preference in the awarding of certain public contracts;

Of the petition (accompanied by bill, Senate, No. 1503) of Brian P. Lees, Linda J. Melconian, Michael R. Knapik and Bruce E. Tarr for legislation to regulate the use of state automobiles;

Of the petition (accompanied by bill, Senate, No. 1504) of Brian P. Lees, Matthew J. Amorello, Charles E. Shannon, Bruce E. Tarr and Thomas M. Petrolati for legislation to require the commissioner of Capital Planning and Operations to notify local officials before the final siting of a county jail or correctional facility;

Of the petition (accompanied by bill, Senate, No. 1505) of David P. Magnani, John A. Stefanini and Barbara E. Gray for legislation to authorize and direct the Division of Capital Planning and Operations to lease a certain parcel of land to the town of Framingham;

Of the petition (accompanied by bill, Senate, No. 1506) of Linda J. Melconian, Walter A. DeFilippi and Brian P. Lees for legislation relative to procurement for energy saving services for housing authorities;

Of the petition (accompanied by bill, Senate, No. 1520) of Marc R. Pacheco for legislation relative to uniform procurement by governmental bodies;
Of the petition (accompanied by bill, Senate, No. 1526) of Jane M. Swift, Peter J. Larkin, Christopher J. Hodgkins and Shaun P. Kelly for legislation to authorize the Division of Capital Planning and Operations to convey a certain parcel of land in Pittsfield;

Of the petition (accompanied by bill, Senate, No. 1527) of the Massachusetts Municipal Association, by Brian J. Bullock, president, Bruce E. Tarr, Stephen Kulik, Nancy Flavin and other members of the House for legislation relative to procedures in local government;

Of the petition (accompanied by bill, Senate, No. 1532) of Bruce E. Tarr and Anthony J. Verga for legislation to further regulate uniform procurement;

Of the petition (accompanied by bill, Senate, No. 1534) of Bruce E. Tarr and Anthony J. Verga for legislation relative to construction of a new facility for the Trial Court in the city of Gloucester; and

Of the petition (accompanied by bill, Senate, No. 1536) of Bruce E. Tarr, John A. Locke and Anthony J. Verga for legislation to clarify the scope of the local mandate law;

And recommending that the same severally be referred to the Senate committee on Ways and Means.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence, insomuch as relates to the discharge of the committee.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 1960) of Robert A. Durand and Daniel J. Valianti (by vote of the mayor and city council) for legislation relative to the traffic commission in the city of Marlborough; and

Petition (accompanied by bill, Senate, No. 1961) of Robert A. Durand and Geoffrey D. Hall (by vote of the town) for legislation relative to the board of water commissioners in the town of Littleton;

Severally to the committee on Local Affairs.

Reports of Committees.

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

Petition (accompanied by bill) of Mary Jeanette Murray relative to the penalty for assault on certain public employees. To the committee on Criminal Justice.

Petition (accompanied by bill) of Mary Jeanette Murray and another relative to authorizing the donation of certain medicine without liability; and

Petition (accompanied by bill) of Mary Jeanette Murray, Janet W. O'Brien and Frank M. Hynes relative to emergency medical care in the towns of Cohasset, Hanover, Hingham, Hull, Norwell and Scituate;

Severally to the committee on Health Care.
Petition (accompanied by bill) of Harold M. Lane, Jr., and Robert D. Wetmore for legislation to authorize the Division of Capital Planning and Operations to grant certain easements in certain parcels of land located in the town of Hubbardston. To the committee on Local Affairs.

Petition (accompanied by bill) of Marie J. Parente relative to the Division of Purchased Services. To the committee on State Administration.

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

By Mr. Turkington of Falmouth, for the committee on Counties on the part of the House, asking to be discharged from further consideration of the Bill relative to the expansion, upkeep, and reinvestment in the existing correctional facilities of the Commonwealth and the counties, and the facilities of the Department of Youth Services (House, No. 5202),— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Herren of Fall River, for the committee on Energy, on House, No. 3335, a Bill authorizing the Department of Public Utilities to establish a special commission for the purpose of investigating the health effects of electric and magnetic fields (House, No. 5237). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Scaccia of Boston, for the committee on Science and Technology, that the Bill relative to the composition of the Hemophilia Advisory Committee (House, No. 3725, changed) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

By Mr. Bosley of North Adams, for the committee on Commerce and Labor, on Senate, No. 38 and House, Nos. 498 and 4577, a Bill further regulating health club services contracts (House, No. 498).

By the same member, for the same committee, on a petition, a Bill establishing a funding mechanism for the occupational lead poisoning registry (House, No. 1831, changed by striking out the paragraphs contained in lines 5 to 158, inclusive, and inserting in place thereof the following two paragraphs:

"There shall be established upon the books of the Commonwealth an Occupational Lead Poisoning Registry Fund."

The commissioner shall hold hearings to determine the appropriate four digit standard industrial classifications to be included in the fund."; by inserting before the word "two", in line 159, the words "up to"; by inserting before the word "four", in line 160,
the words “up to” and by inserting before the word “one”, in line 161, the words “up to”).

By the same member, for the same committee, on a petition, a Bill clarifying the timely payment of wages (House, No. 3302).

By the same member, for the same committee, on House, No. 2330, a Bill to establish accountability for job creation (House, No. 5238).

By Ms. Resor of Acton, for the same committee, on a petition, a Bill relative to an economic conversion initiative (House, No. 2130).

By Ms. Resor of Acton, for the committee on Natural Resources and Agriculture, on a petition, a Bill to restrict the use, manufacture or sale of chlorinated solvents (House, No. 2404).

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

By Mr. Herren of Fall River, for the committee on Energy, on a petition, a Bill to encourage the use of alternatively fueled vehicles (House, No. 3707).

By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, on a petition, a Bill to further protect the environment (House, No. 4190).

Severally read; and referred, under Rule 33B, to the committee on Science and Technology.

By Mr. Bosley of North Adams, for the committee on Commerce and Labor, that the recommitted Bill regulating deceptive contest information (House, No. 2894) ought to pass. Placed in the Orders of the Day for the next sitting, the question being on ordering the bill to a third reading.

By Mr. Finneran of Boston, for the committee on Ways and Means, that the Bill authorizing the Division of Capital Planning to grant certain easements in the city of Gardner (House, No. 633) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5239). Placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending.

By Mr. DiMasi of Boston, for the committee on Banks and Banking, on House, No. 1948, a Bill relative to stock plans of state-chartered stock banks (House, No. 5240).

By Mr. Bosley of North Adams, for the committee on Commerce and Labor, on House, Nos. 29 and 32, a Bill making technical corrections to the Manufactured Housing Act of 1993 (House, No. 32).

By the same member, for the same committee, on a petition, a Bill relative to the purchase of used motor vehicles (House, No. 2512).

By the same member, for the same committee, on a petition, a Bill relative to the leasing of motor vehicles (House, No. 5133).
By the same member, for the same committee, on a petition, a Bill establishing an economic development industrial corporation in the town of Framingham (House, No. 5158) [Local Approval Received].

By Mr. Turkington of Falmouth, for the committee on Counties on the part of the House, on a part of Senate, No. 123, a Bill relative to the appointment of the advisory board on county expenditures for Middlesex County (House, No. 5241).

By the same member, for the committee on Counties, on a petition, a Bill authorizing the county commissioners of Hampden County to conduct a feasibility study of certain court facilities in said county (House, No. 5095).

By Mr. Haley of Weymouth, for the committee on Criminal Justice, on a petition, a Bill relative to assault and battery on school teachers (House, No. 298, changed by inserting after the word "school", in line 6, and also in line 9, the words "college or university").

By the same member, for the same committee, on Senate, Nos. 161 and 170 and House, Nos. 297, 881, 1266, 1805, 3875 and 3882, a Bill relative to the assault, abuse, neglect and financial exploitation of an elderly or disabled person (House, No. 1266, changed in section 1 by adding at the end thereof the following paragraph:

"Nothing in subsection (d), (e) or (f) shall be construed to mean that an elderly person or a disabled person is a victim of abuse or neglect or wanton or reckless conduct for the reason that, in lieu of medical treatment, he or she is being furnished with or relies upon treatment by spiritual means through prayer in accordance with the tenets and practices of the persons established religious tradition, upon said persons actual consent.")

By the same member, for the same committee, on Senate, No. 220 and House, No. 3091, a Bill relative to certain offenses in, on, or near school properties (House, No. 3091).

By the same member, for the same committee, on House, Nos. 1488 and 3092, a Bill relative to penalties for engaging in sexual conduct for a fee (House, No. 3092).

By Mr. Glodis of Worcester, for the committee on Election Laws, on a petition, a Bill providing for recall elections in the town of Dedham (House, No. 5152) [Local Approval Received].

By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, on a petition, a Bill relative to the removal of children from adoptive and foster care (House, No. 917).

Practice of psychology.

Foster care, removal.

Memorial Day, observance.
By the same member, for the same committee, on a petition, a Bill to permit the removal of land from the registration system (House, No. 2963).

By the same member, for the same committee, on a petition, a Bill to require that the names and addresses of the owners of land by eminent domain be included in the taking (House, No. 2981).

By the same member, for the same committee, on a petition, a Bill to eliminate the recording of trust documents (House, No. 2993).

By the same member, for the same committee, on a petition, a Bill to eliminate owner's duplicate certificate of title (House, No. 3022).

By the same member, for the same committee, on a petition, a Bill relative to contracts of minors (House, No. 3169).

By the same member, for the same committee, on House, No. 348, a Bill to amend the Massachusetts adoption law to facilitate the adoption of children in the Commonwealth (House, No. 5243).

By Mr. Broadhurst of Methuen, for the same committee, on House, No. 2388, a Bill relative to the trial of sex crimes against children (House, No. 5242).

By Mr. Petrolati of Ludlow, for the committee on Local Affairs, on a petition, a Bill authorizing the town of Lynnfield to lease certain property (House, No. 5136) [Local Approval Received].

By the same member, for the same committee, on Senate, No. 1901 and House, No. 5138, a Bill relative to the charter of the town of Auburn (House, No. 5138) [Local Approval Received].

By the same member, for the same committee, on Senate, No. 1900 and House, No. 5139, a Bill establishing a finance department and finance director in the town of Auburn (House, No. 5139) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the conveyance of a certain parcel of land in the town of Auburn (House, No. 5140, changed by inserting before the word “route”, in line 11, the words “police department of the town of Auburn is located as may be reasonably necessary to widen”; and by striking out, in lines 27 and 28, the words “police station study committee” and inserting in place thereof the words “the Auburn board of selectmen”) [Local Approval Received].

By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, on House, Nos. 1735 and 1887, a Bill requiring notice of the removal of trees by the Metropolitan District Commission and the Massachusetts Water Resources Authority (House, No. 1887, changed by inserting after the word “no”, in line 4, the word “live”; by striking out, in line 7, the words “in a municipal building located in” and inserting in place thereof the words “by the conservation commission of”; by inserting after the word “given”, in line 9, the words “by said commission or by the relevant authority”; and by striking out, in line 14, the words “two hundred” and inserting in place thereof the words “one thousand”).

By the same member, for the same committee, on a petition, a Bill to prohibit the landing or sale in the Commonwealth of Massa-
Lobsters—landing or sale.

Water resources.

Underground storage tanks.

Beverly—sewerage disposal.

Aquaculture—development.

Quincy—Richard J. Flynn.

Check cashers.

Alcoholic Beverages Control Commission.

Common carriers—licensing.

Natural gas meters—inspection.

Natural gas meters—replacement.

Chussets of lobsters taken outside of the Commonwealth of Massachusetts by a commercial fishing vessel fishing with dragging apparatus (House, No. 3398) [Representatives Quinn of Dartmouth and Straus of Mattapoisett dissenting].

By Mr. Bellotti of Quincy, for the same committee, on a petition, a Bill further protecting the water resources of the Commonwealth (House, No. 1164).

By Mr. Cahill of Beverly, for the same committee, on a petition, a Bill amending the underground storage tank petroleum product cleanup fund law (House, No. 3411).

By the same member, for the same committee, on a petition, a Bill authorizing the city of Beverly to enter into a contract for the disposal of certain sewerage (House, No. 4797, changed by striking out, in line 2, the words “John M. and Paula A. Bianchi” and inserting in place thereof the words “John A. and Paula M. Bianchi and their successors and or assignees”; and by striking out, in line 12, the following: “John M.” and inserting in place thereof the following: “John A.”) [Local Approval Received].

By Mr. Kulik of Worthington, for the same committee, on a petition, a Bill to provide for the development of aquaculture in the Commonwealth (House, No. 4188).

By Mr. Rushing of Boston, for the committee on Public Service, on a petition, a Bill relative to civil service placement for Richard J. Flynn (printed as Senate, No. 1910) [Local Approval Received].

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

By Mr. DiMasi of Boston, for the committee on Banks and Banking, ought NOT to pass, on the recommitted petition (accompanying bill, House, No. 485) of Robert D. Hawke relative to persons engaged in the business of cashing checks, drafts or money orders.

By Mr. Angelo of Saugus, for the committee on Government Regulations, ought NOT to pass, on so much the recommendations of Executive Office of Consumer Affairs and Business Regulation (House, No. 36) as relates to reappeals to the Alcoholic Beverages Control Commission (accompanied by bill, House, No. 44).

By the same member, for the same committee, ought NOT to pass, on so much the recommendations of Executive Office of Consumer Affairs and Business Regulation (House, No. 36) as relates to streamlining the licensing of common carriers (accompanied by bill, House, No. 68).

By the same member, for the same committee, ought NOT to pass, on so much the recommendations of Executive Office of Consumer Affairs and Business Regulation (House, No. 36) as relates to the testing of natural gas meters (accompanied by bill, House, No. 71).

By the same member, for the same committee, ought NOT to pass, on so much the recommendations of Executive Office of Consumer Affairs and Business Regulation (House, No. 36) as
relates to the replacement of natural gas meters (accompanied by bill, House, No. 72).

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 714) of Albert Herren relative to reorganizing the Department of Public Utilities.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 895) of Charles N. Decas relative to the sale of television or radio sets.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1985) of Eric Turkington, John C. Klimm and another that the Department of Public Utilities be required to regulate the sale and use of space for advertising in the bill envelopes of electric and gas companies and for the establishment of an energy investment fund with the proceeds from said advertising.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3539) of Mary Jeanette Murray, Edward G. Connolly and Paul C. Casey for legislation to establish a state advisory board of public movers of household goods under the jurisdiction of the Department of Public Utilities.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4762) of Bill Donohue relative to rebates on overcharges by municipal gas and light companies.

By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, ought NOT to pass, on the petition (accompanied by bill, House, No. 4512) of Mary Jeanette Murray and another for legislation to regulate the operation of certain watercraft in the Commonwealth.

By Mr. Caron of Springfield, for the committee on Public Safety, ought NOT to pass, on the petition (accompanied by bill, House, No. 608) of Rosaire Rajotte that the Registry of Motor Vehicles be authorized to develop a license plate for senior citizens.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3205) of Joseph F. Wagner, Dennis M. Murphy, Walter A. DeFilippi and Michael R. Knapik for legislation to authorize the Registrar of Motor Vehicles to issue handicapped plates for leased motor vehicles.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3986) of John Moran that the Department of Public Safety be directed to establish a comprehensive design course relative to accessible structures for handicapped persons.

By Mr. Hodgkins of Lee, for the committee on State Administration, ought NOT to pass, on the petition (accompanied by bill, House, No. 448) of Janet W. O'Brien for legislation to authorize mediation under the open meeting law.
By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1029) of Walter A. DeFilippi for legislation to exempt all grants relative to the health and safety of municipalities from requirements of the Massachusetts Commission Against Discrimination.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1618) of Alvin E. Thompson for legislation to designate “Dialogue in Dorchester” as the state opera of the Commonwealth.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2655) of Bruce E. Tarr, other members of the General Court and another for legislation to exempt certain cities and towns from provisions of the prevailing wage law.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3063) of Shaun P. Kelly and Jane M. Swift for legislation to further regulate public construction projects in towns of less than two thousand five hundred inhabitants.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3627) of Edward B. Teague III and other members of the House for legislation to limit government subsidized competition with private businesses.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3628) of Edward B. Teague III and other members of the General Court for legislation to repeal the anti-privatizations law.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4209) of Brian M. Cresta and Richard R. Tisei for legislation to designate the ballad “The Bay State Song”, words and music by Lillian Coolidge, as the historical ballad of the Commonwealth.

By the same member, for the same committee, ought NOT to pass, on the recommitted petition (accompanied by bill, House, No. 4389) of Mary Jeanette Murray relative to the payment of certain bills to contractors and subcontractors by housing authorities. Severally placed in the Orders of the Day for the next sitting, the question, in each instance, being on acceptance.

Engrossed Bills.

Engrossed bills
Relative to the school department of the town of Reading (see Senate, No. 1539) (which originated in the Senate);
Providing for the appointment of a building inspector for the city of Brockton (see House, No. 1549); and
Relative to ambulance services provided to Medicare beneficiaries (see House, No. 4657);
(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.

Mr. Verga of Gloucester moved that as a mark of respect to the memory of Foster Furcolo, a member of the House of Representatives in the Congress of the United States from 1949 to 1952, Treasurer and Receiver-General of the Commonwealth from 1952 to 1954, and Governor of the Commonwealth from 1957 to 1960, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at twenty-four minutes after eleven o’clock A.M., on motion of Mr. Petersen of Marblehead (Mr. Voke of Boston being in the Chair), the House adjourned, to meet on Monday next at eleven o’clock A.M.

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

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

Eternal God, we pause for this moment of reflection to turn our thoughts to You, Our Creator. In Your goodness, bless our efforts to serve You faithfully as well as the people and our communities. Let our minds be open to the material needs of the people, and our hearts to their personal concerns and problems. By our commitment to high ideals and sound principles, may we enjoy personal happiness and peace as we carry out our responsibilities. As legislators, may we learn from the policies and programs of our predecessors so that our plans and expectations for the future will be attainable and realistic.

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

Pledge of allegiance.

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

Resignation of Representative Carmen H. Buell of Greenfield.

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 — Room 356
Boston, MA 02133

Dear Mr. Speaker:

I am writing this letter with a combined sense of sadness and excitement. As you know, I will be leaving Massachusetts to move to North Carolina. Consequently, I am formally offering my resignation as state representative from the Second Franklin District effective at the end of the business day on July 7, 1995.

In 1984, the voters of the Second Franklin District bestowed upon me the honor of serving them in the Great and General Court, an honor for which I shall be eternally grateful. As I prepare to leave, I wish to thank you, especially, but also all the members of this wonderful institution for the friendship and sense of purpose we shared.

I wish you well.

Sincerely,

CARMEN HOOKER BUELL,
State Representative.
Statement Concerning Representative O'Brien of Hanover.

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

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative O'Brien of Hanover, will not be present in the House Chamber for today's sitting due to personal family business. Any roll calls that she may miss today or for the next few days will be due entirely to the reason stated.

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

Statement Concerning Representative Peters of Charlton.

During consideration of the Orders of the Day, Mr. Teague of Yarmouth 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 Peters of Charlton, will not be present in the House Chamber for today's sitting due to official business while attending a legislative conference in the Commonwealth of Virginia. Any roll calls that he may miss this week will be due entirely to the reason stated.

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

Statement of Representative Richie of Boston.

During consideration of the Orders of the Day, Ms. Richie of Boston 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 was not present in the House Chamber for a portion of today's sitting due to official business outside the State House. Any roll calls that I missed today was due entirely to the reason stated.

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

Statement of Representative Rushing of Boston.

During consideration of the Orders of the Day, Mr. Rushing of Boston 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 during the early part of today's session, I was away from the State House in order to address the Summer Teacher Institute "Parks as Classrooms" program of the National Park Foundation. Any roll calls that I missed today was due entirely to the reason stated.

Mr. Rushing 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 Mrs. Paulsen of Belmont) congratulating Joseph A. Cusce, Jr., on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mrs. Paulsen of Belmont) congratulating William Gates on receiving the Eagle Award of the Boy Scouts of America;

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

Papers from the Senate.

The House Bill establishing a unified transportation system in the Boston metropolitan area (House, No. 4814) came from the Senate with the endorsement that said branch had insisted on its amendments (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1944; striking out the title and inserting in place thereof the following title: "An Act providing for the operation of the Third Harbor Tunnel and a study of the unified transportation system in the Boston metropolitan area."); and striking out the emergency preamble and inserting in place thereof the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is immediately to establish the operation of the Third Harbor Tunnel and to initiate a study of a unified transportation system in the Boston metropolitan area, therefore it is hereby declared an emergency law, necessary for the immediate preservation of the public convenience") (in which the House had non-concurred), concurred in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Birmingham, Havern and Rauschenbach had been joined as the committee on the part of the Senate.

A petition (accompanied by bill, Senate, No. 1967) of John D. O'Brien and Colleen M. Garry (by vote of the town) for legislation to establish a senior center safety zone in the town of Dracut, was referred, in concurrence, to the committee on Transportation.

A petition of Linda J. Melconian for legislation relative to certification requirements of public school educators, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Education, Arts and Humanities.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1972) was referred, in concurrence, to the committee on Education, Arts and Humanities.
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 Rules 12 and 9 be suspended on the following petitions:

Petition (accompanied by bill) of Pamela P. Resor (by vote of the town) for legislation to authorize the town of Acton to establish a community housing corporation. To the committee on Housing and Urban Development.

Petition (accompanied by bill) of Rachel Kaprielian relative to the Watertown Firefighters Relief Association. To the committee on Insurance.

Petition (accompanied by bill) of Thomas S. Cahir and Henri S. Rauschenbach relative to the Mashpee Water District. To the committee on Local Affairs.

Under suspension of Rule 42, on motion of Ms. Kaprielian of Watertown, the reports were considered forthwith. Joint Rules 12 and 9 then were suspended, in each instance. Severally sent to the Senate for concurrence.

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

Petition (accompanied by bill) of Douglas W. Stoddart for legislation to require laundries and dry cleaning establishments to accept the return of wire hangers issued by such establishments. To the committee on Commerce and Labor.

Petition (accompanied by bill) of Emile J. Goguen, Stephen M. Brewer, Mary Jane Simmons, Harold M. Lane, Jr., and Robert D. Hawke relative to fire sprinkler systems. To the committee on Natural Resources and Agriculture.

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

By Mrs. Menard of Somerset, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Leigh F. Musicof and others relative to fees for parking at state colleges and universities. Under suspension of Rule 42, on motion of Mr. Cresta of Wakefield, 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. Serra of Boston, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration

Of the Order relative to authorizing the committee on Natural Resources and Agriculture to make an investigation and study of the technology and feasibility of implementing “grey water” recycling in the Commonwealth (House, No. 781);
Of the Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain Senate and House documents concerning older workers, waterfront rehabilitation, the Government Land Bank, employment for women, small business and the establishment of funds for agriculture and technology (House, No. 4779);

Of the Order relative to authorizing the committee on Education, Arts and Humanities to make an investigation and study of certain Senate and House documents concerning school building assistance, educational programs in cities, towns and regional school districts, the costs of education in the Commonwealth and various other related matters (House, No. 4780);

Of the Order relative to authorizing the committee on Education, Arts and Humanities to make an investigation and study of certain House documents concerning programs for public school students, reducing drop out rates, instruction on the effects of the use of alcohol and various other secondary and higher education matters (House, No. 4781);

Of the Order relative to authorizing the committee on Education, Arts and Humanities to make an investigation and study of certain House documents concerning school transportation, records, student eligibility for higher education, dental exams for pupils and other related public school education matters (House, No. 4782);

Of the Order relative to authorizing the committee on Election Laws to make an investigation and study of certain Senate and House documents concerning the filling of vacancies in the Senate, voting lists, absentee voting, group nominations for Governor and Lieutenant-Governor and other related matters (House, No. 4783);

Of the Order relative to authorizing the committee on Election Laws to make an investigation and study of certain House documents further regulating the conduct of political campaigns (House, No. 4784);

Of the Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning police powers, warrants, speedy trials, child pornography, and various other matters related to judicial procedures (House, No. 4785);

Of the Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning guardians, interlocutory orders, trusts, estates, wills, civil proceedings and other related matters (House, No. 4786);

Of the Order relative to authorizing the committee on Energy to make an investigation and study of certain Senate and House documents concerning beverage containers, energy conservation, lighting regulations, nuclear power, home energy rating systems and other related matters (House, No. 4818);

Of the Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain Senate and House documents concerning consumer protection, employee protection and other related matters (House, No. 4837);
Of the Order relative to authorizing the committee on Local Affairs to make an investigation and study of certain House documents concerning the subdivision control law and other related matters (House, No. 4838);

Of the Order relative to authorizing the committee on Criminal Justice to make an investigation and study of certain House documents concerning mandatory sentencing and other related matters (House, No. 4864);

Of the Order relative to authorizing the committee on Election Laws to make an investigation and study of various senate and House documents concerning the State Ballot Law Commission, voter registration, a John F. Kennedy memorial election day, the financing of political campaigns and other related matters (House, No. 4876);

Of the Order relative to authorizing the committee on Education, Arts and Humanities to make an investigation and study of certain House documents concerning state aid for public schools, school councils and school committees, regulating the Department of Education, Board of Education, membership of the Higher Education Coordinating Council and other related educational matters (House, No. 4890);

Of the Order relative to authorizing the committee on Insurance to make an investigation and study of certain Senate and House documents concerning property, casualty and life insurance (House, No. 4907);

Of the Order relative to authorizing the committee on Human Services and Elderly Affairs to make an investigation and study of certain Senate and House documents concerning changes in the welfare system of the Commonwealth (House, No. 4921);

Of the Order relative to authorizing the committee on Education, Arts and Humanities to make an investigation and study of certain Senate and House documents concerning public education in the Commonwealth and various other related matters (House, No. 5006);

Of the Order relative to authorizing the committee on Human Services and Elderly Affairs to make an investigation and study of certain Senate and House documents concerning public assistance programs for elderly persons, early childhood intervention programs and various other related social assistance programs of the Commonwealth (House, No. 5007);

Of the Order relative to authorizing the committee on Transportation to make an investigation and study of certain Senate and House documents concerning the Massachusetts Highway Department and other related matters (House, No. 5008);

Of the Order relative to authorizing the committee on Banks and Banking to make an investigation and study of certain Senate and House documents concerning savings banks and deposit insurance (House, No. 5011); and

Of the Order relative to authorizing the committee on Banks and Banking to make an investigation and study of certain Senate and House documents concerning bank deposits, state-chartered banks and credit unions and other matters under the jurisdiction of the Commissioner of Banks (House, No. 5012);
Of the residue of the Order relative to authorizing the committee on Banks and Banking to make an investigation and study of certain House documents concerning retail installment sales of motor vehicles, check cashing businesses and reverse mortgage loans (House, No. 5013);

Of the Order relative to authorizing the committee on Banks and Banking to make an investigation and study of a certain House document concerning rent-to-own contracts for businesses (House, No. 5014); and

Of the Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain Senate and House documents concerning family leave by employees and other matters related to discrimination (House, No. 5015);

And recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Angelo of Saugus, for the committee on Government Regulations, on House, Nos. 36, 54 and 718, a Bill relative to license reciprocity for electrologists (House, No. 54).

By the same member, for the same committee, on House, Nos. 36 and 73, a Bill relative to state compliance with amendments to the Federal Natural Gas Pipeline Safety Act (House, No. 73).

By the same member, for the same committee, on House, Nos. 36 and 74, a Bill authorizing the Department of Public Utilities to increase maximum penalties for violations of the "Dig Safe Law" (House, No. 74).

By the same member, for the same committee, on House, Nos. 36 and 77, a Bill authorizing the Department of Public Utilities to issue certain administrative penalties (House, No. 77).

By the same member, for the same committee, on House, Nos. 182 and 184, a Bill making certain changes in the operation of the State Lottery (House, No. 184).

By Mr. McDonough of Boston, for the committee on Insurance, on Senate, No. 815 and House, No. 1533, a Bill relative to insurance redlining (House, No. 5255).

By Mr. McIntyre of New Bedford, for the committee on the Judiciary, on a petition, a Bill providing for a President John F. Kennedy legal holiday (House, No. 1546).

By the same member, for the same committee, on House, Nos. 1876 and 4801, a Bill to curb frivolous inmate litigation (House, No. 5254).

By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, on House, No. 4353, a Bill relative to harbormasters (House, No. 5256).

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 convey a certain parcel of land to the town of Leicester (House, No. 4730) [Local Approval Received].

Severally read; and referred, under Rule 33, to the committee on Ways and Means.
By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, on a petition, a Bill reducing toxic pollution caused by batteries (House, No. 4351). Read; and referred, under Rule 33B, to the committee on Science and Technology.

By Mr. Finneran of Boston, for the committee on Ways and Means, that the Bill to improve housing opportunities for elders and non-elderly persons with disabilities (House, No. 4810) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5257) [Appropriation: $2,175,000.00].

By the same member, for the same committee, that the Bill authorizing the Division of Capital Planning and Operations to grant certain title, easements and right of way in certain parcels of land in the town of Fairhaven (House, No. 4967) ought to pass with an amendment.

Severally placed in the Orders of the Day for the next sitting for a second reading, with the amendments pending.

By Mr. Finneran of Boston, for the committee on Ways and Means, that the following bills ought to pass:
Relative to the erection of a monument commemorating veterans who served on landing ship tanks in World War II and the shipyard workers who built them (House, No. 442);
Establishing an office on Alzheimer's disease and related disorders (House, No. 3121); and
Relative to the special commission investigating the finances of the Massachusetts Bay Transportation Authority (House, No. 4733); and
By the same member, for the same committee, that the Resolve reviving and continuing the special commission established to make an investigation and study relative to a voluntary neonatal home visiting program (House, No. 4798) ought to pass.
Severally placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Angelo of Saugus, for the committee on Government Regulations, on House, Nos. 36 and 45, a Bill pertaining to regional cable television franchising authorities (House, No. 45).
By the same member, for the same committee, on House, Nos. 36 and 65, a Bill exempting municipal light company energy demand forecast and supply plans from the review and approval of the Energy Facilities Siting Board (House, No. 65).
By the same member, for the same committee, on House, Nos. 314 and 713, a Bill relative to municipal light department cadet engineers (House, No. 314).
By the same member, for the same committee, on House, Nos. 539, 3341 and 3342, a Bill requiring notification to the Massachusetts Aeronautics Commission when mobile radio telephone service facilities include the construction or erection of antennae towers (House, No. 539).
By the same member, for the same committee, on a petition, a Bill authorizing the Granby Telephone and Telegraph Company of Massachusetts to borrow an additional sum of money (House, No. 1507).

By the same member, for the same committee, on a petition, a Bill requiring automobile tow operators to accept major credit cards in payment of obligations (House, No. 1689).

By the same member, for the same committee, on a petition, a Bill relative to the State Lottery (House, No. 4118).

By the same member, for the same committee, on a petition, a Bill encouraging energy conservation by educating consumers about their prior energy usage (House, No. 4600).

By the same member, for the same committee, on a petition, a Bill further regulating the granting of licenses for the sale of alcoholic beverages (House, No. 4761).

By the same member, for the same committee, on House, No. 1255, a Bill relative to institutional solicitations (House, No. 5258).

By Mr. Stefanini of Framingham, for the committee on Health Care, on House, Nos. 36 and 87, a Bill relative to the Board of Registration in Medicine (House, No. 87).

By Mr. Brett of Boston, for the committee on Taxation, on House, No. 2307, a Bill to require addresses of absentee landlords with a city or town (House, No. 5260).

By Mr. Cahir of Bourne, for the committee on Transportation, on a petition, a Bill designating a certain bridge in the town of Freetown as the Freetown Memorial VFW Post 6643 Bridge (House, No. 5186).

By Mr. Finneran of Boston, for the committee on Ways and Means, on a petition, a Bill providing indemnification for environmental police officers (House, No. 3041).

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill relative to the terms of certain bonds and notes to be issued by the Commonwealth (printed in House, No. 4834).

By the same member, for the same committee, on a message from His Excellency the Governor submitting recommendations for making appropriations for the fiscal year nineteen hundred and ninety-five to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5200) reports, in part, a bill with the same title (House, No. 5261) [Appropriations: Section 2: $6,645,358.00. — Section 2a: $13,830,839.00].

By the same member, for the same committee, on a Bill relative to the expansion, upkeep, and reinvestment in the existing correctional facilities of the Commonwealth and the counties, and the facilities of the Department of Youth Services (House, No. 5202) reports, in part, a bill with the same title (House, No. 5262) [Bond Issue: $705,784,000.00].

Severally read; and placed in the Orders of the Day for the next sitting for a second reading.
By Mr. Stefanini of Framingham, for the committee on Health Care, ought NOT to pass, on the petition (accompanied by bill, House, No. 721), of Albert Herren that the Secretary of Health and Human Services be required to submit a revised budget for the Rate Setting Commission.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2569), of Dennis M. Murphy for legislation to further regulate the rate setting assessment procedures for hospitals.

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

Orders of the Day.

The House Bill relative to professional corporations of registered nurses (House, No. 3675) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the salaries of the members of the Boston Licensing Board (House, No. 4662) was ordered to a third reading.

Senate bills
Relative to establishing the position of a town administrator in the town of Carver (Senate, No. 77, changed);
Relative to a certain conservation restriction in the town of Wayland (Senate, No. 1831); and
Relative to the operations of Quincy Hospital (Senate, No. 1854); and

House bills
Further protecting the water resources of the Commonwealth (House, No. 1164);
Relative to the purchase of used motor vehicles (House, No. 2512);
To require that the names and addresses of the owners of land by eminent domain be included in the taking (House, No. 2981);
To eliminate the recording of trust documents (House, No. 2993);
Relative to certain offenses in, on, or near school properties (House, No. 3091);
Relative to penalties for engaging in sexual conduct for a fee (House, No. 3092);
Amending the underground storage tank petroleum product cleanup fund law (House, No. 3411);
To provide for the development of aquaculture in the Commonwealth (House, No. 4188);
Authorizing the city of Beverly to enter into a contract for the disposal of certain sewerage (House, No. 4797, changed);
Relative to the licensing of certain health and human service professions (House, No. 4883);
Authorizing the county commissioners of Hampden County to conduct a feasibility study of certain court facilities in said county (House, No. 5095);

Relative to the leasing of motor vehicles (House, No. 5133);

Authorizing the town of Lynnfield to lease certain property (House, No. 5136);

Relative to the charter of the town of Auburn (House, No. 5138);

Establishing a finance department and finance director in the town of Auburn (House, No. 5139);

Authorizing the conveyance of a certain parcel of land in the town of Auburn (House, No. 5140, changed);

Providing for recall elections in the town of Dedham (House, No. 5152);

Establishing an economic development industrial corporation in the town of Framingham (House, No. 5158);

Relative to stock plans of state-chartered stock banks (House, No. 5240);

Relative to the appointment of the advisory board on county expenditures for Middlesex County (House, No. 5241); and

Relative to the trial of sex crimes against children (House, No. 5242);

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

House reports

Of the committee on Government Regulations, ought NOT to pass, on so much of the recommendations of the Executive Office of Consumer Affairs and Business Regulation (House, No. 36) as relates to streamlining the licensing of common carriers (accompanied by bill, House, No. 68);

Of the same committee, ought NOT to pass, on so much of the recommendations of the Executive Office of Consumer Affairs and Business Regulation (House, No. 36) as relates to the testing of natural gas meters (accompanied by bill, House, No. 71); and

Of the same committee, ought NOT to pass, on so much of the recommendations of the Executive Office of Consumer Affairs and Business Regulation (House, No. 36) as relates to the replacement of natural gas meters (accompanied by bill, House, No. 72);

Severally were accepted. Severally sent to the Senate for concurrence.

House reports

Of the committee on Government Regulations, ought NOT to pass, on the petition (accompanied by bill, House, No. 714) of Albert Herren relative to reorganizing the Department of Public Utilities;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 895) of Charles N. Decas relative to the sale of television or radio sets;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1985) of Eric Turkington, John C. Klimm and another that the Department of Public Utilities be required to regulate the sale and use of space for advertising in the bill envelopes of electric and gas companies and for the establishment of an energy investment fund with the proceeds from said advertising; and

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4762) of Bill Donohue relative to rebates on overcharges by municipal gas and light companies;

Of the committee on Public Safety, ought NOT to pass, on the petition (accompanied by bill, House, No. 608) of Rosaire Rajotte that the Registry of Motor Vehicles be authorized to develop a license plate for senior citizens; and

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3986) of John Moran that the Department of Public Safety be directed to establish a comprehensive design course relative to accessible structures for handicapped persons; and

Of the committee on State Administration, ought NOT to pass, on the petition (accompanied by bill, House, No. 448) of Janet W. O'Brien for legislation to authorize mediation under the open meeting law;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1618) of Alvin E. Thompson for legislation to designate “Dialogue in Dorchester” as the state opera of the Commonwealth; and

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2655) of Bruce E. Tarr, other members of the General Court and another for legislation to exempt certain cities and towns from provisions of the prevailing wage law;

Severally were accepted.

At twenty-five minutes before twelve o'clock noon, on motion of Mr. Lane of Holden, the House recessed until the hour of one o'clock P.M.; and at that time the House was called to order.

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

There being no objection,— Messrs. Angelo of Saugus, McGee of Lynn and Fennell of Lynn 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 0332-2700 in section 2 (for message, see House, No. 5187) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-six 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. 5100); and the motion prevailed.

Item 0332-2700, which had been reduced, was considered as follows:

"District Court Department.

0332-2700 For district court of southern Essex (Lynn); provided, that one million three hundred seventy-seven thousand dollars of the amount appropriated herein shall be expended by the chief justice for administration and management for the purpose of physical plant upgrades, including but not limited to, improvements to lockup facilities and facilities for the juvenile court department, and for the purposes of rental of additional court space, equipment and personnel including one assistant clerk, one assistant probation officer, three probation officers and seven clerical positions, two of whom are to be in the department of probation and five of whom are to be in the office of the clerk; provided further, that said probation officers shall be assigned to said court by the office of the commissioner of probation ................................. 3,154,455".

[The Governor reduced the item to $2,882,237 and disapproved the following wording: "; provided, that one million three hundred seventy-seven thousand dollars of the amount appropriated herein shall be expended by the chief justice for administration and management for the purpose of physical plant upgrades, including but not limited to, improvements to lockup facilities and facilities for the juvenile court department, and for the purposes of rental of additional court space, equipment and personnel including one assistant clerk, one assistant probation officer, three probation officers and seven clerical positions, two of whom are to be in the department of probation and five of whom are to be in the office of the clerk" and inserted the following wording: "; provided, that one million one hundred four thousand seven hundred eighty-two dollars of the amount appropriated herein shall be expended by the chief justice for administration and management for the purpose of physical plant upgrades, including but not limited to, improvements to lockup facilities and facilities for the juvenile court department, and for the purposes of rental of additional court space, equipment, and for one assistant clerk"].

The question on passing item 0332-2700 (contained 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 140 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 183 in Supplement.]
Therefore item 0332-2700 (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.

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.

There being no objection,— Messrs. Brewer of Barre and Landers of Palmer 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 0332-3800 in section 2 (for message, see House, No. 5187) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-six 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. 5100); and the motion prevailed.

Item 0332-3800, which had been reduced, was considered as follows:

"District Court Department.

0332-3800 For the district court of eastern Hampshire (Ware); provided, that one additional probation officer shall be appointed and funded from this item during fiscal year nineteen hundred and ninety-six; provided further, that said probation officer shall be assigned to said court by the office of the commissioner of probation 477,284".

[The Governor reduced the item to $442,656 and disapproved the following wording: "; provided, that one additional probation officer shall be appointed and funded from this item during fiscal year nineteen hundred and ninety-six; provided further, that said probation officer shall be assigned to said court by the office of the commissioner of probation"].

The question on passing item 0332-3800 (contained 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 140 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 184 in Supplement.]

Therefore item 0332-3800 (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.
Mrs. Simmons of Leominster 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 0332-7100 in section 2 (for message, see House, No. 5187) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-six 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. 5100); and the motion prevailed.

Item 0332-7100, which had been reduced, was considered as follows:

"District Court Department.

0332-7100 For the district court of Leominster; provided, that one additional administrative assistant position shall be appointed and funded from this item during fiscal year nineteen hundred and ninety-six 566,897".

[The Governor reduced the item to $547,875 and disapproved the following wording: "; provided, that one additional administrative assistant position shall be appointed and funded from this item during fiscal year nineteen hundred and ninety-six"]

The question on passing item 0332-7100 (contained 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 139 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 185 in Supplement.]

Therefore item 0332-7100 (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.

There being no objection,— Messrs. Lane of Holden and Hawke of Gardner 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 0332-7300 in section 2 (for message, see House, No. 5187) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-six 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. 5100); and the motion prevailed.

Item 0332-7300, which had been reduced, was considered as follows:

"District Court Department.

0332-7300 For the first district court of northern Worcester (Gardner); provided, that one additional administrative assistant position and one additional
secretarial position shall be appointed and funded from this item during fiscal year nineteen hundred and ninety-six 844,059”.

[The Governor reduced the item to $806,015 and disapproved the following wording: “; provided, that one additional secretarial position shall be appointed and funded from this item during fiscal year nineteen hundred and ninety-six”].

The question on passing item 0332-7300 (contained 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 141 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 186 in Supplemental.]

Therefore item 0332-7300 (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.

There being no objection,— Representatives McManus of Worcester, Glodis of Worcester, Binienda of Worcester, Pedone of Worcester, Chandler of Worcester and Naughton of Clinton 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 0337-0400 in section 2 (for message, see House, No. 5187) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-six 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. 5100); and the motion prevailed.

Item 0337-0400, which had been reduced, was considered as follows:

“District Court Department.

0337-0400 For the Worcester juvenile court; provided, that of the amount appropriated herein, sixty-nine thousand two hundred and fifty-six dollars shall be expended for the salaries of two probation officer positions ........................................... 1,124,199”.

[The Governor reduced the item to $1,054,943 and disapproved the following wording: “; provided, that of the amount appropriated herein, sixty-nine thousand two hundred and fifty-six dollars shall be expended for the salaries of two probation officer positions”].

The question on passing item 0337-0400 (contained 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 145 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 187 in Supplement.]
Therefore item 0337-0400 (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.

There being no objection, — Representatives Finneran of Boston and Owens-Hicks of Boston 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 91 (for message, see House, No. 5187) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-six 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. 5100); and the motion prevailed.

Section 91 (retired teachers' health insurance) was considered as follows:

"SECTION 91. The first sentence of the definition of ‘Net school spending’ in said section 2 of said chapter 70, as so appearing, is hereby amended by inserting after the word ‘transportation’ the following words:— , or the costs of health insurance for retired teachers.”.

After debate the question on passing section 91, 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 99 members voted in the affirmative and 46 in the negative.

[See Yea and Nay No. 188 in Supplement.]

[Ms. Stanley of Merrimac answered “Present” in response to her name.]

Therefore section 91 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 Kollios of Millbury, Bosley of North Adams, O’Brien of Hanover and Chandler of Worcester 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 225 (for message, see House, No. 5187) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-six 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. 5100); and the motion prevailed.

Section 225 (welfare educational waiver) was considered as follows:

"SECTION 225. The first paragraph of subsection (f) of section 110 of chapter 5 of the acts of 1995, is hereby amended by inserting after the words ‘sixty month period’ the following words:—
unless the recipient is enrolled in an educational program or institution of higher learning approved by the department, that requires the recipient to be enrolled for a period exceeding twenty-four months in order to complete educational requirements.

After debate the question on passing section 225, 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 113 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 189 in Supplement.]

Therefore section 225 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 Kollios of Millbury, Bosley of North Adams, O'Brien of Hanover and Chandler of Worcester 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 226 (for message, see House, No. 5187) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-six 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. 5100); and the motion prevailed.

Section 226 (welfare educational waiver) was considered as follows:

"SECTION 226. The second sentence of the fourth paragraph of said subsection (f) of said section 110 of said chapter 5 is hereby amended by inserting after clause (ii) the following clause:—

(iii) whether the recipient as enrolled in an educational program or institution of higher learning approved by the department, that requires the recipient to be enrolled for a period exceeding twenty-four months in order to complete educational requirements."

After debate the question on passing section 226, 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 113 members voted in the affirmative and 36 in the negative.

[See Yea and Nay No. 190 in Supplement.]

Therefore section 226 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,— Messrs. Kollios of Millbury and Slattery of Peabody 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 302 (for message,
General Appropriation Bill—section 302.

Human service provider contract rates, section 302, passed—yea and nay No. 191.

General Appropriation Bill—section 311.

see House, No. 5187) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-six 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. 5100); and the motion prevailed.

Section 302 (human service provider contract rates) was considered as follows:

"SECTION 302. Each contract entered into or renewed or effective on or after July first, nineteen hundred and ninety-five, between the state and a private human service provider that delivers mental health or mental retardation services under contract with departments within the executive office of health and human services shall set forth rates of compensation for all employees, and said rates shall specify the number of hours per week each employee will be required to work in exchange for said compensation. In each contract, the private human service provider shall agree to pay the rates of compensation set forth in the contract."

After debate the question on passing section 302, 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 121 members voted in the affirmative and 27 in the negative.

[See Yea and Nay No. 191 in Supplement.]

[Representatives Kaprielian of Watertown and Stanley of Merrimac answered "Present" in response to their names.]

Therefore section 302 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. Tolman of Boston 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 311 (for message, see House, No. 5187) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-six 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. 5100); and the motion prevailed.

Section 311 (improper motor vehicle registration study) was considered as follows:

"SECTION 311. The inspector general shall conduct a study of improper registration of motor vehicles which are actually garaged in the commonwealth but are registered and insured in another state or are registered in a city or town, but actually garaged in another city or town. Said study shall include, but not be limited to, an analysis and evaluation of the economic impact of the improper registration on sales tax revenues, excise tax revenues, and insurance coverage costs; the current practice and procedure, if any, for validating the proper place of registration; the number of motor vehicles
that should be registered and insured in the commonwealth but are registered and insured in another state or should be registered and insured in a city or town but are registered and insured in another; and whether any procedures, practices, programs or measures may be employed or implemented to track, eliminate or reduce the number of vehicles improperly registered and insured. The inspector general shall submit the findings and recommendations of said study to the house and senate committees on ways and means on or before March thirty-first, nineteen hundred ninety-six."

The question on passing section 311, 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 149 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 192 in Supplement.]

Therefore section 311 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. Kaufman of Lexington 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 337 (for message, see House, No. 5187) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-six 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. 5100); and the motion prevailed.

Section 337 (property tax alternative study) was considered as follows:

"SECTION 337. A special commission is hereby established to explore alternatives to local property taxes as the primary source of funding for public education in the commonwealth. The commission shall consist of three members named by the speaker of the house, one member named by the house minority leader, three members named by the senate president, one member named by the senate minority leader, and three members named by the governor. The commission shall report to the joint committee on education and to the house and senate clerks not later than March first, nineteen hundred and ninety-six.".

The question on passing section 337, 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 146 members voted in the affirmative and 2 in the negative.

[See Yea and Nay No. 193 in Supplement.]

Therefore section 337 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.
Ms. Kaprielian of Watertown 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 148 (for message, see House, No. 5187) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-six 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. 5100); and the motion prevailed.

Section 148 (bus service contracts) was considered as follows:

"SECTION 148. Section 5 of chapter 161A of the General Laws is hereby amended by inserting after subsection (f/2) the following subsection:—

(f3/4) If the authority seeks to contract for local and express bus services theretofore performed by authority employees, it shall conduct a public hearing in each of the affected areas. Said hearings shall be held within thirty days after the authority's requests for proposals and before the awarding of a contract for said services. The authority shall provide written notice ten days before the hearing to elected officials from affected areas and the advisory board members from said area. The authority shall be represented at the meeting by the general manager or his designee and a representative of the authority who is familiar with the proposed contract. The public hearing shall be conducted in the evening hours in a location in the area to be affected by said proposed contract. The authority shall present reasons for the proposed contract. Persons in attendance at the public hearing shall have a reasonable opportunity to ask questions and present reasons why such proposed contract shall not be executed. Within thirty days after said hearing and before the execution of any contract, the authority shall give written notice of its decision and the reasons therefor to persons who received written notice of the hearing. The authority shall continue to conduct public hearings pursuant to this subsection each year the contract is in effect. Nothing in this subsection shall be construed as affecting the applicability of sections fifty-two to fifty-five, inclusive, of chapter seven to any such contract."

The question on passing section 148, 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 136 members voted in the affirmative and 12 in the negative.

[See Yea and Nay No. 194 in Supplement.]

Therefore section 148 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Ms. Kaprielian of Watertown 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 356 (for mes-
sage, see House, No. 5187) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and ninety-six 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. 5100); and the motion prevailed.

Section 356 (bus service contracts) was considered as follows:

"SECTION 356. Subsection (f\(\frac{3}{4}\)) of section five of chapter one hundred and sixty-one A of the General Laws, inserted by this act, shall apply to all contracts that may be entered into after May first, nineteen hundred and ninety-five, provided that where a request for proposals was issued before the effective date of said subsection, the pre-award hearing shall be conducted within thirty days after such effective date."

The question on passing section 356, 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 139 members voted in the affirmative and 11 in the negative.

[See Yea and Nay No. 195 in Supplement.]

Therefore section 356 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.

Orders of the Day.

The House Bill relative to the priority of certain interests in bankruptcy proceedings (House, No. 4913) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

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

"SECTION 3. This act shall apply to all assignments of leases, rents, or profits and notices thereof; to the collection and receipt of such rents and profits; and to all leases subject thereto, without regard to whether such notice or assignment was recorded before, on, or after the effective date of this act; provided, however, that this act shall not apply to any judgment entered prior to the effective date of this act."

The amendment was adopted; and the bill (House, No. 4913, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to placement of the one sentence statement on the ballot (House, No. 4914) was read a third time.

The committee on Bills in the Third Reading reported asking to be discharged from further consideration of the bill, and the report was accepted.
Pending the question on passing the bill to be engrossed, Mr. Glodis of Worcester moved that it be amended by substitution of a bill with the same title (House, No. 5259), which was read. The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Voke of Boston being in the Chair, — the House Bill relative to school principals (House, No. 4945) was considered. Pending the question on passing the bill to be engrossed, further consideration thereof was postponed, on motion of Mr. Lane of Holden, until after disposition of the remaining matters in the Orders of the Day.

The House Bill relative to subdivision control (House, No. 4175) was considered. Pending the question on passing the bill to be engrossed, it was recommitted to the committee on Local Affairs, on motion of Mr. Petrolati of Ludlow.

The House Bill to protect the health of minors (House, No. 2565) was considered. The amendment previously offered by Mr. DeFilippi of West Springfield, — that the bill be amended in section 2 by striking out the paragraph contained in lines 57 to 63, inclusive, — was rejected. Pending the recurring question on ordering the bill to a third reading, Mr. Marzilli of Arlington moved that it be amended by substitution of a Bill relative to the sale and distribution of tobacco products (House, No. 5263), which was read. The amendment was adopted; and the substituted bill was referred, under Rule 33, to the committee on Ways and Means.

The House Bill forbidding the transportation by highway of certain waste materials (House, No. 2233) was considered. Pending the question on ordering the bill to a third reading, it was recommitted to the committee on Natural Resources and Agriculture, on motion of Mrs. Gray of Framingham.

The House Bill regulating state contracts with companies doing business with or in Burma (Myanmar) (House, No. 2833) was considered. Pending the question on ordering the bill to a third reading, Mr. Teague of Yarmouth moved that it be amended in section 1, in lines 12, 15, 18, 25, 26, 28, 34, 35, 39 and 42; in section 2, in lines 8, 13, 59, 78, 79, 84 and 94; and in section 4, in line 10, by inserting after the word "(Myanmar)", in each instance, the words "and/or China, and/or Cuba, and/or North Korea, and/or Rwanda,". The amendments were rejected. The bill (House, No. 2833) then was ordered to a third reading. Subsequently Mr. Rushing of Boston moved that this vote be reconsidered; and the motion to reconsider was negatived.
The House Bill providing for the protection of justices of the Commonwealth (House, No. 2900) was considered.

Pending the question on ordering the bill to a third reading, Mr. Teague of Yarmouth moved that it be amended by adding at the end thereof the following paragraph:

"Section 43A 1. Any prisoner in any penal or reformatory institution who holds any officer or employee of such institution or any other person as a hostage shall be punished by imprisonment in the state prison for not less than twenty years."

The amendment was adopted.

There being no objection, — Messrs. Locke of Wellesley, Stoddart of Natick, Vallee of Franklin and Marini of Hanson moved that the bill be amended by inserting after the word "chapter.", in line 6, the words "or telephones or causes to be telephoned repeatedly for the sole purpose of harassing, annoying or molesting".

The amendment was adopted.

The bill (House, No. 2900, amended) then was ordered to a third reading.

The House Bill increasing the penalties for failure to stop when being pursued by a police officer (House, No. 5192) was considered.

Pending the question on ordering the bill to a third reading, Mr. Coon of Andover moved that it be amended by adding at the end thereof the following two sections:

"SECTION 4. Section 24 of Chapter 90 of the General Laws, as appearing in the 1992 Official Edition, is hereby amended by striking out lines 446 to 465, inclusive, and inserting in place thereof the following: whoever uses a motor vehicle without authority knowing that such use is unauthorized shall, for the first offense be punished by a fine of not less than fifty dollars nor more than five hundred dollars or by imprisonment in jail or house of correction for not less than thirty days nor more than two years, or both. A prosecution commenced under this proviso for a first offense shall not be placed on file or continued without a finding; provided, however, that if no term of imprisonment is imposed the defendant shall be required to perform a minimum term of sixty days of community service; and any person convicted of violating this proviso after a prior conviction of use of a motor vehicle without authority or motor vehicle theft as provided for in section twenty-eight of chapter two hundred and sixty-six shall be punished by imprisonment in the state prison for not more than five years or in a house of correction for not less than ninety days nor more than two and one-half years, or by a fine of not more than one thousand dollars, or by both such fine and imprisonment. No sentence imposed under this proviso for a second offense shall be reduced to less than ninety days imprisonment nor shall any sentence imposed upon any person be suspended or reduced until such person shall have served ninety days; and whoever is found guilty of a third or subsequent offense of such use without authority or motor vehicle theft as provided for in section twenty-eight of chapter two hundred and sixty-six committed within
Police pursuits,—
penalties.

Contests,—
debceptive
information.

Quincy,—
Richard J.
Flynn.

five years of the earliest of his two most recent prior offenses shall be punished by a fine of not less than two hundred dollars nor more than one thousand dollars or by imprisonment for not less than one year nor more than two and one-half years in a house of correction or for not less than two and one-half years nor more than five years in the state prison or by both fine and imprisonment; No sentence imposed under this proviso for a third or subsequent offense committed within five years shall be reduced to less than one year, nor shall any sentence imposed upon any person be suspended or reduced until such person shall have served one year; A summons may be issued instead of a warrant for arrest upon a complaint for a violation of any provision of this paragraph if in the judgment of the court or justice receiving the complaint there is reason to believe that the defendant will appear upon a summons.

SECTION 5. Subdivision (a) of section 28 of chapter 266 of the General Laws, as so appearing, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:

A prosecution commenced under this subdivision shall not be placed on file or continued without a finding; provided, however, that if no term of imprisonment is imposed the defendant shall be required to perform a minimum term of sixty days of community service. Any person convicted of violating this section after one or more prior convictions of motor vehicle theft or use of a motor vehicle without authority as provided for in paragraph (a) of subdivision (2) of section twenty-four of chapter ninety shall be punished by imprisonment in the state prison for not more than fifteen years or by imprisonment in a jail or house of correction for not less than one year nor more than two and one-half years or by a fine of not more than fifteen thousand dollars, or by both such fine and imprisonment. No sentence imposed under the provisions of this subdivision for a second or subsequent offense shall be reduced to less than one year imprisonment, nor shall any sentence imposed upon any person be suspended or reduced, until person shall have served one year.”.

The amendment was adopted; and the bill (House, No. 5192, amended) was ordered to a third reading.

The recommitted House Bill regulating deceptive contest information (House, No. 2894) was considered.

Pending the question on ordering the bill to a third reading, further consideration thereof was postponed, on motion of Mr. Bosley of North Adams, until after disposition of the remaining matters in the Orders of the Day.

The House Bill relative to civil service placement for Richard J. Flynn (printed as Senate, No. 1910) was read a second time.

Pending the question on ordering the bill to a third reading, it was referred to the committee on Ways and Means, on motion of Mr. Rushing of Boston.
The House Bill making technical corrections to the Manufactured Housing Act of 1993 (House, No. 32) was read a second time. Pending the question on ordering the bill to a third reading, it was recommitted to the committee on Commerce and Labor, on motion of Mr. Bosley of North Adams.

The House Bill relative to assault and battery on school teachers (House, No. 298, changed) was read a second time; and it was ordered to a third reading.

The House Bill authorizing the Division of Capital Planning to grant certain easements in the city of Gardner (House, No. 633) was read a second time. The amendment previously recommended by the committee on Ways and Means, — that the bill be amended by substitution of a bill with the same title (House, No. 5239),— was adopted. The substituted bill then was ordered to a third reading.

House bills
Relative to the removal of children from adoptive and foster care (House, No. 917); Relative to the assault, abuse, neglect and financial exploitation of an elderly or disabled person (House, No. 1266, changed); and Further protecting the practice of psychology (House, No. 1694); Severally were read a second time; and they were ordered to a third reading.

The House Bill relative to the observance of Memorial Day (House, No. 1873) was read a second time. Pending the question on ordering the bill to a third reading, it was recommitted to the committee on the Judiciary, on motion of Mr. McIntyre of New Bedford.

House bills
Requiring notice of the removal of trees by the Metropolitan District Commission and the Massachusetts Water Resources Authority (House, No. 1887, changed);
To permit the removal of land from the registration system (House, No. 2963);
To eliminate owner’s duplicate certificate of title (House, No. 3022); and
Relative to contracts of minors (House, No. 3169); Severally were read a second time and they were ordered to a third reading.

The House Bill to prohibit the landing or sale in the Commonwealth of Massachusetts of lobsters taken outside of the Commonwealth of Massachusetts by a commercial fishing vessel fishing with dragging apparatus (House, No. 3398) was read a second time.
Pending the question on ordering the bill to a third reading, it was recommitted to the committee on Natural Resources and Agriculture, on motion of Mrs. Gray of Framingham.

The House Bill to amend the Massachusetts adoption law to facilitate the adoption of children in the Commonwealth (House, No. 5243) was read a second time.

Pending the question on ordering the bill to a third reading, further consideration thereof was postponed, on motion of Mr. McIntyre of New Bedford, until after disposition of the remaining matters in the Orders of the Day.

The House report of the committee on Banks and Banking, ought NOT to pass, on the recommitted petition (accompanied by bill, House, No. 485) of Robert D. Hawke relative to persons engaged in the business of cashing checks, drafts or money orders, was considered.

Pending the question on acceptance of the report, Mr. Hawke of Gardner moved that it be amended by substitution of the Bill relative to the cashing of checks (House, No. 485), which was read.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 30 members voted in the affirmative and 114 in the negative.

[See Yea and Nay No. 196 in Supplement.]

Therefore the amendment was rejected; and the report was accepted.

The House report of the committee on Government Regulations, ought NOT to pass, on so much of the recommendations of the Executive Office of Consumer Affairs and Business Regulation (House, No. 36) as relates to reappeals to the Alcoholic Beverages Control Commission (accompanied by bill, House, No. 44) was accepted. Sent to the Senate for concurrence.

The House report of the committee on Government Regulations, ought NOT to pass, on the petition (accompanied by bill, House, No. 3539) of Mary Jeanette Murray, Edward G. Connolly and Paul C. Casey for legislation to establish a state advisory board of public movers of household goods under the jurisdiction of the Department of Public Utilities, was accepted.

The House report of the committee on Natural Resources and Agriculture, ought NOT to pass, on the petition (accompanied by bill, House, No. 4512) of Mary Jeanette Murray and another for legislation to regulate the operation of certain watercraft in the Commonwealth, was considered.

Pending the question on acceptance of the report, the petition was recommitted, on motion of Mrs. Gray of Framingham.
The House report of the committee on Public Safety, ought NOT to pass, on the petition (accompanied by bill, House, No. 3205) of Joseph F. Wagner, Dennis M. Murphy, Walter A. DeFilippi and Michael R. Knapik for legislation to authorize the Registrar of Motor Vehicles to issue handicapped plates for leased motor vehicles, was accepted.

The House report of the committee on State Administration, ought NOT to pass, on the petition (accompanied by bill, House, No. 1029) of Walter A. DeFilippi for legislation to exempt all grants relative to the health and safety of municipalities from requirements of the Massachusetts Commission Against Discrimination, was considered.

Pending the question on acceptance of the report, the petition was recommitted, on motion of Mr. Hodgkins of Lee.

The House report of the committee on State Administration, ought NOT to pass, on the petition (accompanied by bill, House, No. 3063) of Shaun P. Kelly and Jane M. Swift for legislation to further regulate public projects in towns of less than two thousand five hundred inhabitants, was accepted.

House reports
Of the committee on State Administration, ought NOT to pass, on the petition (accompanied by bill, House, No. 3627) of Edward B. Teague III and other members of the House for legislation to limit government subsidized competition with private businesses; and
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3628) of Edward B. Teague III and other members of the General Court for legislation to repeal the anti-privatizations law;
Severally were considered.
Pending the question, in each instance, on acceptance of the report, further consideration thereof was postponed, on motions of Mr. Teague of Yarmouth, until after disposition of the remaining matters in the Orders of the Day.

The House report of the committee on State Administration, ought NOT to pass, on the petition (accompanied by bill, House, No. 4209) of Brian M. Cresta and Richard R. Tisei for legislation to designate the ballad “The Bay State Song”, words and music by Lillian Coolidge, as the historical ballad of the Commonwealth, was accepted.

The House report of the committee on State Administration, ought NOT to pass, on the recommitted petition (accompanied by bill, House, No. 4389) of Mary Jeanette Murray relative to the payment of certain bills to contractors and subcontractors by housing authorities, was considered.
Pending the question on acceptance of the report, the petition was again recommitted, on motion of Mr. Hodgkins of Lee.
The engrossed Bill establishing an extended illness leave bank for certain employees of the Commonwealth (see Senate, No. 1837, amended), which had been returned to the Senate by His Excellency the Governor with his objections thereto in writing (for message, see Senate, No. 1935), was considered.

Pending the question on passing the bill, in concurrence, notwithstanding the said objections, further consideration thereof was postponed, on motion of Mr. Rushing of Boston, until after disposition of the remaining matters in the Orders of the Day.

Subsequently, there being no objection, the question on passing the bill, in concurrence, notwithstanding the objections of His Excellency, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 117 members voted in the affirmative and 26 in the negative.

[See Yea and Nay No. 197 in Supplement.]

Therefore the bill was passed, in concurrence, notwithstanding the objections of His Excellency the Governor (more than two-thirds of the members present and voting having agreed to pass the same). Mr. Teague of Yarmouth then moved that this vote be reconsidered.

Pending the question on the motion to reconsider, further consideration thereof was postponed, on further motion of Mr. Teague, until the next sitting; and specially assigned to the hour of one o'clock P.M.

Order.

On motion of Mr. Cahir of Bourne,—

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

Mr. Swan of Springfield then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-nine minutes before five o'clock P.M. (Mr. Voke of Boston being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M.
Tuesday, July 11, 1995.

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 thank You for all the material and spiritual blessings which You give to us daily. We are grateful, too, for Your personal love and support as well as that of our families, neighbors and friends. Teach us to accept and to appreciate Your concern for us and to share Your love and concern with others. In this changing world with many unanswered questions about the future, inspire us to place our confidence in You, Your values and precepts. Prosper our efforts to build trust in each other, in our institutions and in the good will of the many people who are concerned with the well-being of our communities.

Grant Your blessings to the Speaker, to 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 Fox of Boston.

During consideration of the Orders of the Day, Ms. Fox of Boston 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 was not present in the House Chamber for a portion of today's sitting due to official business in another part of the State House. Any roll calls that I missed today was due entirely to the reason stated.

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

Statement of Representative McIntyre of New Bedford.

Before proceeding to consideration of the Orders of the Day, Mr. McIntyre of New Bedford 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 yesterday's sitting due to official business in the State House. Any roll calls that I missed yesterday was due entirely to the reason stated.

Mr. McIntyre then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.
Statement of Representative Toomey of Cambridge.

During consideration of the Orders of the Day, Mr. Toomey of Cambridge 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 during the late part of yesterday's sitting, I was away from the House Chamber on official business in another part of the State House. Had I been present for Yea and Nay No. 197, on passing notwithstanding the objections of His Excellency the Governor, the engrossed Bill establishing an extended illness leave bank for certain employees of the Commonwealth, I would have voted in the affirmative.

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

Guest of the House.

Ann C. Gannett.

During consideration of the Orders of the Day, the Speaker declared a recess, subject to the call of the Chair, there being no objection; and introduced former member of the House, Ann C. Gannett, who represented the towns of Lincoln, Sudbury and Wayland from 1969 to 1980, inclusive.

Mrs. Gannett, was accompanied by her children and her grandchildren and was the guest of Representatives Evans of Wayland and Kaufman of Lexington.

Resolutions.

Newburyport.— Robert Welch.

Resolutions (filed with the Clerk by Mr. Cousins of Newburyport) congratulating Robert Welch on the occasion of his retirement from the Newburyport Public Schools, were referred, under Rule 85, to the committee on Rules.

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

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

Francis B. McCabe.

Resolutions (filed by Mr. Connolly of Everett) congratulating Francis B. McCabe on the occasion of his seventieth birthday;

John and Mary LoRusso.

Resolutions (filed by Mr. Connolly of Everett) congratulating Mr. and Mrs. John LoRusso on the occasion of their fiftieth wedding anniversary;

Ken Garber.

Resolutions (filed by Mrs. Walrath of Stow) congratulating Deputy Chief Ken Garber on the occasion of his retirement from the Lancaster Fire Department; and

Roger Hart.

Resolutions (filed by Mrs. Walrath of Stow) congratulating Chief Roger Hart on the occasion of his retirement from the Lancaster Fire Department;
Mr. Voke 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. Connolly, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Orders.

The following order (filed by Mr. Herren of Fall River) 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, the committee on Energy be granted until Friday, August 18, 1995, within which to make its final report on current House documents numbered 112, 2510 and 3334.

Mr. Serra of Boston, for the committees on Rules, reported that the order ought to be adopted. Under suspension of Rule 42, on motion of Mr. Herren, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Petrolati of Ludlow) 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, the committee on Local Affairs be granted until Wednesday, September 20, 1995, within which to make its final report on current Senate documents numbered 1061, 1071, 1078, 1081, 1089, 1819, 1902, 1950, 1960 and 1961, and on current House documents numbered 578, 945, 946, 947, 1159, 1160, 1345, 1548, 1552, 1882, 2219, 2607, 3298, 3964, 4177, 4179, 4939, 4941, 4977, 4992, 5023, 5032, 5033, 5072, 5074, 5075, 5076, 5092, 5103, 5104, 5115, 5119, 5120, 5121, 5134, 5137, 5166, 5168, 5185, 5220, 5221, 5222, 5231, 5244, 5245, 5246, 5247 and 5252.

Mr. Serra of Boston, for the committees on Rules, reported that the order ought to be adopted. Under suspension of Rule 42, on motion of Mr. Petrolati, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Reports of Committees.

By Mrs. Menard of Somerset, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Steven C. Panagiotakos, Thomas A. Golden, Jr., Edward A. LeLacheur and Daniel P. Leahy relative to designating the riverwalk on the grounds of the Lowell Heritage State Park in the city of Lowell as the Scott Finneral Memorial Riverwalk. Under suspension of Rule 42, on motion of Mr. Panagiotakos of Lowell, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration. Sent to the Senate for concurrence.
By Mr. Serra of Boston, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration

Of the Bill providing for a system of periodic legislative review and for the termination, consolidation or re-establishment of state agencies (House, No. 434);

Of the Resolve providing for an investigation and study by a special commission relative to the former Nike site in Randolph (House, No. 555);

Of the Resolve providing for an investigation and study relative to the future uses of the Blue Hills Trailside Museum and the Chickatawbut Hill Education Center (House, No. 556);

Of the Resolve providing for an investigation and study by a special commission relative to the feasibility of the sale or lease of the public skating rinks now under the jurisdiction of the Metropolitan District Commission (House, No. 557);

Of the Resolve providing for a study by a special commission relative to civil process serving throughout the Commonwealth (House, No. 1124);

Of the Resolve providing for a study by a special commission relative to offender reimbursement to county jails and houses of correction and Department of Correction facilities (House, No. 1185);

Of the Resolve providing for an investigation and study by a special commission relative to the incidence of child suicide (House, No. 1978, changed);

Of the Bill establishing a fair share zoning bylaw impact fee (House, No. 2069, amended);

Of the Bill to create a special legislative commission on state forests and parks (House, No. 2236);

Of the Bill relative to assistance for water and sewer rates for low and moderate income households (House, No. 2740);

Of the Resolve providing for the creation of a special commission relative to a new seal and new motto for the Commonwealth (House, No. 2834);

Of the Bill relative to the Energy Conservation Service Public Advisory Committee (House, No. 3332);

Of the Bill relative to the museum advisory commission (House, No. 3459);

Of the Bill providing for a uniform public school entrance date (House, No. 4096, changed);

Of the Bill to prevent youth and gang violence (House, No. 4138);

Of the Bill to restrict smoking in the State House (House, No. 4908);

Of the Resolve to create a special commission on homelessness (House, No. 4942);

Of the Resolve increasing the scope of the special commission established to make an investigation and study of methods for achieving universal health care coverage for residents of the Commonwealth (House, No. 5081);
Of the Resolve creating a special commission relative to veterans benefits (House, No. 5171);

Of the Resolve creating a special commission relative to improving the Commonwealth's state supplemental payment program (House, No. 5172);

Of the Resolve creating a special commission to study and investigate the Commonwealth's involuntary commitment laws for persons with mental illness (House, No. 5173);

Of the Resolve creating a special commission to study and investigate the Commonwealth's purchase-of-service system as relates to contracted services with human service providers (House, No. 5174); and

Of the Resolve providing for a study by a taskforce assembled by the Department of Social Services relative to the certification requirements of court investigators (House, No. 5175);

And recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Angelo of Saugus, for the committee on Government Regulations, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 3713) of Robert A. DeLeo relative to claims of adverse possession of land of public utility corporations,— and recommending that the same be referred to the committee on the Judiciary;

Of the petition (accompanied by bill, House, No. 3105) of Emanuel G. Serra for legislation to further regulate pari-mutuel racing in the Commonwealth,— and recommending that the same be referred to the committees on Rules of the two branches, acting concurrently;

By Mrs. Harkins of Needham, for the committee on Housing and Urban Development, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4990) of Paul E. Caron, Philip Travis, Stephen M. Brewer, William R. Keating, Paul Kolios and Michael R. Knapik relative to the termination of tenancies in mobile home parks,— and recommending that the same be referred to the committee on Commerce and Labor;

By Mr. McDonough of Boston, for the committee on Insurance, asking to be discharged from further consideration of so much of the recommendations of the Group Insurance Commission (House, No. 133) as relates to repaying the Group Insurance Commission Employee Trust Fund (accompanied by bill, House, No. 134);

Of so much of the recommendations of the Group Insurance Commission (House, No. 133) as relates to further preventing fraud, waste, and abuse in state government (accompanied by bill, House, No. 135);
Of the petition (accompanied by bill, House, No. 341) of the Massachusetts Organization of State Engineers and Scientists and Marie J. Parente relative to the reorganization of the Group Insurance Commission;

Of the petition (accompanied by bill, House, No. 765) of Alvin E. Thompson and another that certain county employees in correctional facilities be placed under the hypertension presumption law, so-called;

Of the petition (accompanied by bill, House, No. 1333) of Alvin E. Thompson for legislation to modify the employee representation on the Group Insurance Commission;

Of the petition (accompanied by bill, House, No. 1536) of Alvin E. Thompson and Stanley C. Rosenberg for legislation to make certain changes relative to employee representation on the Group Insurance Commission;

Of the petition (accompanied by bill, House, No. 1333) of Alvin E. Thompson and Stanley C. Rosenberg for legislation to make certain changes relative to employee representation on the Group Insurance Commission;

Of the petition (accompanied by bill, House, No. 3748) of Daniel E. Bosley and Stanley C. Rosenberg for legislation to modify employee representation on the Group Insurance Commission; and

Of the petition (accompanied by bill, House, No. 3749) of Daniel E. Bosley and Stanley C. Rosenberg for legislation to clarify group health insurance coverage for certain public employees;

And recommending that the same severally be referred to the committee on Public Service;

By Mr. McIntyre of New Bedford, for the committee on the Judiciary, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 565) of Salvatore F. DiMasi and another relative to liens on mechanics for labor and materials; and

Of the petition (accompanied by bill, House, No. 3160) of Salvatore F. DiMasi for legislation to make certain changes in the law relative to liens on mechanics for labor and materials;

And recommending that the same severally be referred to the committee on Banks and Banking; and

Of the petition (accompanied by bill, House, No. 4826) of Frank G. Cousins, Jr., for legislation to authorize the Trial Court of the Commonwealth to establish a sick leave bank for Robert White, an employee of said court,—and recommending that the same be referred to the committee on Public Service.

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

By Mrs. Owens-Hicks of Boston, for the committee on Education, Arts and Humanities, on Senate, Nos. 254, 264, 265, 266, 283, 289, 295, 300, 312, 321, 345, 350, 1787, 1788 and 1790 and House, Nos. 95, 99, 305, 1277, 1278, 1279, 1291, 1292, 1447, 1448, 1816, 2352, 2354, 2355, 2356, 2359, 2360, 2913, 3097, 3102, 3509, 3889, 4262, 4434, 4446 and 4449, an Order relative to authorizing the committee on Education, Arts and Humanities to make an investigation and study of certain Senate and House documents concerning special needs education, development programs and other educational matters (House, No. 5265).
By the same member, for the same committee, on Senate, Nos. 263, 287, 304, 323 and 1925 and House, Nos. 691, 887, 2146, 2351, 2711, 2909, 2914, 3322, 3508, 3518, 4261, 4444, 4843, 4896 and 4953, an Order relative to authorizing the committee on Education, Arts and Humanities to make an investigation and study of certain Senate and House documents concerning public higher education, school attendance and other related educational matters (House, No. 5266).

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

By Mr. Angelo of Saugus, for the committee on Government Regulations, on House, Nos. 540, 2163 and 3712, a Bill to distribute State Lottery funds in an equitable manner (House, No. 540).

By the same member, for the same committee, on House, Nos. 2556, 2926, 2927, 2930 and 3720, a Bill prohibiting gas, electric and telephone companies from retaining labor cost savings or to incur unnecessary expenditures during a curtailment of work due to a labor dispute (House, No. 2556).

By the same member, for the same committee, on a petition, a Bill further regulating the State Lottery (House, No. 3337).

By the same member, for the same committee, on a petition, a Bill establishing a board of registration of architects and interior designers (House, No. 3710).

By the same same member, for the same committee, on House, Nos. 182, 183, 1300, 1301 and 3901, a Bill further regulating the operation of the game of Beano (House, No. 5267).

By Mr. Caron of Springfield, for the committee on Public Safety, on Senate, Nos. 1266 and 1267 and House, No. 2626, a Bill commemorating the participation of the United States Olympic Team in the Olympics (House, No. 2626).

By Mr. Rushing of Boston, for the committee on Public Service, on House, Nos. 1452 and 2264, a Bill consolidating pension investments (House, No. 5268).

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

Engrossed Bill.

The engrossed Bill relative to the Lowell arena commission (see House, No. 5109, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the city of Westfield to convey certain land (see House, No. 4919) (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 XC VII of the Amendments to the Constitution); and on the roll call 146 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 198 in Supplement.]

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

Orders of the Day.

The Senate Bill relative to a certain conservation restriction in the town of Wayland (Senate, No. 1831), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

House bills

Relative to notification of prisoner transfers (House, No. 3199) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the city of Leominster to establish certain funds (House, No. 4873);

Authorizing the county commissioners of Hampden County to conduct a feasibility study of certain court facilities in said county (House, No. 5095);

Relative to charter school enrollment (House, No. 5129);

Relative to the charter of the town of Auburn (House, No. 5138);

Establishing a finance department and finance director in the town of Auburn (House, No. 5139);

Authorizing the conveyance of a certain parcel of land in the town of Auburn (House, No. 5140, changed); and

Relative to the appointment of the advisory board on county expenditures for Middlesex County (House, No. 5241);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The House Bill relative to the special commission investigating the finances of the Massachusetts Bay Transportation Authority (House, No. 4733) was read a second time; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Hynes of Marshfield, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Resolve reviving and continuing the special commission established to make an investigation and study relative to a voluntary neonatal home visiting program (House, No. 4798) was read a second time; and it was ordered to a third reading.
Subsequently, under suspension of the rules, on motion of Ms. Gardner of Holliston, the resolve (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.

House bills

Exempting municipal light company energy demand forecast and supply plans from the review and approval of the Energy Facilities Siting Board (House, No. 65);

Relative to the erection of a monument commemorating veterans who served on landing ship tanks in World War II and the shipyard workers who built them (House, No. 442);

Requiring notification to the Massachusetts Aeronautics Commission when mobile radio telephone service facilities include the construction or erection of antennae towers (House, No. 539);

Authorizing the Granby Telephone and Telegraph Company of Massachusetts to borrow an additional sum of money (House, No. 1507);

Requiring automobile tow operators to accept major credit cards in payment of obligations (House, No. 1689);

Providing indemnification for environmental police officers (House, No. 3041);

Encouraging energy conservation by educating consumers about their prior energy usage (House, No. 4600);

Further regulating the granting of licenses for the sale of alcoholic beverages (House, No. 4761);

Designating a certain bridge in the town of Freetown as the Freetown Memorial VFW Post 6643 Bridge (House, No. 5186); and

Relative to institutional solicitations (House, No. 5258);

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

House reports

Of the committee on Health Care, ought NOT to pass, on the petition (accompanied by bill, House, No. 721) of Albert Herren that the Secretary of Health and Human Services be required to submit a revised budget for the Rate Setting Commission; and

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2569) of Dennis M. Murphy for legislation to further regulate the rate setting assessment procedures for hospitals;

Severally were accepted.

There being no objection,— the motion of Mr. Teague of Yarmouth, that the vote be reconsidered by which the House, at the preceding sitting, passed, in concurrence, notwithstanding the objections of His Excellency the Governor, the engrossed Bill establishing an extended illness leave bank for certain employees of the Commonwealth (see Senate, No. 1837, amended) was considered.
Pending the question on the motion to reconsider, further consideration thereof was postponed, on motion of Mr. Rushing of Boston, until after disposition of the remaining matters in the Orders of the Day.

The House Bill further regulating certain premium increases in Medicare supplemental group coverage (House, No. 5029), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. McDonough of Boston moved that it be amended in section 1, in line 9, and in section 2, in line 9, by inserting after the word “supplemental”, in each instance, the words “individual or”.

The amendments were adopted; and the bill (House, No. 5029, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the trial of certain sex crimes (House, No. 5242) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Ms. Flavin of Easthampton moved that it be amended by substitution of a bill with the same title (House, No. 5264), which was read.

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

At half past eleven o’clock A.M., on motion of Ms. Story of Amherst, the House recessed until the hour of one o’clock P.M.; and at that time the House was called to order.

The House Bill relative to school principals (House, No. 4945), was considered.

After debate on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Teague of Yarmouth; and on the roll call 114 members voted in the affirmative and 28 in the negative.

[See Yea and Nay No. 199 in Supplement.]

[Mr. Koczera of New Bedford answered “Present” in response to his name.]

Therefore the bill was passed to be engrossed. Mr. Lane of Holden moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill (House, No. 4945) then was sent to the Senate for concurrence.

The recommitted House Bill regulating deceptive contest information (House, No. 2894) was ordered to a third reading.
The House Bill to amend the Massachusetts adoption law to facilitate the adoption of children in the Commonwealth (House, No. 5243) was ordered to a third reading.

The House report of the committee on State Administration, ought NOT to pass, on the petition (accompanied by bill, House, No. 3628) of Edward B. Teague III and other members of the General Court for legislation to repeal the anti-privatization law, was considered.

Pending the question on acceptance of the report, further consideration thereof was postponed, on motion of Mr. Teague of Yarmouth, until after disposition of the remaining matters in the Orders of the Day.

Subsequently, there being no objection, the report was considered further; and it was accepted.

The House Bill pertaining to regional cable television franchising authorities (House, No. 45) was read a second time.

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

Subsequently, there being no objection, the bill was considered further; and, pending the question on ordering it to a third reading, the bill was recommitted to the committee on Government Regulations, on further motion of Mr. Angelo.

House bills
Relative to the Board of Registration in Medicine (House, No. 87); and
Relative to municipal light department cadet engineers (House, No. 314);
Severally were read a second time; and they were ordered to a third reading.

The House Bill establishing an office on Alzheimer's disease and related disorders (House, No. 3121) was read a second time.

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

Bills
Relative to the State Lottery (House, No. 4118); and
Relative to the terms of certain bonds and notes to be issued by the Commonwealth (printed in House, No. 4834).
Severally were read a second time; and they were ordered to a third reading.
The House Bill authorizing the Division of Capital Planning and Operations to grant certain title, easements and right of way in certain parcels of land in the town of Fairhaven (House, No. 4967) was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by adding at the end thereof the following three sections:

"SECTION 5. The price paid by the recipient for said title, easement, or right of way shall be the full and fair market value of the property determined by the independent appraisal, for its use as described herein. The inspector general shall review and approve said appraisal and said review said appraisal and said review shall include a review of the methodology utilized for said appraisal. The inspector general shall prepare a report of his review and file said report with the commissioner for submission to the house and senate committees on ways and means, and chairmen of the joint committee on state administration in accordance with section 6 of this act.

SECTION 6. The commissioner of the division of capital planning and operations shall thirty days before the execution of any agreement authorized by this act, or any subsequent amendment thereof, submit the agreement or amendment and a report thereon to the inspector general for his review and comment. The inspector general shall issue his review and comment within fifteen days of receipt of any agreement or amendment. The commissioner of the division of capital planning and operations shall submit the agreement and any subsequent amendments thereof, the reports and the comments of the inspector general, if any, to the house and senate committees on ways and means and the chairmen of the joint committee on state administration at least fifteen days prior to execution. The recipient of said title, easement or right of way shall pay said price in accordance with the terms of the agreement.

SECTION 7. The price paid for said title, easement or right of way pursuant to section 5 shall be deposited in the general fund of the commonwealth.,” — was adopted.

The bill (House, No. 4967, amended) then was ordered to a third reading.

The House Bill to require addresses of absentee landlords with a city or town (House, No. 5260) was read a second time; and it was ordered to a third reading.

The House Bill making appropriations for the fiscal year nineteen hundred and ninety-five to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5261) was read a second time; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Finneran of Boston, the bill (reported by the committee on bills in the Third Reading to be correctly drawn) was read a third time forthwith.
Pending the question on passing the bill to be engrossed, Mr. Mandile of Waltham moved that it be amended by adding at the end thereof the following section:

"SECTION 42. Item 9110-9002 of said section two of said chapter thirty-eight is hereby amended by inserting at the end thereof the following words:— provided further, that no less than fifteen thousand dollars shall be obligated for the operation of the nonantum multi service center in the city of Newton; and provided further, that no less than fifteen thousand dollars be obligated to the Waltham council on aging for the operation of various elderly clubs in the city of Waltham."

The amendment was adopted.

Mr. Miceli of Wilmington then moved that the bill be amended in section 2C.II by inserting after the word "acts", in line 32, the words "; provided further that all Massachusetts bay transportation authority level crossings on the Haverhill and Wildcat lines in the town of Wilmington shall have gates at level crossings installed and functional no later than December thirty-first, nineteen hundred and ninety-five".

The amendment was adopted.

There being no objection,— Representatives Gray of Framingham and Murray of Cohasset moved that the bill be amended in section 2C.I by inserting before item 2100-3020 the following item:

2100-0005 ........................................................................................................ 305,000"

The amendment was adopted.

Mr. Serra of Boston being in the Chair, — Mr. Teague of Yarmouth moved that the bill be amended by adding at the end thereof the following four sections:

"SECTION 43. G.L. C.64H. § 1.

'Advertising', the expression of an idea that is: (a) created and produced for reproduction and distribution through means such as television, radio, newspapers, magazines, billboards, direct mail, point-of-sale displays, brochures or package design; and, (b) intended or designed exclusively to promote sales of a particular product or service or to enhance the general image of the advertiser.

'Advertising materials', tangible personal property intended or designed exclusively to advertise or promote the sale of a particular product or service or to enhance the general image of the advertiser. Advertising materials include but are not limited to: printed materials such as fliers, brochures, direct mail materials, coupons and posters; radio, television, and other audio or visual commercials (including the cassettes, tapes, films, slides or other media by which the original commercial is transferred); advertisements in magazines, newspapers or other print media; and, billboard advertisements. Advertising materials do not include items of tangible personal property that serve an independent function or purpose in addition to, or in connection with, such promotion or enhancement. Such items include but are not limited to: specialty or novelty items
such as napkins, cups, key chains, calendars, or matchbooks, annual reports, and business cards and stationery.

‘Advertiser’, any person who contracts to purchase advertising or to have advertising delivered to a third party on its behalf.

‘Advertising agency’, any person directly responsible to an advertiser for, and whose functions as a business include, the creation of advertising.

The term ‘sale at retail’ and ‘retail sale’ the sale of advertising by an advertising agency to an advertiser. An advertising agency is the consumer of any materials used in either (a) the creation of advertising for an advertiser; or (b) the production of advertising materials for use or distribution within the commonwealth. An advertising agency may not give a vendor a resale or exempt use certificate when purchasing such materials. An advertising agency is not the vendor of materials: (i) that it uses or consumes in the creation, production or distribution of advertising materials; or, (ii) that become ingredients or component parts of advertising materials. An advertising agency shall not charge an advertiser a sales or use tax for such materials, whether or not the cost of such materials are separately stated on its invoices or bills to the advertiser.

SECTION 45. G.L. c.64I, § 1.
An advertising agency is the consumer of any tangible personal property that either: (a) is used in the production of advertising materials; or (b) becomes an ingredient or component part of advertising materials. A use of such property by the advertising agency occurs when advertising materials produced for distribution within the commonwealth are so distributed. The sales price of such property is the total amount paid as consideration for the sale of the property, whether payment is made directly or indirectly by the advertising agency, and includes, but is not limited to, any amount paid for any services that are a part of such sale, such as production, printing or processing services.

SECTION 46. G.L. C.64H, § 6(ff).
Repealed in its entirety, including the amendment added by § 86 of the 1996 FY Budget (H. 5100)."

The amendment was adopted.

Mr. Teague then moved that the bill be amended by adding at the end thereof the following section:

“SECTION 47. Section 300 of Chapter 38 of the Acts of 1995 is hereby amended by striking out, in lines 16 and 17, the words ‘one of whom shall be a representative of the Massachusetts hi-tech council’; and moved to further amend by striking out, in line 19, the words ‘one representative from the Massachusetts bio-tech council’; and moved to further amend by inserting after the words ‘total of four’, in line 23, the words ‘, and one representative from the Homebuilders Association of Massachusetts and one representative from the Massachusetts Realtors Association.’; and moved to further amend by inserting after the words ‘medium sized businesses’, in

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line 35, the words: ‘, as well as, homeowners.’; and moved to further amend by inserting after the words ‘small businesses’, in lines 38 and 39, the words: ‘and homeowners.’; and moved to further amend by striking out, in line 24, the words ‘environmental affairs’ and inserting in its place thereof the words ‘executive office of communities and development’; and moved to further amend by striking out, in lines 24 and 25, the words ‘the executive office of environmental affairs’ and inserting in its place thereof the words ‘executive office of communities and development’; and moved to further amend by striking out, in lines 35 and 36, the words ‘the executive office of environmental affairs’ and inserting in its place thereof the words ‘executive office of communities and development’.”.

The amendment was adopted.

Mr. Hodgkins of Lee then moved that the bill be amended by adding at the end thereof the following section:

“SECTION 48. For the purpose of providing emergency disaster relief to the towns of Egremont, Great Barrington and Monterey and for the costs relating to the damage caused by the tornado which struck the Berkshires on May twenty-ninth, nineteen hundred and ninety-five including, but not limited to, the extraordinary costs and expenses associated with the necessary cleanup and disposal of debris and to alleviate the danger and emergency posed by damaged and downed trees and limbs along public streets and ways. Also for the costs and expenses associated with bank erosion, debris removal and damage to local waterways. Said disaster relief shall be available to said towns for both the costs already incurred and those required to be incurred as certified by the Massachusetts Emergency Management Agency. Said assistance shall be in the amount of one hundred percent of the total damage as certified by said Massachusetts Emergency Management Agency as part of the state of emergency declared for May twenty-ninth, nineteen hundred and ninety-five $1,000,000.”.

The amendment was adopted.

Mr. Teague of Yarmouth then moved that the bill be amended by adding at the end thereof the following section:

“SECTION 49. Line item 8400-0050 of Chapter 38 of the Acts of 1995 is hereby amended by striking after the word ‘rent’ the following words: ‘and related parking and utility expenses of the registry of motor vehicles building in the vicinity of Ruggles station’, and by inserting in place thereof the following words: ‘and moving, parking, utility, and other related expenses of the registry of motor vehicles’.”.

The amendment was adopted.

There being no objection,— Messrs. Cabral of New Bedford, McIntyre of New Bedford, Koczera of New Bedford and Verga of Gloucester moved that the bill be amended by striking out section 29 and inserting in place thereof the following section:

“SECTION 29. Said section 2 of said chapter 38 is hereby amended by adding after item 9000-1801 the following item:
Supplementary appropriations. 9000-1802 For the purpose of providing state matching funds for the federally funded Northeast Fisheries Initiatives to promote the use of underutilized species; and provided further, that the Secretary of the Executive Office of Economic Affairs is hereby authorized to expend a sum of one hundred thousand dollars, for the purpose of matching grants to applicants receiving federal funding for a micro-enterprise peer lending group known as Working Capital to develop alternative employment opportunities for persons dependent on income derived from fishing or fishing related occupations in the communities of New Bedford and Cape Ann. Such funds will be extended to Working Capital of Cambridge provided that matching funds can be leveraged from public and private sources 700,000.

The amendment was adopted.

Mr. Caron of Springfield then moved that the bill be amended by adding at the end thereof the following section:

"SECTION 50. Section ninety-six B of chapter forty-one, as most recently amended by chapter three hundred and thirty-three of the acts of nineteen hundred and ninety-four is hereby further amended by striking out the second sentence in its entirety and inserting in place thereof the following new sentence:— The provisions of chapter thirty-one and any collective bargaining agreement notwithstanding, any person so attending such a school shall be deemed to be a student officer and shall be exempted from the provisions of chapter thirty-one and any collective bargaining agreement for that period during which he is assigned to a municipal police training school; provided that such person shall be paid the regular wages and other employee benefits provided for the position to which he was appointed and such reasonable expenses as may be determined by the appointing authority; provided further that the collective bargaining provision shall not apply to any person who receives an appointment to a position on a full time basis in which he will exercise police powers in those cities or towns administering their own municipal training schools under the criminal justice training council."

The amendment was adopted.

Mr. Finneran of Boston then moved that the bill be amended by adding at the end thereof the following section:

"SECTION 51. Section 2 of Chapter 38 of the Acts of 1995 is hereby amended by striking the following words in item 2511-4000:— pursuant to the provisions of a composting plan filed jointly by the department and the city of Boston.

The amendment was adopted.

Mr. Nagle of Northampton then moved that the bill be amended by adding at the end thereof the following section:

"SECTION 52. Chapter 38 of the Acts of 1995 is hereby amended in line item 4406-3000 by adding at the end of said item
the following:— provided that not less than one hundred and sixteen thousand dollars shall be expended for Service Net, Inc. to operate homeless shelters in Hampshire and Franklin Counties.”.

The amendment was adopted.

Mr. Hynes of Marshfield then moved that the bill be amended by adding at the end thereof the following section:

“SECTION 53. Notwithstanding any general or special law to the contrary, the Massachusetts Lottery Commission shall make every effort to use recycled paper in the manufacture of all lottery tickets and shall consult with the Department of Environmental Protection to achieve this objective in the most cost effective manner possible.”.

The amendment was adopted.

There being no objection,— Representatives Kulik of Worthington, Bosley of North Adams, Walrath of Stow and Brewer of Barre moved that the bill be amended by adding at the end thereof the following section:

“SECTION 54. Item 2511-8941 of section 2 of chapter 493 of the acts of 1993 is hereby amended by inserting after the word ‘restrictions’ the following:— or for the preparation of agricultural viability plans and the acquisition of non-development covenants pursuant to section twenty-two of chapter twenty of the General Laws.”.

The amendment was adopted.

There being no objection,— the same members moved that the bill be amended by adding at the end thereof the following section:

“SECTION 55. Item 2530-8958 of section 2F of chapter 85 of the acts of 1994 is hereby amended by inserting after the words ‘General Laws’ the following:— , or for the preparation of agricultural viability plans and the acquisition of non-development covenants pursuant to section twenty-two of chapter twenty of the General Laws.”.

The amendment was adopted.

There being no objection,— Messrs. Kulik of Worthington and Turkington of Falmouth moved that the bill be amended in section 8 by adding at the end thereof the following paragraph:

“For the purposes of assessing the per pupil tuition payment from a sending district to a charter school, the residence of a student enrolled in a charter school shall be the student’s legal residence as of April fifteenth of each year. A charter school shall annually certify to the secretary of education that it has verified the residency of each enrolled student with the superintendent of schools or the city or town clerk of each sending municipality.”; and by inserting after section 8 the following section:

“SECTION 8A. Section 89 of Chapter 71 of the General Laws is amended by inserting after the word ‘located’ in the second sentence in paragraph nine the following:— ; provided, however, that any municipality that is a member of a full or partial academic regional school district shall be exempted from the enrollment preference provision of this paragraph.”.

The amendments were adopted.

Mr. Cohen of Newton then moved that he bill be amended in section 2C.I by inserting after item 2200-1202 the following five items:
The amendment was adopted.

There being no objection,— Representatives DeFilippi of West Springfield and Chesky of Holyoke moved that the bill be amended in section 2A by striking out, in lines 12 and 13, the words "five hundred and forty-one thousand dollars" and inserting in place thereof the words "seven hundred and seven thousand dollars", and the amendment was adopted.

Mr. Finneran of Boston then moved that the bill be amended in section 2 by striking out items 0332-1203 and 0332-6000; and by adding at the end of the bill the following two sections:

"SECTION 56. Item 0332-1203 of section 2 of chapter 38 of the acts of 1995 is hereby amended by striking out the figure ‘646,000’ and inserting in place thereof the following figure:— 684,022.

SECTION 57. Item 0332-6000 of section 2 of chapter 38 of the acts of 1995 is hereby amended by striking out the figure ‘1,233,492’ and inserting in place thereof the following figure:— 1,289,785.”.

The amendments were adopted.

The same member then moved that the bill be amended by adding at the end thereof the following section:

"SECTION 58. Section 159 of chapter 38 of the acts of 1995 is hereby amended by inserting after the words ‘and shall be paid, subject to appropriation, by the commonwealth.’ as it first appears, the following new sentence:— The salary of the chief title examiner of the land court department shall be eighty-three and one half percent of said recorder’s salary and shall be paid, subject to appropriation, by the commonwealth.”.

The amendment was adopted.

Mr. Bosley of North Adams then moved that the bill be amended by adding at the end thereof the following section:

"SECTION 59. Notwithstanding any general or special law to the contrary, the Massachusetts Office of Travel and Tourism is hereby authorized and directed to transfer four hundred and eighty-three thousand two hundred and twenty-five dollars to the Massachusetts Port Authority for the purpose of administering a program of overseas international tourism promotion and marketing. Said amount shall be expended in addition to an amount equal to or greater than the total sum expended by the Massachusetts Port Authority in fiscal year nineteen hundred and ninety-five on overseas international tourism promotion and marketing.”.

The amendment was adopted.

Mr. Sullivan of Braintree then moved that the bill be amended by adding at the end thereof the following three sections:
"SECTION 60. The second paragraph of section thirteen of chapter one hundred and fifty-two of the General Laws, as appearing in the 1992 Official Edition, is hereby amended by striking out the period at the end of the first sentence therein and inserting in place thereof the following:—; provided, however, that the amount required to be reimbursed by insurers to hospitals for outpatient physical, occupational and speech therapy services only (bureau of ambulatory care codes 178010 through 178013, 178050 through 178053, and 178090 through 178093, inclusive) shall be the higher of:
(a) the amount required by the rate setting commission to be reimbursed by insurers to non-hospitals for the above-mentioned outpatient physical, occupational and speech therapy services; and
(b) either the amount which can be derived from the ratio of total costs to total charges calculated for the hospital requesting reimbursements, in accordance with methods utilized by the rate setting commission to determine payment on account factors for hospitals subject to chapter 6A or chapter 6B, or ninety-five percent of the rates payable to such hospital for such services on May 15, 1995, whichever is the lower amount.

SECTION 61. Section thirty-five of chapter six A of the General Laws, as appearing in the 1992 Official Edition, is hereby amended by striking out the first paragraph and inserting in place thereof the following:—
Any provider of health care services which receives reimbursement or payment from any governmental unit for general health supplies, care and rehabilitative services and accommodations, or which receives reimbursement or payment for treatment of injured workers under chapter one hundred and fifty-two shall, as a condition of the receipt of such reimbursement or payment: (1) permit the commission, or any designated representative thereof, the attorney general or his designee, to examine such books and accounts as may reasonably be required for it to perform its duties; and (2) file with the commission from time to time or on request, such data, statistics, schedules or other information as it may reasonably require, including outcome data and such information regarding the costs, if any, of such provider for research in the basic biomedical or health care delivery areas or for the training of health care personnel which are included in its charges to the public for health care services, supplies, and accommodations. Any provider of health care services which receives reimbursements or payment from any governmental unit for general health supplies, care and rehabilitative services and accommodations shall accept reimbursement or payment at the rates established by the commission, subject to a right of appeal under section thirty-six, as discharging in full any and all obligations of an eligible person and the governmental unit to pay, reimburse or compensate the provider of health care services in any way for general health supplies, care, and rehabilitative services or accommodations provided.

SECTION 62. The rate setting commission and rating bureau within the division of insurance shall conduct a joint study on reimbursement methodologies used by insurers to reimburse providers of ambulatory surgery services provided to injured workers and
reimbursed pursuant to chapter six A and chapter one hundred and fifty-two of the General Laws. Such study shall consider various reimbursement methodologies for those services and make any recommendations deemed appropriate. In conducting such study, said commission and bureau shall:

(1) consider whether such reimbursement methodologies are consistent with the goals of chapter six A of the General Laws and chapter three hundred ninety-eight of the Acts of 1991;
(2) consider the use of appropriate reimbursement principles for those services; and
(3) consider incentives for health care providers to return injured workers to employment as rapidly as practicable.”.

The amendment was adopted.

Mr. Finneran of Boston then moved that the bill be amended by adding at the end thereof the following section:

“SECTION 63. Item 1599-2038 of section 2A of chapter thirty-nine of the acts of nineteen hundred and ninety-five is hereby amended by striking out the words ‘provided further, that an amount not to exceed five hundred and six thousand dollars shall be expended for prior year snow and ice control expenses’ and inserting in place thereof the following words:— provided further, that notwithstanding the provisions of section fifty-nine of this act, an amount not to exceed five hundred and six thousand dollars shall be expended for prior year snow and ice control expenses.”.

The amendment was adopted.

Ms. Flavin of Easthampton then moved that the bill be amended by adding at the end thereof the following section:

“SECTION 64. M.G.L. Chapter 32 Section 3(2)(a)(iv) be amended by striking out in line 10 the word ‘six’ and placing therein the word ‘four’.”.

The amendment was adopted.

There being no objection,— Messrs. Ruane of Salem and Petersen of Marblehead moved that the bill be amended by adding at the end thereof the following section:

“SECTION 65. Section 2 of chapter 38 of the acts of 1995 is hereby amended by inserting after item 1410-0400 the following new item:

Office on Alzheimer’s Disease.

1450-1000 For the establishment and administration of the office on Alzheimer’s disease and related disorders ........................................... 150,000”.

The amendment was adopted.

Mr. Cabral of New Bedford then moved that the bill be amended by adding at the end thereof the following three sections:

“SECTION 66. Section 1 of Chapter 132A of the General Laws is hereby amended by adding after the word ‘taxation’, in line 4, the following words:— the assessment of any indirect or associated costs or administrative overhead rates.
SECTION 67. Paragraph (f) of section 182B of Chapter 6 of the General Laws, as appearing in Chapter 470 of the acts of 1993, is hereby amended by adding the following words:— and, provided further, that monies shall be exempt from the assessment of any indirect or associated costs or administrative overhead rates;

SECTION 68. Paragraph (g) of said section 182B of said Chapter 6, as so appearing, is hereby amended by adding the following words:— and, provided further, that said grants and contributions shall be exempt from the assessment of any indirect or associated costs or administrative overhead rates;.”.

The amendment was rejected.

There being no objection, — Messrs. Angelo of Saugus and Teague of Yarmouth moved that the bill be amended by adding at the end thereof the following section:

“SECTION 66. Notwithstanding any general or special law to the contrary, any utility restructuring order issued by the department of public utilities which provides for retail access to electric utility facilities or property shall address the following: (1) residential consumers shall not be charged or assessed any additional fee or rate increase for the cost of such restructuring, including any add-on charge or assessment to cover stranded costs associated with (3) below; (2) environmental improvements shall be continued at existing and future electric generating facilities; and (3) the recovery by electric companies organized pursuant to chapter one hundred and sixty-four of the General Laws of the costs which may be stranded by such order, provided such costs are legitimate and verifiable costs presently recovered in existing rates and tariffs. Any such restructuring order issued by said department shall be submitted to the General Court, at least ninety days prior to its promulgation, for review by and comment from the Joint Committee on Government Regulations and the Joint Committee on Energy.”.

The amendment was adopted.

Mr. Caron of Springfield being in the Chair, — Messrs. Lambert of Fall River, Correia of Fall River and Herren of Fall River moved, there being no objection, that the bill be amended in section 22 by inserting after the word “Westfield”, in line 9, the words “; and provided, further, that the local transitional assistance office in the city of Fall River shall not be located outside the downtown areas, so-called, of said city”. The amendment was adopted.

Mr. Toomey of Cambridge moved that the bill be amended by adding at the end thereof the following section:

“SECTION 67. The district court of Chelsea, currently located in the city of Cambridge, shall cease to operate in the city of Cambridge by June thirtieth, nineteen hundred and ninety-six.”.

The amendment was adopted.

Mr. Finneran of Boston then moved that the bill be amended by adding at the end thereof the following section:

“SECTION 68. Item 0337-0500 of section 2 of chapter 38 of the acts of 1995 is hereby amended by striking out the figure ‘1,232,490’ and inserting in place thereof the following figure:— 1,293,535.”.

The amendment was adopted.
Mr. Serra of Boston being in the Chair, — Ms. Teagan of Plymouth then moved that the bill be amended by striking out section 33 and inserting in place thereof the following section:

"SECTION 33. The secretary of communities and development and the secretary of economic affairs are hereby authorized to carry out an interagency agreement for the expenditure of an amount not to exceed one million three hundred thousand dollars from unexpended oil overcharge trust funds presently held by the executive office of communities and development pursuant to past interagency agreements between the executive office of communities and development and the division of energy resources, for the one and two person program, so-called, for elders and families whose income is in excess of one hundred and fifty percent of the federal poverty level, but not more than one hundred and seventy-five percent of said level; provided, that funds may be expended from said specified amount for the fiscal year ending June thirtieth, nineteen hundred and ninety-six subject to appropriation; and provided further, that the balance of said specified amount unexpended at the end of the year ending June thirtieth, nineteen hundred and ninety-six may be carried forward and retained by the executive office of communities and development for said program; and provided further, that notwithstanding the provisions of any general law to the contrary, funds expended for said one and two person program shall not be subject to federal reimbursement; provided that nothing contained herein shall constitute a continued or ongoing obligation of the Commonwealth."

The amendment was adopted.

There being no objection, — Messrs. Larkin of Pittsfield, Bosley of North Adams, Teague of Yarmouth and Brewer of Barre moved that the bill be amended by adding at the end thereof the following section:

"SECTION 69. Subsection (a) of section 29 of Chapter 15A. as appearing in the 1992 Official Edition of the Massachusetts General Laws is hereby amended by deleting the definition of ‘Waivable Fee’ and inserting in place thereof the new definition:

‘Waivable fee’, any amount payable on a student tuition bill, but not a mandatory charge, appearing as a separately assessed item, accompanied by a statement as to the nature of said item and that said item is not a charge required to be paid by the student, preceding each waivable fee will be a statement in bold print stating that if a student does not want to contribute to the following nonpartisan organization, a mark must be placed in the respective box for said nonpartisan organization, if the student does want to contribute, said box should not be marked, the student tuition bill will also provide the student with the total amount due including the waivable fee and the total amount due excluding the waivable fee, and that said item appears on the bill at the request of the student body and does not necessarily reflect the endorsement of the board of trustees."
The amendment was adopted. Subsequently Ms. Khan of Newton moved that this vote be reconsidered; and the motion to reconsider prevailed. On the recurring question the amendment was rejected.

Mr. Pedone of Worcester then moved that the bill be amended by adding at the end thereof the following section:

"SECTION 70. Notwithstanding any law, regulation or administrative information bulletin to the contrary, community health centers that: (i) conform with the requirements of 42 U.S.C. Section 254c; (ii) are located in health system area II; and (iii) are providing services at the former site of a hospital that was closed through an agreement with the acute hospital conversion board, shall be paid for calendar year 1995 the rate in effect on December 11, 1994, for the purposes of uncompensated care payments pursuant to the provisions of 117 CMR 8.04 in effect on said date; provided, that the rate paid subsequent to said six months shall be adjusted by the department of medical security to reflect either (1) the rate paid to other community health centers pursuant to said regulation or (2) an adjusted rate that reflects the unusual costs of such a center located in health system area II; provided further, that the said department is hereby authorized and directed to assist such a center, in collaboration with the university of Massachusetts at Worcester, to evaluate and make recommendations relative to the cost structure and reasonable uncompensated care pool payments to such a center in determining which basis shall be used to make such payments pursuant to either clause (1) or (2)."

The amendment was adopted.

Mr. Scaccia of Boston then moved that the bill be amended in section 2 by inserting after item 1599-0036 the following item:

"EXECUTIVE OFFICE OF PUBLIC SAFETY.

Department of Public Safety.

8311-1000 ........................................... 15,083";

and in section 2C.I by inserting after item 4600-1200 the following item:

"Division of Inspections.

8315-1000 ........................................... 32,204".

The amendments were adopted.

There being no objection,— Messrs. Rogers of Norwood, Jones of North Reading and Caron of Springfield moved that the bill be amended in section 2 by inserting after the caption "EXECUTIVE OFFICE OF PUBLIC SAFETY" (inserted by amendment) the following item:

"Executive Office.

8000-0040 To reimburse for the educational incentive payments to police officers ........................................... 1,023,766".

The amendment was adopted.
Mr. Turkington of Falmouth then moved that the bill be amended in section 2C.I by striking out, in item 2100-3020, the figures “16,052” and inserting in place thereof the figures “42,687”; and the amendment was adopted.

There being no objection,— Representatives Coon of Andover, Iannuccillo of Lawrence and Cuomo of North Andover moved that the bill be amended in section 2C.I by inserting after item 2100-0005 the following item:

“2100-2030 ............................................ 100,000”;

and by adding at the end thereof the following section:

“SECTION 71. Section 2 of Chapter 60 of the Acts of 1994 is hereby amended in item 2100-2030 by adding the following words:— notwithstanding any provision to the contrary, provided further that an amount not to exceed $62,550 may be expended on salaries for ‘true seasonal employees’ scheduled in item 2100-3010.”.

The amendments were adopted.

Mr. Toomey of Cambridge then moved that the bill be amended by adding at the end thereof the following section:

“SECTION 72. Item 0332-8000 of Section 2 of Chapter 38 of the Acts of 1995 is hereby amended by striking all after the word ‘for’ and inserting in place the following:— the development of an early intervention project for domestic abusers at the Cambridge Division of the District Court Department of the Trial Court of Massachusetts. Said project is to be administered by a seven member executive board consisting of the First Justice of the Cambridge Court or his/her designee, the Clerk of the Cambridge Court or his/her designee, the Chief Probation Officer of the Cambridge Court or his/her designee, the Middlesex District Attorney or his/her designee, the City Manager of the city of Cambridge or his/her designee, the Chief Administrative Justice of the Trial Court or his/her designee, and one person to be appointed by the Governor. The employment conditions of the project director and the allocation of project funds shall be determined by the executive board.”.

The amendment was adopted.

There being no objection,— Messrs. Hodgkins of Lee and Larkin of Pittsfield moved that the bill be amended by adding at the end thereof the following section:

“SECTION 73. Notwithstanding any law or regulation to the contrary for any teaching hospital in Health System Area I that was precluded from obtaining relief for a hospital agreement twenty-nine case mix exception because of the deadline imposed by section eighty of chapter twenty-three of the acts of nineteen hundred and eighty-eight, the rate setting commission shall adjust the hospital’s nineteen hundred and eighty-seven total patient care costs for purposes of calculating the hospital’s nineteen hundred and eighty-eight to nineteen hundred and ninety-one non-medicare gross patient service revenue for purposes of calculating revenue compliance under section fifty-six of chapter four hundred and ninety-five of the acts of nineteen hundred and ninety-one.”.

The amendment was adopted.
There being no objection,— Messrs. Fitzgerald of Boston and Voke of Boston moved that the bill be amended in section 24 by striking out, in lines 7, 8 and 9, the words "any unexpended amount for the payment of such claims from said two million dollars shall revert to the Health Care Access Fund;" and inserting in place thereof the words "prior year bills shall be the first priority of expenditure from said two million dollars; provided further that the commissioner of the department shall submit to the state budget director and the chairmen of the Senate and House committees on ways and means an actuarially-based evaluation of the costs and utilization of said program's operations in fiscal year nineteen hundred and ninety-five; provided further, that enrollment in said program shall be closed if said evaluation has not been filed by October thirty-first, nineteen hundred and ninety-five; provided further, that said evaluation shall include a projection of and certification of the sufficiencies of the amount appropriated herein to adequately fund said program in fiscal year nineteen hundred and ninety-six".

The amendment was adopted.

There being no objection,— Messrs. Dempsey of Haverhill and Cousins of Newburyport moved that the bill be amended by inserting after section 11 the following section:

"SECTION 11A. Section 10 of Chapter 218 of the General Laws, as appearing in the 1994 Official Edition, is hereby amended by striking out, in line 40, the words 'district court of Newburyport' and by inserting after line 55, the following line:— district court of Newburyport,"; and by adding at the end thereof the following section:

"SECTION 74. Section 2 of Chapter 38 of the Acts of 1995 is hereby amended in item 0332-2800 by striking out the figure '1,007,020' and inserting in place thereof the figure:— 1,067,020.".

The amendments were adopted.

There being no objection,— Representatives Iannuccillo of Lawrence, Coon of Andover and Cuomo of North Andover then moved that the bill be amended by adding at the end thereof the following section:

"SECTION 75. Item 3722-8894 of section two of chapter 494 of the acts of 1993 is hereby amended by adding at the end thereof the following new text:— provided further, that three hundred thousand dollars shall be provided to the Lawrence housing authority for the planning and construction of an indoor basketball facility in cooperation with 'Hoops for Hope, Inc.'; so-called.".

The amendment was adopted.

Mr. Kennedy of Brockton then moved that the bill be amended in section 2 by inserting after item 0332-6000 the following item:

"0336-0400 For the personnel and expenses of the expansion of the Southeastern housing court in the city of Brockton; provided, that not more than ninety-two thousand, six hundred and forty-five dollars shall be expended for a head procedure clerk, a housing specialist and two procedure clerks ......................................................... 92,645".

The amendment was adopted.
The Speaker being in the Chair, — at eight minutes after four o’clock P.M., on motion of Mr. Serra of Boston, the House recessed until a quarter after four o’clock; and at eighteen minutes after four o’clock the House was called to order with Mr. Serra in the Chair.

Mr. Tolman of Boston then moved that the bill be amended by adding at the end thereof the following section:

"SECTION 76. All funds expended for out of state travel within subsidiaries ‘BB’ and ‘OO’, including, but not limited to object codes ‘B01’, ‘BB1’ and ‘B1B’ for any officer or employee compensated by funds within line item 0411-1000 shall be reported to the House and Senate Committees on Ways and Means no more than 30 days after said expenditures. Said report shall include purchase vouchers, receipts and all related materials."

The amendment was adopted.

Mr. Gauch of Shrewsbury then moved that the bill be amended in section 2A by inserting after line 11 the following item:

"1102-6951 For the expansion and improvement of the facilities of the department of youth services: The Department of Youth Services shall relocate the two Programs at the Hadley Building to an alternative site within the Westboro Compound. Said site shall be determined by the Commissioner of DYS in consultation with the Westboro DYS Task Force, provided, that of said amount, not more than six million dollars shall be expended for the establishment of three, fifty bed juvenile bootcamps to be operated by said department to serve the youth committed to said department and youth in the custody of the juvenile court, and provided further, said department in consultation with the juvenile court, shall draft regulations governing the operation of said bootcamps 37,684,000".

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

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 139 members were recorded as being in attendance.

[See Yea and Nay No. 200 in Supplement.]

Therefore a quorum was present.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Gauch; and on the roll call 16 members voted in the affirmative and 132 in the negative.

[See Yea and Nay No. 201 in Supplement.]

Therefore the amendment was rejected.
On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Teague of Yarmouth; and on the roll call 147 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 202 in Supplement.]

Therefore the bill was passed to be engrossed. The bill (House, No. 5269, printed as amended) then was sent to the Senate for concurrence.

The House Bill relative to the expansion, upkeep, and reinvestment in the existing correctional facilities of the Commonwealth and the counties, and the facilities of the Department of Youth Services (House, No. 5262) was read a second time.

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

The House report of the committee on State Administration, ought NOT to pass, on the petition (accompanied by bill, House, No. 3627) of Edward B. Teague III and other members of the House for legislation to limit government subsidized competition with private businesses, was considered.

Pending the question on acceptance of the report, further consideration thereof was postponed, on motion of Mr. Teague of Yarmouth, until after disposition of the remaining matters in the Orders of the Day.

Subsequently, there being no objection, the report was considered further. Pending the question on acceptance of the report, Mr. Teague moved that it be amended by substitution of the Bill to limit government subsidized competition with private enterprise (House, No. 3627), which was read.

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 32 members voted in the affirmative and 116 in the negative.

[See Yea and Nay No. 203 in Supplement.]

Therefore the amendment was rejected; and the report was accepted.

Engrossed Bill — Land Taking.

The engrossed Bill relative to a certain conservation restriction in the town of Wayland (see Senate, No. 1831) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

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

[See Yea and Nay No 204 in Supplement.]

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

Orders of the Day.

The House Bill to improve housing opportunities for elders and non-elderly persons with disabilities (House, No. 4810) was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 5257),— was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mrs. Harkins of Needham, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time, its title having been changed by said committee to read: An Act improving housing opportunities for elders and non-elderly persons with disabilities.

Pending the question on passing the bill to be engrossed, Mr. Connolly of Everett and other members of the House moved, there being no objection, that it be amended in section 11 by inserting after the word “income”, in line 60, the words “; provided that veterans, who meet the eligibility requirement for state aided elderly housing shall be granted preference in selection for housing in the community in which they reside”.

The amendment was adopted.

Mrs. Harkins then moved that the bill be amended in section 12 by striking out the sentence contained in lines 35 to 38, inclusive, and inserting in place thereof the following sentence: “A housing authority or provider of state or federally subsidized housing shall not avail itself of the remedies contained herein except after notice, hearing, and decision on the merits by the court.”.

The amendment was adopted.

There being no objection,— Representatives Harkins of Needham and Rogers of Norwood moved that the bill be amended in section 2A by striking out item 3222-9030 and inserting in place thereof the following item:

For the transitional rental assistance program established by section thirteen of this act; provided, that notwithstanding the provisions of any general or special law to the contrary, said transitional rental assistance shall be in the form of mobile vouchers, so-called; provided further, that said vouchers shall be in varying dollar amounts set by the secretary based on considerations, including but not limited to, household size and composition, ranges of household
income, and geographic location; provided fur-
ther, that at no time shall the total number of
outstanding vouchers exceed eight hundred;
provided further, that the executive office of
communities and development shall pay local
housing agencies administering said program an
adequate fee to cover the costs of administra-
tion; provided, however, that such fee shall not
exceed twenty-five dollars per voucher per
month; provided further, that notwithstanding
any provision of law to the contrary, there
shall be no maximum percentage applicable to
the amount of income paid for rent by each
household holding a mobile voucher, so-called,
but each household shall be required to pay not
less than twenty-five percent of their net
income, as defined in regulations promulgated
by said executive office, for units if utilities are
not provided by the unit owner, or not less than
thirty percent of their income for units if utili-
ties are provided by the unit owner; provided
further, that payments for said transitional
rental assistance may be provided in advance;
provided further, that the executive office of
communities and development shall establish
the amounts of the mobile vouchers, so-called,
so that the appropriation herein is not exceeded
by payments for rental assistance and adminis-
tration; provided further, that the executive
office of communities and development shall
not enter into commitments which will cause it
to exceed the appropriation set forth herein;
provided further, that the amount of a rental
assistance voucher payment for an eligible
household shall not exceed the rent less than
household’s minimum rent obligation; provided
further, that the word ‘rent’ as used in this item
shall mean payments to the landlord or owner
of a dwelling unit pursuant to a lease or other
agreement for a tenant’s occupancy of the
dwelling unit, but shall not include payments
made by the tenant separately for the cost of
heat, cooking fuel, and electricity; provided fur-
ther, that the executive office of communities
and development shall submit an annual report
to the state budget director, the secretary of
administration and finance, and the house and
senate committees on ways and means detailing
expenditures, the number of outstanding rental
vouchers, and the number and types of units
leased; provided, that the amount appropriated
herein shall not annualize to more than four
million dollars in fiscal year nineteen hundred
and ninety-seven; provided further, that nothing
herein shall give rise to enforceable legal rights
Elderly and persons with disabilities,—housing.

in any party or an enforceable entitlement to any form of housing; and provided further, that nothing stated herein shall be construed as giving rise to such enforceable legal rights or such enforceable entitlement ...1,500,000."

The amendment was adopted.

Mr. Finneran of Boston then moved that the bill be amended by inserting after section 17 the following section:

"SECTION 17A. Section 306 of chapter 38 of the acts of 1995 is hereby amended by inserting after the text ‘3222-9024’ the following text:— 3222-9030."

The amendment was adopted.

There being no objection,— Representatives Finneran of Boston, Harkins of Needham and Rogers of Norwood moved that the bill be amended in section 10 by striking out, in lines 8 and 9, the words "with disabilities who is not an elderly person and", and by striking, in line 12, the words "who is not an elderly person and"; and by striking out section 11 and inserting in place thereof the following section:

"SECTION 11. Section 39 of said chapter 121B, as so appearing, is hereby amended by inserting at the end thereof the following new paragraphs:—

Notwithstanding any general or special law to the contrary, a housing authority which manages units provided under this section and section forty shall give priority in placement to non-elderly handicapped persons of low income, who are qualified under the criteria established in regulations promulgated by the department, in up to twelve percent of said units. If a local housing authority determines that there are insufficient numbers of eligible and qualified non-elderly handicapped persons of low income to fill twelve percent of the housing units, the local housing authority shall then place eligible and qualified elderly persons of low income in said units. The twelve percent of units for which eligible and qualified non-elderly handicapped persons of low income receive priority in placement shall include the percentage of units for which handicapped persons of low income without regard to age, and their families, are given priority pursuant to subsection (f) of section forty, when such units are occupied by non-elderly handicapped persons of low income.

Notwithstanding any general or special law to the contrary, a housing authority which manages units provided under this section and section forty shall give priority in placement to elderly persons of low income, who are eligible to receive such housing and who are qualified under the criteria established by regulations of the department, in eighty-eight percent of said units. If a local housing authority determines that there are insufficient numbers of eligible and qualified elderly persons of low income to fill eighty-eight percent of said units the local housing authority shall give priority in placement to eligible and qualified handicapped persons of low income who are on a waiting list for housing developed pursuant
to this section or section forty, and who have attained the age of fifty, but who are less than fifty-five years old. If a local housing authority determines that there are insufficient numbers of elderly persons of low income and handicapped persons of low income who have attained the age of fifty but who are less than fifty-five years old, who have applied for occupancy in housing developed pursuant to this section and section forty to fill eighty-eight percent of said units, the local housing authority shall place other non-elderly handicapped persons of low income who have applied for occupancy in said housing in said units.

Preference for accessible or modified units pursuant to subsection (f) of section forty may be given to handicapped persons of low income, without regard to age, who need one or more of the special design features of said units.

The numerical percentages stated herein shall be deemed policy objectives and in no way shall be an entitlement to any form of housing necessary for compliance with the provisions of this chapter.

The department shall, after consultation with the secretaries of elder affairs and health and human services, promulgate rules and regulations governing the implementation of the priorities in placement, as set forth herein not later than October first, nineteen hundred and ninety-five, and may establish placement ratios among elderly persons of low income and non-elderly handicapped persons of low income to provide for an equitable transition to encourage the percentage policy objectives stated herein for said persons of low income. Until such time that said percentage policy objectives, stated herein, are substantially met, said placement ratios shall not be less than one elderly person of low income for each placement of one non-elderly handicapped person of low income. Said rules and regulations shall only be implemented at local housing authorities where non-elderly handicapped persons of low income represent less than twelve percent of the total residents at said authority; provided, that said rules and regulations shall not be implemented at any local housing authority where non-elderly handicapped persons of low income represent greater than twelve percent of the total residents. The priorities in placement established herein shall not be implemented by local housing authorities until such rules and regulations have been promulgated. Any person who is lawfully residing in housing developed pursuant to this section and section forty when such rules and regulations are promulgated may not be evicted or otherwise required to vacate a housing unit solely as consequence of the priorities in placement established herein.

Nothing stated herein shall give rise to enforceable legal rights in any party or an enforceable entitlement to any form of housing and, further, nothing stated herein shall be construed as giving rise to such enforceable legal rights or such enforceable entitlement.

The amendments were adopted.
On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mrs. Harkins of Needham; and on the roll call 146 members voted in the affirmative and 0 in the negative.

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

Therefore the bill (House, No. 5270, printed as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Report of a Committee.

By Mr. Finneran of Boston, for the committee on Ways and Means, that the Bill relative to the disposition of certain state owned property in the towns of Dover and Wellesley (House, No. 5163) ought to pass with amendments in section 1 by striking out, in lines 7 and 8, the words “for the sum of one ($1.00) dollar per year” and inserting in place thereof the words “for consideration described in Section 1A of this act”; and by inserting after section 1 the following section:

“SECTION 1A. The consideration for the lease described in section one shall be in the form of the expenditures for the stabilization and restoration of the structures on the premises which are the subject of the lease as described in section two of this act and for such additional consideration, if any, that the inspector general deems necessary to effectuate and achieve the full and fair market value of the lease or leases authorized herein. Any such determination of additional consideration in the form of compensation, shall be determined by the inspector general only after an appraisal of the value of the property in its present condition and an appraisal of the value of the property in its proposed improved condition as stabilized and restored.”.

Under suspension of Rule 41, on motion of Mr. Finneran of Boston, the bill was read a second time forthwith. The amendments previously recommended by the committee on Ways and Means then were adopted.

Pending the question on ordering the bill, as amended, to a third reading, Mr. Stoddart of Natick moved that it be amended by adding at the end of section 1 the following sentence: “The existing soccer fields shall not be included nor attendant/adjacent parking diminished as part of any lease heretofore described.”.

The amendment was adopted.

The same member then moved that the bill be amended by inserting after section 4 the following section:

“SECTION 4A. Prior to the signing of any lease under this act, the Massachusetts Horticultural Society M.H.S. shall present to the Metropolitan District Commission traffic impact and visitor safety studies. The Metropolitan District Commission shall contemplate such studies in preparation of its lease with the M.H.S.”.

The amendment was adopted.

Mr. Stoddart then moved that the bill be amended in section 2 by striking out, in line 30 and also in line 43, the following: “ninety-
nine (99)” and inserting in place thereof, in each instance, the fol-
lowing: “fifty (50)”.

After remarks the amendments were rejected.

The same member then moved that the bill be amended in
section 2 by striking out, in lines 57, 58 and 59, the following:
“sixty-nine (69) years, with an option to extend such lease for an
additional period of thirty (30) years” and inserting in place thereof
the following: “thirty-five (35) years”; and by adding at the end
thereof the following section:

“SECTION 6. The monies required under this act to be expended
by the Mass. Horticultural Society shall not include administrative,
fundraising or architectural fee costs.”.

After debate on the question on adoption of the amendments, the
sense of the House was taken by yeas and nays, at the request of
Mr. Stoddart; and on the roll call 28 members voted in the affirma-
tive and 118 in the negative.

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

Therefore the amendments were rejected; and the bill, as
amended, was ordered to a third reading.

Under suspension of the rules, on motion of Mrs. Harkins of
Needham, the bill was read a third time; and after remarks it was
passed to be engrossed. The bill (House, No. 5163, amended) then
was 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 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. Serra then moved that the House adjourn; and the motion
prevailed. Accordingly, without further consideration of the
remaining matters in the Orders of the Day, at two minutes before
six o’clock P.M. (the Speaker being in the Chair), the House
adjourned, to meet on Thursday next at eleven o’clock A.M., in an
Informal Session.

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

Prayer.

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

Eternal God, we take a moment to turn our thoughts to You and to reflect briefly on the spiritual dimension of daily living. Inspire us to keep in proper perspective the material and spiritual needs of the people and of society. Grant us the courage to follow Your precepts and ways and to respect the Golden Rule. Help us to be fair and just in enacting legislation and to accept the responsibility for our personal decisions and actions. May the well-being of people and the needs of our communities remain personal and legislative priorities.

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

Pledge of allegiance.

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 Murray of Cohasset.

During consideration of the Orders of the Day, Mrs. Murray of Cohasset 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 during the preceding sitting, I was absent from the House Chamber due to a previous commitment. Had I been present for the taking of Yea and Nay Nos. 198, 202, 203, 204 and 205, I would have been recorded in the affirmative; and had I been present for the taking of Yea and Nay Nos. 199, 201 and 206, I would have been recorded in the negative.

Mrs. Murray 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. Kennedy of Brockton) congratulating Helen Mary (Crowley) Callahan on the occasion of her one hundredth birthday; and

Resolutions (filed by Mr. Koczera of New Bedford) commending Captain James M. Kenney on his thirty years of service in the United States Navy and Navy Reserve;

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

Order.

The following Order (filed by Mr. Stefanini of Framingham) 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, the committee on Health Care be granted until Monday, August 21, 1995, within which to make its final report on current House documents numbered 5182 and 5183.

Mrs. Menard of Somerset, for the committees on Rules, reported that the order ought to be adopted. Under suspension of Rule 42, on motion of Mr. Stefanini, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Petitions.

Mr. Glodis of Worcester presented a petition (subject to Joint Rule 12) of William J. Glodis, Jr., relative to the registration and activities of executive agents; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Flaherty of Cambridge, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of Rule 42, on motion of Mr. Glodis, 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, reported on the foregoing petition, a Bill relative to the registration and activities of executive agents (House, No. 5280), which was read.

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

Petitions severally were presented and referred as follows:

By Mr. Binienda of Worcester, petition (subject to Joint Rule 12) of John J. Binienda, John F. Quinn and William J. Glodis, Jr., for legislation to provide bullet proof vests for municipal fire inspectors.

By Mr. Brett of Boston, petition (subject to Joint Rule 12) of James T. Brett and Thomas M. Finneran (with the approval of the mayor and city council) relative to the eligibility of primary officers in the city of Boston.

By Mr. Finneran of Boston, petition (subject to Joint Rule 12) of Thomas M. Menino (mayor), Kevin G. Honan and other members of the General Court (with the approval of the mayor and city council) for legislation to provide for the establishment of a new medical center in the city of Boston.
By Mr. Guerriero of Melrose (by request), petition (subject to Joint Rule 12) of Thomas V. Bennett relative to proceedings affecting title to real property.

By Mr. Hawke of Gardner, petition (subject to Joint Rule 12) of Mary Jane Simmons, Robert D. Hawke and Brian P. Lees for legislation to authorize veterans to display and exhibit certain memorabilia in the State House.

By Mr. Herren of Fall River, petition (subject to Joint Rule 12) of Albert Herren for legislation to establish a sick leave bank for Raymond T. Nogueira, an employee of said department.

By Mr. Klimm of Barnstable, petition (subject to Joint Rule 12) of John C. Klimm relative to the administration of the Hyannis Fire District.

By Mr. Lynch of Boston, petition (subject to Joint Rule 12) of Stephen F. Lynch, Vincent P. Ciampa and James V. DiPaola for legislation to designate the South Station Transportation Center Bus Terminal in the city of Boston as the John J. "Happy" Coombs Terminal.

By Mr. Teague of Yarmouth, petition (subject to Joint Rule 12) of Edward B. Teague III and Henri S. Rauschenbach relative to the construction of certain facilities in Barnstable County.

By Mr. Verga of Gloucester, petition (subject to Joint Rule 12) of Anthony J. Verga, Bruce E. Tarr, Evelyn G. Chesky, Shirley Gomes and another relative to advisory boards on county expenditures.

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

Papers from the Senate.

The House Bill further regulating the membership of the Higher Education Coordinating Council (House, No. 1489) came from the Senate passed to be engrossed, in concurrence, with an amendment adding at the end thereof the following three sections:

"SECTION 2. Section 277 of chapter 60 of the acts of 1994 is hereby amended by striking out subsection (J) and inserting in place thereof the following subsection:

(J) The corporation shall not exercise any of the following powers, duties, actions, responsibilities or authorities in the absence of review and comment by the inspector general of the commonwealth, which review and comment shall be provided within two weeks of submission by the corporation of a plan setting forth the power, duty, action, responsibility or authority proposed to be taken:

(1) entering into a contract requiring an annual expenditure in excess of one hundred thousand dollars by the corporation; provided, however, that the corporation is authorized, without further review, to enter into those contracts necessary to acquire the site;

(2) borrowing monies such that the outstanding amount of monies borrowed by the corporation exceed one hundred thousand dollars;

(3) entering into a contract requiring the sale of any asset of the corporation purchased with monies appropriated by the commonwealth; and
(4) entering into a contract requiring the sale of all or substantially all of the assets of the corporation.

The corporation shall submit annually an audited financial statement to the house and senate committees on ways and means.

SECTION 3. Section 125 of chapter 273 of the acts of 1994 is hereby amended by striking out subsection (J) and inserting in place thereof the following subsection:—

(J) The corporation shall not exercise any of the following powers, duties, actions, responsibilities or authorities in the absence of review and comment by the inspector general of the commonwealth, which review and comment shall be provided within two weeks of submission by the corporation of a plan setting forth the power, duty, action, responsibility or authority proposed to be taken:

1. entering into a contract requiring an annual expenditure in excess of one hundred thousand dollars by the corporation; provided, however, that the corporation is authorized, without further review, to enter into those contracts necessary to acquire the site;
2. borrowing monies such that the outstanding amount of monies borrowed by the corporation exceed one hundred thousand dollars;
3. entering into a contract requiring the sale of any asset of the corporation purchased with monies appropriated by the Commonwealth; and
4. entering into a contract requiring the sale of all or substantially all of the assets of the corporation.

The corporation shall submit annually an audited financial statement to the house and senate committees on ways and means.

SECTION 4. This act shall take effect upon its passage.

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

The House Bill further amending the campaign finance and lobbying laws (House, No. 3527, changed) came from the Senate passed to be engrossed, in concurrence, with the following amendments:

Striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1943; striking out the title and inserting in place thereof the following title: "An Act further amending the lobbying laws."; and striking out the emergency preamble and inserting in place thereof the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately amend and clarify the lobbying laws of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

Under suspension of the rules, on motion of Mr. Glodis of Worcester, the amendments were considered forthwith.
The same member then moved that the House concur with the Senate in its amendments with a further amendment striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text of House document numbered 5279. The further amendment was adopted.

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

Reports of Committees.

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

Petition (accompanied by bill) of Thomas S. Cahir relative to the penalties for failure to stop a motor vehicle on the order or signal of a police officer. To the committee on Criminal Justice.

Petition (accompanied by bill) of Thomas S. Cahir relative to the use of septic systems. To the committee on Natural Resources and Agriculture.

Petition (accompanied by bill) of Thomas S. Cahir for legislation to prohibit the operation of motor vehicles by persons wearing headphones. To the committee on Public Safety.

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

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

Petition (accompanied by bill) of Edward B. Teague III, John A. Lepper, Gary M. Coon, Francis L. Marini, David M. Peters and Linda C. Teagan for legislation to prohibit disciplinary action against teachers due to membership or non-membership in a union. To the committee on Education, Arts and Humanities.

Petition (accompanied by bill) of Edward B. Teague III, David M. Peters and Gary M. Coon relative to the distribution of voting lists. To the committee on Election Laws.

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

By Mr. Turkington of Falmouth, for the committee on Counties on the part of the House, asking to be discharged from further consideration of the Bill relative to municipal fraud audits (House, No. 2837), — and recommending that the same be recommitted to the committee on State Administration. Under Rule 42, the report was considered forthwith; and it was accepted.
By Mr. Serra of Boston, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration

Of the Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain House documents concerning low income subsidized apartments, building lot sizes, housing construction and low and moderate income housing (House, No. 5016);

Of the Order relative to authorizing the committee on Public Service to make an investigation and study of certain Senate and House documents concerning benefits for public employees and other related matters (House, No. 5017);

Of the Order relative to authorizing the committee on State Administration to make an investigation and study of a certain House document concerning the placement of providers of services to the Commonwealth under the ethics law (House, No. 5018):

Of the Order relative to authorizing the committee on State Administration to make an investigation and study of a certain House document concerning regulations for the publication of hearings by public agencies under the state administration procedure law (House, No. 5019);

Of the Order relative to authorizing the committee on State Administration to make an investigation and study of a certain House document concerning the membership of boards, commissions and authorities of the Commonwealth (House, No. 5020);

Of the Order relative to authorizing the committee on Public Safety to make an investigation and study of certain Senate and House documents concerning the Registry of Motor Vehicles and the registration, testing and operation of motor vehicles and other related matters (House, No. 5035);

Of the Order relative to authorizing the committee on Public Safety to make an investigation and study of a certain Senate document regulating the disposal of abandoned above ground storage tanks (House, No. 5036);

Of the Order relative to authorizing the committee on Public Safety to make an investigation and study of certain Senate and House documents concerning high speed pursuits, enforcement, arresting and jurisdictional powers of municipal and state police and other related matters (House No. 5037);

Of the Order relative to authorizing the committee on Public Safety to make an investigation and study of certain Senate and House documents regulating the fees charged by the Registry of Motor Vehicles and of the renewal of licenses and registrations for elderly persons (House, No. 5038);

Of the Order relative to authorizing the committee on Public Safety to make an investigation and study of certain Senate and House documents further regulating the use of all terrain vehicles in the Commonwealth (House, No. 5039);
Of the Order relative to authorizing the committee on Public Safety to make an investigation and study of certain Senate and House documents concerning blasting operations, the installation of sprinklers and certification of fire prevention officers and persons involved in the stopping of fires (House, No. 5040); :

Of the Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning the establishment of regional police lock-up facilities (House, No. 5041);

Of the Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning traffic supervisors on state road projects, the speed limit and the transportation of animals (House, No. 5042);

Of the Order relative to authorizing the committee on State Administration to make an investigation and study of certain Senate and House documents concerning public construction contracts in the Commonwealth (House, No. 5043);

Of the Order relative to authorizing the committee on Transportation to make an investigation and study of certain Senate and House documents concerning the Aeronautics Commission, the Port Authority, the Transportation Authority, the Turnpike Authority, and the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority (House, No. 5044);

Of the Order relative to authorizing the committee on Banks and Banking to make an investigation and study of certain Senate and House documents concerning interstate banking (House, No. 5057);

Of the Order relative to authorizing the committee on Banks and Banking to make an investigation and study of certain Senate and House documents concerning mortgage loans and other matters related to the granting of mortgages by banking institutions (House, No. 5058);

Of the Order relative to authorizing the committee on Energy to make an investigation and study of certain Senate and House documents concerning beverage containers, public utilities, petroleum and coal products, energy efficiency and other related matters (House, No. 5059);

Of the Order relative to authorizing the committee on Government Regulations to make an investigation and study of certain Senate and House documents concerning the licensing of professions and other matters related to the operation of regulatory boards in the Commonwealth (House, No. 5060);

Of the Order relative to authorizing the committee on Government Regulations to make an investigation and study of certain Senate and House documents concerning the sale of alcoholic beverages and other related matters (House, No. 5061);

Of the Order relative to authorizing the committee on Health Care to make an investigation and study of certain Senate and House documents concerning "health care workers" and the disability of such workers with HIV infection (House, No. 5062);
Of the Order relative to authorizing the committee on Health Care to make an investigation and study of certain Senate and House documents prohibiting the sale of tobacco products in health care facilities, public buildings and in pharmacies (House, No. 5063);

Of the Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning the ownership of condominiums in the Commonwealth (House, No. 5064);

Of the Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning rent subsidies and subsidized housing programs (House, No. 5065);

Of the Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning landlords and tenants, rental agreements, services, sanitary facilities, eviction procedures, security deposits and other related housing matters (House, No. 5066);

Of the Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning public housing in the Commonwealth and other related matters (House, No. 5067);

Of the Order relative to authorizing the committee on Health Care to make an investigation and study of certain Senate and House documents concerning the health and welfare of residents of the Commonwealth and various other matters related thereto (House, No. 5077);

Of the Order relative to authorizing the committee on Public Safety to make an investigation and study of certain Senate and House documents further regulating the issuance of registration plates by the Registry of Motor Vehicles and other related matters (House, No. 5078);

Of the Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning the operation, inspection and the safe operation of motorcycles in the Commonwealth (House, No. 5080):

Of the Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning landlords and tenants, civil actions, small claims court procedures, liability of the Commonwealth, wills and trusts, the indemnification of public employees and other related matters (House, No. 5145);

Of the Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning crimes against children, guardians, divorce, foster parents, custody issues, adoption, domestic abuse and various other related matters (House, No. 5146);

Of the Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning court facilities, the jurisdiction of courts, registrars of deeds, district attorneys, court personnel, court costs, jury service and other related matters (House, No. 5147);
Of the Order relative to authorizing the committee on Local Affairs to make an investigation and study of certain House documents concerning councils on aging and the issuance of building permits in cities and towns (House, No. 5148):

Of the Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning uniform interstate family support law, information on criminal offenders, civil liability for sports officials, legal fees of minors, age, minority, and suits against tobacco companies (House, No. 5154);

Of the Order relative to authorizing the committee on Health Care to make an investigation and study of certain Senate and House documents regulating Medicaid contracting, hospital pharmacies and requiring emergency rooms in hospitals to be equipped for pediatric emergencies (House, No. 5197);

Of the Order relative to authorizing the committee on Human Services and Elderly Affairs to make an investigation and study of certain Senate and House documents concerning reports of abuse of children and elderly persons, housing notices under the State Sanitary Code and veterans' benefits (House, No. 5198);

Of the Order relative to authorizing the committee on Human Services and Elderly Affairs to make an investigation and study of a certain House document providing for the establishment of a state association for settlement houses and neighborhood centers (House, No. 5199);

Of the Order relative to authorizing the committee on Human Services and Elderly Affairs to make an investigation and study of a certain House document providing for the establishment of a statewide child care and early childhood education program within the Office for Children (House, No. 5201);

Of the Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain Senate and House documents concerning economic programs, employment practices, workers' compensation, labor relations, unemployment benefits and various other related matters (House, No. 5208);

Of the Order relative to authorizing the committee on Education, Arts and Humanities to make an investigation and study of certain Senate and House documents concerning special needs education, development programs and other educational matters. (House, No. 5265); and

Of the Order relative to authorizing the committee on Education, Arts and Humanities to make an investigation and study of certain Senate and House documents concerning public higher education, school attendance and other related educational matters (House, No. 5266);

And recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.
By Mr. Haley of Weymouth, for the committee on Criminal Justice, on Senate, Nos. 173, 178, 205 and 233 and House, Nos. 300, 1669, 3500 and 4746 (Appendix B), an Order relative to authorizing the committee on Criminal Justice to make an investigation and study of certain Senate and House documents concerning drug violations, death penalty and other related matters (House, No. 5271).

By Mr. McDonough of Boston, for the committee on Insurance, on House, Nos. 36, 47, 338, 340, 342, 345, 759, 760, 762, 766, 1104, 1105, 1330, 1332, 1527, 1529, 1704, 1709, 1710, 1713, 1714, 1715, 1719, 1844, 1845, 1846, 1849, 1851, 1852, 2036, 2037, 2041, 2042, 2043, 2045, 2202, 2590, 2593, 2595, 2596, 2763, 2765, 2949, 2954, 3124, 3125, 3127, 3361, 3364, 3558, 3753, 3754, 4311, 4314, 4317, 4319, 4484, 4487, 4489, 4490, 4616, 4618 and 4884, an Order relative to authorizing the committee on Insurance to make an investigation and study of certain House documents concerning motor vehicle insurance rates, deductions and other related matters (House, No. 5272).

By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, on Senate, Nos. 1096, 1108, 1110, 1111, 1117, 1126, 1144, 1146, 1148, 1157, 1163, 1165, 1166, 1172, 1173, 1176, 1178, 1185, 1193, 1195, 1553 and 1815 and House, Nos. 375, 376, 377, 378, 595, 596, 948, 952, 1161, 1172, 1346, 1350, 2073, 2401, 2402, 2403, 2405, 2612, 2620, 2788, 2792, 3186, 3189, 3385, 3393, 3394, 3396, 3408, 3412, 3418, 3421, 3426, 3590, 3591, 3593, 3970, 3976 and 4684, an Order relative to authorizing the committee on Natural Resources and Agriculture to make an investigation and study of certain Senate and House documents concerning sporting licenses, bovine growth, recycling and solid waste facilities and other environmentally related matters (House, No. 5273).

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

Subsequently Mr. Serra of Boston, for said committees, reported, in each instance, asking to be discharged from further consideration of said orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Rushing of Boston, for the committee on Public Service, on Senate, No. 1328 and House, No. 1366, a Bill further regulating the rights of certain state, county and municipal employees who were laid off in the years nineteen hundred and eighty-one and nineteen hundred and eighty-two (House, No. 1366).

By the same member, for the same committee, on House, No. 624, a Bill to clarify continuous service in a retirement system (House, No. 5275).

Severally read; and referred, under Rule 33, to the committee on Counties on the part of the House.

By Mr. Rushing of Boston, for the committee on Public Service, on Senate, Nos. 1362, 1406, 1407 and 1408 and, House, Nos. 418, 1588, 1608, 2815 and 4728, a Bill relative to creditable service for
service rendered in United States overseas dependent schools (House, No. 1608).

By the same member, for the same committee, on a petition, a Bill relative to group insurance coverage for surviving children of certain police officers (House, No. 4533).

By the same member, for the same committee, on a petition, a Bill further regulating public employee retirement in the Commonwealth (House, No. 4997).

By the same member, for the same committee, on Senate, No. 1797 and House, Nos. 616, 1591 and 2810, a Bill extending creditable service for military, peace corps and VISTA service (House, No. 5274).

By the same member, for the same committee, on House, Nos. 420, 983, 986, 1003, 1004, 2642, 3046, 3049, 3220, 3248 and 4726, a Bill amending personnel management (House, No. 5276).

By Mr. Brett of Boston, for the committee on Taxation, on House, No. 3832, a Bill relative to the assignment of municipal taxes (House, No. 5277).

By Mr. Cahir of Bourne, for the committee on Transportation, on House, No. 3482, a Bill relative to excavation (House, No. 5278).

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

Reconsideration.

Mr. Connolly of Everett moved that the vote be reconsidered by which the House, at the preceding sitting, passed to be engrossed the House Bill to improve housing opportunities for elders and non-elderly persons with disabilities (House, No. 5270); and, there being no objection, the motion to reconsider was considered forthwith and it prevailed.

Pending the recurring question on passing the bill to be engrossed, Mr. Connolly and other members of the House moved, there being no objection, that it be amended in section 11 by inserting after line 45 the following paragraph:

"Low income veterans, who meet the eligibility and qualification requirements for housing pursuant to this section, shall be granted preference and selection for such housing in the community in which such veterans reside."

The amendment was adopted; and the bill, as amended, was passed to be engrossed. The bill (House, No. 5270, amended) then was sent to the Senate for concurrence.

Orders of the Day.

The House Bill designating a certain bridge in the town of Freetown as the Freetown VFW Post 6643 Memorial Bridge (House, No. 5186) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.
Emergency Measure.

Ms. Donovan of Woburn being in the Chair, — the engrossed Bill relative to the registration and activities of executive agents (see House, No. 5280), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

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

Order.

On motion of Mrs. Walrath of Stow,—

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

At eighteen minutes after twelve o'clock noon, on motion of Mrs. Walrath (Ms. Donovan of Woburn being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.
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, in Whom we place our trust, we pause for a moment of reflection to ask for guidance and direction as we carry out our Constitutional and personal obligations. Help us to evaluate correctly political and ethical issues before we select our realistic options. Grant us the wisdom and the knowledge to articulate to the electorate the many complex issues in our diverse and pluralistic society. Teach us to respect and to weigh the views of others in forming public policy, and give us the courage to make sound and responsible decisions even if the decisions are unpopular or unappreciated.

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

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

Resolutions.

Resolutions (filed with the Clerk by Mr. Iannuccillo of Lawrence) congratulating Valebrook Apartments in the city of Lawrence on the occasion of its fifteenth anniversary, were referred, under Rule 85, to the committee on Rules.

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

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

- Resolutions (filed by Ms. Kerans of Danvers) congratulating Jonathan J. Hazel on receiving the Eagle Award of the Boy Scouts of America; and
- Resolutions (filed by Ms. Kerans of Danvers) congratulating Matthew T. Thibault on receiving the Eagle Award of the Boy Scouts of America;

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

The following order (filed by Mr. McDonough 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, the committee on Insurance be granted until Friday, September 1, 1995, within which to make its final report on current House document numbered 2757.

Mrs. Menard of Somerset, for the committees on Rules, reported that the order ought to be adopted. Under suspension of Rule 42, on motion of Mr. McDonough, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mrs. Gray of Framingham) 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, the committee on Natural Resources and Agriculture be granted until Friday, October 13, 1995, within which to make its final report on current House document numbered 5135.

Mrs. Menard of Somerset, for the committees on Rules, reported that the order ought to be adopted. Under suspension of Rule 42, on motion of Mrs. Gray, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

An Order (filed this day with the Clerk by Mr. Hynes of Marshfield) relative to the appointment of a special committee of the House to make an investigation and study of the subsurface disposal of sanitary sewage and the revolving fund of the Commonwealth for the construction of waste water treatment facilities (House, No. 5291) was referred, under Rule 85, to the committee on Rules.

Mr. Flaherty of Cambridge, for the committee on Rules, reported that the order ought to be adopted; and the same was referred, under Rule 33, to the committee on Ways and Means.

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

Papers from the Senate.

Bills

Establishing a charter for the county of Nantucket (Senate, No. 135, changed by striking out the five paragraphs contained in lines 14 to 33, inclusive, as printed, and inserting in place thereof the following section:

"SECTION 3. Ratification by the Voters. On the official ballot, to be used in the county of Nantucket at the next annual election for town officers at least two months after such enactment, the question shall be placed substantially as follows:
Nantucket County,—

charter.

'Shall an act passed by the General Court in the year 1995 entitled "An Act to establish a charter for the county of Nantucket" be accepted?'

A summary of the charter, which summary is to be prepared and approved by the attorney general shall accompany the ballot question described herein.

If the majority of the votes cast in answer to said question is in the affirmative, the charter set forth herein shall take full effect but not otherwise.'; by inserting after the word "Laws", in line 211, as printed, the words "and the Constitution"; and by striking out, in line 270, as printed, the word "Board" and inserting in place thereof the word "committee"; and amended by striking out the paragraph contained in lines 1 to 5, inclusive, as printed, and inserting in place thereof the following two sections:

"SECTION 1. We, the inhabitants of the County of Nantucket, in order to provide more perfectly for a regional government known as the County of Nantucket, to provide for the common welfare, and to secure for ourselves and for our community all the rights, powers, privileges, duties and obligations which may now or hereinafter be derived from county government, do hereby establish for ourselves and for our community this instrument to be known as the charter of and for the county of Nantucket within the commonwealth of Massachusetts in the United States of America.

SECTION 1A. Establishment of Charter. The charter of and for the county of Nantucket shall be, and is hereby declared to be, as set forth in section four; provided, however, that the same shall be adopted by the voters of the town as set forth in Section 3 hereof:"

(on a petition); and

Providing for modification of the purposes of, and the investments permitted to, the Andover Firemen's Relief Association (Senate, No. 1475) (on a petition);

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 committee on State Administration, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1786) of Cheryl A. Jacques and Elliott Reinert for legislation relative to enhancing access to educational software for public schools, and recommending that the same be referred to the Senate committee on Ways and Means,—accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, insomuch as relates to the discharge of the committee.

A petition of Michael W. Morrissey, Kenneth T. Lyons, James Farley and Patricia Barbaro for legislation relative to crediting state employees at 1135 Ruggles Street in the city of Boston with sick leave while assigned to said building, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.
The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1978) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

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

Petition (accompanied by bill) of Eric Turkington relative to the budget of the Up-Island Regional School District of Martha’s Vineyard. To the committee on Education, Arts and Humanities.

Petition (accompanied by bill) of Eric Turkington relative to the issuance of an independent clinical social worker’s license to J. Winstead Adams. To the committee on Human Services and Elderly Affairs.

Petition (accompanied by bill) of Angelo M. Scaccia relative to the bail magistrate authority of the clerk of the Boston Municipal Court for Criminal Business. To the committee on the Judiciary.

Petition (accompanied by bill) of Eric Turkington relative to the issuance of debt obligations by regional refuse disposal districts. To the committee on Local Affairs.

Petition (accompanied by bill) of John F. Quinn and Mark C. Montigny (by vote of the town) for legislation to authorize the town of Dartmouth to classify the position of harbor master in said town under Group 4 of the contributory retirement system. To the committee on Public Service.

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

By Mr. Serra of Boston, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration of the residue of the Order relative to authorizing the committee on Public Safety to make an investigation and study of certain Senate and House documents concerning the licensing of school bus operators, the equipment on school buses and school bus safety in the Commonwealth (House, No. 5079),— and recommending that the same be referred to the committee on Rules. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Hodgkins of Lee, for the committee on State Administration, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3632) of Cele Hahn and other members of the House for legislation to increase the membership of the Board of Directors of the Massachusetts Turnpike Authority,— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the discharge of the committee.
By Mr. Brett of Boston, for the committee on Taxation, on House, Nos. 5142, 5151, and 5234, an Order relative to authorizing the committee on Taxation to make an investigation and study of certain House documents concerning property taxes in the town of Lexington, the return of sales tax revenue to cities and towns, and the exemption of personal property from local taxation (House, No. 5297). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Serra of Boston, for said committees, reported asking to be discharged from further consideration of said order; and recommending that the same be referred to the House committee on Rules. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Hodgkins of Lee, for the committee on State Administration, on House, Nos. 2663 and 3455, a Bill relative to the expansion of the Commonwealth's correctional system and for the upkeep of, and reinvestment in, the existing correctional facilities operated by the Commonwealth and by the counties (House, No. 3455) [Bond Issue: $565,000,000.00]. Read; and referred, under Rule 33, to the committee on Counties on the part of the House.

By Mr. Caron of Springfield, for the committee on Public Safety, on a petition, a Bill relative to handicapped plates (House, No. 1911).

By the same member, for the same committee, on Senate, No. 1304 and House, Nos. 392 and 2417, a Bill relative to distinctive license plates (House, No. 2417).

By the same member, for the same committee, on a petition, a Bill authorizing the issuance of farmer license plates to persons engaged in aquaculture (House, No. 3029).

By the same member, for the same committee, on a petition, a Bill regulating the sale of automotive paint products (House, No. 3677).

By the same member, for the same committee, on a petition, a Bill relative to number plates issued to disabled veterans (House, No. 4629).

By the same member, for the same committee, on a recommitted petition, a Resolve providing for an investigation and study by the Department of Education relative to school bus safety (House, No. 4699).

By the same member, for the same committee, on House, No. 3196, a Bill relative to leased cars (House, No. 4853).

By the same member, for the same committee, on House, No. 3196, a Bill relative to the use of a mobile telephone when operating a motor vehicle (House, No. 5288).

By the same member, for the same committee, on House, No. 4855, a Bill relative to authorizing certain health care personnel to notify the Registry of Motor Vehicles when they believe a patient is mentally, physically or in any other way incapable of operating a motor vehicle (House, No. 5289).
By the same member, for the same committee, on House, No. 4648, a Bill relative to the reorganization of the Department of Public Safety and fire services of the Commonwealth (House, No. 5290).

By Mr. Hodgkins of Lee, for the committee on State Administration, on House, Nos. 141 and 159, a Bill authorizing the Commissioner of the Division of Capital Planning and Operations to acquire certain parcels of land in the city of Woburn (House, No. 159).

By the same member, for the same committee, on a petition, a Bill relative to the State Auditor (House, No. 436).

By the same member, for the same committee, on a petition, a Bill relative to the deposit of state funds (House, No. 438).

By the same member, for the same committee, on a petition, a Bill authorizing the Division of Capital Planning and Operations to convey a certain parcel of land in the town of Tewksbury (House, No. 443).

By the same member, for the same committee, on a petition, a Bill to further regulate the filing of personal data systems notices and authorizing the publication of said notices by the Secretary of the Commonwealth (House, No. 1405).

By the same member, for the same committee, on a petition, a Bill relative to a freedom of information commission (House, No. 1406).

By the same member, for the same committee, on a petition, a Bill relative to Department of Mental Health land sold or leased in the Commonwealth (House, No. 1616).

By the same member, for the same committee, on a petition, a Bill providing for an annual payment in lieu of taxes by the Massachusetts Port Authority (House, No. 2271).

By the same member, for the same committee, on a petition, a Bill to monitor state privatization contracts (House, No. 2272).

By the same member, for the same committee, on a petition, a Bill authorizing the Division of Capital Planning and Operations to grant certain easements in the town of Oak Bluffs (House, No. 2284).

By the same member, for the same committee, on a petition, a Bill relative to the composition of the Massachusetts Water Resources Authority board of directors (House, No. 4541).

By the same member, for the same committee, on a petition, a Bill authorizing and directing the Commissioner of Capital Planning and Operations to convey to the city of Cambridge a certain parcel of land in said city under the control of the Metropolitan District Commission (House, No. 4638) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the Division of Capital Planning and Operations to convey a certain parcel of land located in the town of Holden (House, No. 4794).

By the same member, for the same committee, on a petition, a Bill authorizing the Division of Fisheries and Wildlife to convey to the town of Wilbraham certain land in said town (House, No. 4963).
By the same member, for the same committee, on the petition, a Bill authorizing the Division of Capital Planning and Operations to convey a certain parcel of land in the town of Halifax (House, No. 5217).

By the same member, for the same committee, on a petition, a Bill authorizing the Division of Capital Planning and Operations to grant easements over certain parcels of land located in the city of Lowell (House, No. 5218).

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

By Mr. Hodgkins of Lee, for the committee on State Administration, that the recommitted Bill allowing certain persons to serve on the Human Rights Advisory Committee (House, No. 190) ought to pass. Placed in the Orders of the Day for the next sitting, the question being on ordering the bill to a third reading.

By Mr. Turkington of Falmouth, for the committee on Counties on the part of the House, that the Bill relative to health insurance for part-time municipal employees (House, No. 4891) ought to pass. Placed in the Orders of the Day for the next sitting for a second reading.

By Mr. McDonough of Boston, for the committee on Insurance, on a petition, a Bill requiring the payment of interest on life insurance policies (House, No. 3363).

By the same member, for the same committee, on House, Nos. 3858 and 4481, a Bill to require an insurable interest for the issuance of life and accident insurance (House, No. 5298).

By the same member, for the same committee, on House, No. 3938, a Bill to ensure the integrity of our health care system (House, No. 5299).

By Mr. Caron of Springfield, for the committee on Public Safety, on a petition, a Bill prohibiting sex offenders from work release programs (House, No. 1915).

By the same member, for the same committee, on a petition, a Bill further regulating the use of automatic sprinklers in certain high rise buildings (House, No. 2435)

By the same member, for the same committee, on House, Nos. 2637, 2638, 3604, 3991 and 4358, a Bill to protect the community from sexual offenders (House, No. 2638, changed by striking out, in line 25, and also in line 32, the word “shall” and inserting in place thereof, in each instance, the word “may”).

By the same member, for the same committee, on a petition, a Bill further regulating the leasing of motor vehicles (House, No. 5213).
By the same member, for the same committee, on Senate, No. 1282 and House, Nos. 1362 and 1908, a Bill relative to child passenger restraints in motor vehicles (House, No. 5301).

By Mr. Binienda of Worcester, for the same committee, on a petition, a Bill further regulating the operation of motors of certain vehicles while stopped (House, No. 4725).

By Mr. Rushing of Boston, for the committee on Public Service, on a petition, a Bill providing that the employees of the Committee for Public Counsel Services shall have collective bargaining rights under Chapter 150E of the General Laws, (House, No. 817).

By the same member, for the same committee, on the petition, a Bill concerning retirement board hearings for employee termination (House, No. 2654).

By the same member, for the same committee, on a petition, a Bill relative to the early retirement of a certain employee of the water supply district of Acton (House, No. 4866).

By the same member, for the same committee, on House, No. 1381, a Bill regulating state police promotional exams (House, No. 5302).

By Mr. Hodgkins of Lee, for the committee on State Administration, on a petition, a Bill limiting the use of modular construction bidding provisions for specially planned permanent building construction (House, No. 1227).

By the same member, for the same committee, on a petition, a Bill relative to including private non-profit corporations which receive public funds under the provisions of the open meeting and open records laws (House, No. 2112).

By the same member, for the same committee, on a petition, a Bill relative to the Massachusetts Port Authority board (House, No. 2282).

By the same member, for the same committee, on a petition, a Bill making certain changes in the bidding of fence erection contracts (House, No. 4017).

By the same member, for the same committee, on a petition, a Bill making certain changes in the bidding of landscaping contracts (House, No. 4019).

By the same member, for the same committee, on a petition, a Bill providing for greater accountability on public works projects (House, No. 4216).

By the same member, for the same committee, on a petition, a Bill providing for the installation of plaques honoring veterans in the State House (House, No. 4388).

By the same member, for the same committee, on a petition, a Bill relative to auditing practices (House, No. 4545).

By the same member, for the same committee, on a petition, a Bill relative to the membership of the Armory Commission (House, No. 4547).

By the same member, for the same committee, on a petition, a Bill relative to uniform procurement procedures (House, No. 4966).
By the same member, for the same committee, on a petition, a Bill designating the Plymouth County district attorney’s office building in Brockton the William C. O’Malley building (House, No. 5026).

By the same member, for the same committee, on a petition, a Bill providing for leasing of the parking lot area known as 0 Hampshire Street by the town of Methuen (House, No. 5034) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill exempting certain contracts from the Uniform Procurement Act (House, No. 5053).

By the same member, for the same committee, on a petition, a Bill designating a certain athletic complex as the Joseph Zavattaro Athletic Complex (House, No. 5214).

By the same member, for the same committee, on a petition, a Bill relative to the Groton Country Club Authority (House, No. 5216) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the town of Weston to convey certain parcels of conservation land to Wolfgang Klietmann and others (House, No. 5223) [Local Approval Received].

By Mr. Brett of Boston, for the committee on Taxation, on House, Nos. 255 and 267, a Bill providing for the local option of a property tax deferral for taxpayers experiencing a temporary hardship (House, No. 267).

By Mr. Cahir of Bourne, for the committee on Transportation, a petition, a Bill relative to maximum weights on bridges (House, No. 3279).

By the same member, for the same committee, on a petition, a Bill designating a certain bridge in the town of Saugus as the Veterans Memorial Bridge (House, No. 5164).

By the same member, for the same committee, on a petition, a Bill designating a certain bridge in the town of Andover as the Andover World War II Veterans Memorial Bridge (House, No. 5165).

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

Engrossed bills.

Further regulating the membership of the Higher Education Coordinating Council (see House, No. 1489, amended); Designating a certain bridge in the city of Lawrence as the Santo S. Nicolosi Bridge (see House, No. 4886); and Designating a certain road in the city of Lawrence as Commonwealth Drive (see House, No. 4887); (Which severally originated in the House);
Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the Speaker and sent to the Senate.

Orders of the Day.

The House Bill establishing an economic development industrial corporation in the town of Framingham (House, No. 5158), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At a quarter after eleven o'clock A.M., on motion of Mr. Bosley of North Adams, the House recessed until half past four o'clock P.M.; and at twenty-one minutes before five o'clock the House was called to order.

Order.

On motion of Mr. Honan of Boston,—

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

At nineteen minutes before five o'clock P.M., on motion of Mr. Honan, the House adjourned, to meet on Wednesday next at eleven o'clock A.M.

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 place our confidence in You and in the precepts and values which You have made known to us. By following Your ways and implementing Your teachings, You offer us Your peace, personal happiness and a direction which gives meaning to our lives. In addressing the demands which are made to us, help us to cope with the pressures and the stress of resolving today’s complex political and social issues. Grant us the wisdom and the courage to remain faithful to You and our principles. Let our minds be open to new information and the experiences of others, and our hearts open to people who need our concern and support.

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

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

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to the improvement of court facilities (House, No. 5311) was filed in the office of the Clerk on Monday last.

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.

Statement Concerning Representative Cresta of Wakefield.

During consideration of the Orders of the Day, Mrs. Lewis of Bridgewater 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 Cresta of Wakefield, will not be present in the House Chamber for today’s sitting due to a family medical emergency. Any roll calls that he may miss today will be due entirely to the reason stated.

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

Statement of Representative Fox of Boston.

During consideration of the Orders of the Day, Ms. Fox of Boston 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 was not present in the House Chamber for a portion of today’s sitting due to official business in another part of the State House. Any roll calls that I missed today was due entirely to the reason stated.

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

Statement of Representative Menard of Somerset.

During consideration of the Orders of the Day, Mrs. Menard of Somerset 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 was not present in the House Chamber on Tuesday, July 11, due to official business in Washington, D.C. Any roll calls that I may have missed was due entirely to the reason stated.

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

Guest of the House.

During consideration of the Orders of the Day, the Speaker declared a recess subject to the call of the Chair, there being no objection; and introduced a guest of Representative Guerriero of Melrose, Virginia Guerriero of Avellino, Italy. Mrs. Guerriero, who is the grandmother of Representative Patrick C. Guerriero of Melrose, is also the mother of ten, the grandmother of twenty-three and the great grandmother of twenty-four children. She was accompanied to the State House and to the House Chamber by her son, the father of Representative Guerriero.

Resolutions.

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

Resolutions (filed by Messrs. Bosley of North Adams and Kujawski of Webster) congratulating Joe Zavattaro, Jr., on the occasion of his retirement from North Adams State College; and

Resolutions (filed by Mr. Poirier of North Attleborough) honoring Amy Sparks for her life saving actions;

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

Mr. Serra of Boston being in the Chair, — Resolutions (filed with the Clerk by Speaker Flaherty of Cambridge) congratulating James Sawyer and Margot Peretz on the occasion of their marriage, were referred, under Rule 85, to the committee on Rules.
Mrs. Menard of Somerset, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of Rule 41, on motion of Mr. Flaherty, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Papers from the Senate.

The House Bill making appropriations for the fiscal year nineteen hundred and ninety-five to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5269) came from the Senate passed to be engrossed, in concurrence, with the following amendments:

Striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1980; and striking out the title and inserting in place thereof the following title: "An Act making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-five to provide for supplementing certain existing appropriations and for certain other activities and projects."

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

The House then non-concurred with the Senate in its amendments; 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, Kennedy of Brockton and Poirier of North Attleborough as the committee on the part of the House. Sent to the Senate to be joined.

The House Bill improving housing opportunities for elders and non-elderly persons with disabilities (House, No. 5270) came from the Senate passed to be engrossed, in concurrence, with the following amendments:

Striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1979; and striking out the title and inserting in place thereof the following title: "An Act making appropriations for the fiscal year nineteen hundred and ninety-five to improve housing opportunities for elders and persons with disabilities."

Under suspension of the rules, on motion of Mrs. Harkins of Needham, the amendments were considered forthwith.

The House then non-concurred with the Senate in its amendments; 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 Harkins, Rogers of Norwood and Teagan of Plymouth as the committee on the part of the House. Sent to the Senate to be joined.
The House Bill authorizing the city of Greenfield to issue an additional license for the sale of wine and malt beverages (House, No. 4918) came from the Senate passed to be engrossed, in concurrence, with the following amendment:

Striking out the title and inserting in place thereof the following title: "An Act authorizing the town of Greenfield to issue an additional license for the sale of wine and malt beverages."

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

The following order, adopted by the Senate, was considered:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care be granted until Friday, September 1, 1995, in which to make its final report on Senate document numbered 1856, relative to a physician loan forgiveness program; and House document numbered 2171, to provide incentives for nurses to practice in the area of gerontology.

Under suspension of Rule 42, on motion of Mr. Stefanini of Framingham, the order was considered forthwith; and it was adopted, in concurrence.

A Bill relative to the traffic commission in the city of Marlborough (Senate, No. 1960, amended by adding at the end thereof the following section:

"SECTION 2. Notwithstanding the provisions of any general or special law to the contrary, the mayor of the city of Marlborough is hereby authorized to appoint Joan Ledoux to fill the unexpired term of councilor of ward three in said city; provided, however, that said Joan Ledoux shall not receive compensation as a councilor during said unexpired term; and, provided further, that said Joan Ledoux, employed as a full-time teacher in said city, shall continue to receive compensation as a teacher during said employment.”)(on a petition), passed to engrossed by the Senate, was read [Local Approval Received].

Under suspension of the rules, on motion of Mr. Valianti of Marlborough, the bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed, in concurrence, its title having been changed by said committee to read: An Act relative to the traffic commission and a certain appointment in the city of Marlborough.

A report of the committee on Transportation, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1760) of Stephen J. Cronin, James P. Thomas, John A. Brennan, Robert D. Wetmore and Stephen M. Brewer for legislation to direct the Department of Public Works to make certain road repairs in the town of New Braintree to repair damage caused...
by the conversion of the former Pioneer Valley Academy, and recommending that the same be referred to the Senate committee on Ways and Means,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, insomuch as relates to the discharge of the committee.

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

Petition (accompanied by bill, Senate, No. 1981) of Robert A. Antonioni and Patricia A. Walrath for legislation relative to certain school building assistance in the town of Bolton. To the committee on Education, Arts and Humanities.

Petition (accompanied by bill, Senate, No. 1982) of Warren E. Tolman, Byron Rushing, Lucile P. Hicks, Sally P. Kerans, Lois G. Pines and other members of the General Court for legislation to provide for the disclosure of certain information relating to tobacco products sold in the Commonwealth. To the committee on Health Care.

Petition (accompanied by bill, Senate, No. 1983) of Robert A. Antonioni and Patricia A. Walrath (by vote of the town) for legislation to authorize the town of Bolton to lease a certain parcel of land to Southwestern Bell Mobile Systems, Inc. for the purposes of constructing a communications facility thereon. To the committee on Local Affairs.

Petition (accompanied by bill, Senate, No. 1984) of Warren E. Tolman for legislation relative to admission to the Massachusetts State Police Academy training program. To the committee on Public Service.

Reports of Committees.

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

Petition (accompanied by bill) of Thomas M. Menino (mayor), Kevin G. Honan and other members of the General Court (with the approval of the mayor and city council) for legislation to provide for the establishment of a new medical center in the city of Boston. To the committee on Health Care.

Petition (accompanied by bill) of Albert Herren for legislation to authorize the Department of Education to establish a sick leave bank for Raymond T. Nogueira, an employee of said department. To the committee on Public Service.

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

By Mr. Serra of Boston, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration.
Of the Order relative to authorizing the committee on Taxation to make an investigation and study of certain House documents, concerning local aid and various other matters related to the tax laws of the Commonwealth (House, No. 5236); and

Of the Bill authorizing the Department of Public Utilities to establish a special commission for the purpose of investigating the health effects of electric and magnetic fields (House, No. 5237);

And recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mrs. Menard of Somerset, for the committee on Rules, that the Bill establishing a fair share zoning bylaw impact fee (House, No. 2069, amended) ought to pass [Local Approval Received]. Referred, under Rule 33, to the committee on Ways and Means.

By Mrs. Canavan of Brockton, for the committee on Insurance, on a petition, a Bill providing health insurance coverage for scalp hair prosthesis (House, No. 4483).

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 convey certain property in the town of Hadley to William Pelissier and Gary Pelissier (House, No. 5215).

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

Emergency Measure.

The engrossed Bill further amending the lobbying laws (see House, No. 3527, changed and amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 31 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills
Relative to the authority of education collaboratives (see House, No. 3507);

Authorizing the Superintendent of State Office Buildings to install and maintain a plaque in honor of the Massachusetts members of the World War II Eighth Air Force (see House, No. 4542);

Relative to the appointment of a superintendent of streets by the board of selectmen of the town of Hopkinton (see House, No. 4899); and

Authorizing the town of Greenfield to issue an additional license for the sale of wine and malt beverages (see House, No. 4918, 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 Speaker and sent to the Senate.

Orders of the Day.

House bills
- Exempting municipal light companies from certain reviews and approvals (House, No. 65) (its title having been changed by the committee on Bills in the Third Reading);
- Relative to the salaries of the members of the Boston Licensing Board (House, No. 4662);
- Relative to the licensing of certain health and human service professions (House, No. 4883);
- Authorizing the Division of Capital Planning and Operations to grant certain title, easements and right of way in certain parcels of land in the town of Fairhaven (House, No. 4967, amended);
- Authorizing employment contracts for municipal auditors and accountants (House, No. 4993); and
- Requiring certain information from property owners (House, No. 5260) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The House Bill relative to the erection of a monument commemorating veterans who served on landing ship tanks in World War II and the shipyard workers who built them (House, No. 442) 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 authorizing the Division of Capital Planning and Operations to grant an easement at the Hingham Shipyard (House, No. 5308), which was read.

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

The House Bill designating the Plymouth County district attorney’s office building in Brockton the William C. O’Malley building (House, No. 5026) was read a second time; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Kennedy of Brockton, 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, its title having been changed by said committee to read: An Act designating the Plymouth County district attorney’s office building in the city of Brockton as the William C. O’Malley Building. Sent to the Senate for concurrence.
The recommitted House Bill endowing certain persons to serve on the human rights advisory committee (House, No. 190) was ordered to a third reading.

Senate bills
Establishing a charter for the county of Nantucket (Senate, No. 135, changed and amended); and
Providing for modification of the purposes of, and the investments permitted to, the Andover Firemen's Relief Association (Senate, No. 1475); and
House bills
Providing for the local option of a property tax deferral for taxpayers experiencing a temporary hardship (House, No. 267);
Relative to the license plates issued to certain officials (House, No. 1751);
Prohibiting sex offenders from work release programs (House, No. 1915);
Further regulating the use of automatic sprinklers in certain high rise buildings (House, No. 2435);
Concerning retirement board hearings for employee termination (House, No. 2654);
Relative to maximum weights on bridges (House, No. 3279);
Requiring the payment of interest on life insurance policies (House, No. 3363);
Providing for the installation of plaques honoring veterans in the State House (House, No. 4388);
Relative to the membership of the Armory Commission House, No. 4547);
Further regulating the operation of motors of certain vehicles while stopped (House, No. 4725);
Relative to the early retirement of a certain employee of the water supply district of Acton (House, No. 4866);
Providing for a leasing of the parking lot area known as 0 Hampshire Street by the town of Methuen (House, No. 5034);
Exempting certain contracts from the Uniform Procurement Act (House, No. 5053);
Designating a certain bridge in the town of Saugus as the Veterans Memorial Bridge (House, No. 5164);
Designating a certain bridge in the town of Andover as the Andover World War II Veterans Memorial Bridge (House, No. 5165);
Further regulating the leasing of motor vehicles (House, No. 5213);
Designating a certain athletic complex as the Joseph Zavattaro Athletic Complex (House, No. 5214);
Relative to the Groton Country Club Authority (House, No. 5216);
Authorizing the town of Weston to convey certain parcels of conservation land to Wolfgang Klietmann and others (House, No. 5223);
To require an insurable interest for the issuance of life and accident insurance (House, No. 5298); To ensure the integrity of our health care system (House, No. 5299); and Regulating state police promotional exams (House, No. 5302); Severally were read a second time; and they were ordered to a third reading.

The House Bill relative to seizure of registration plates deemed revoked, suspended or cancelled (House, No. 2419), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

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

"SECTION 2. Said section 34P of said chapter 90, as so appearing, is hereby further amended by inserting after the word '34H', in line 18, the words:— ; provided, however, that municipal law enforcement agencies shall have the primary authority and responsibility to seize revoked registration plates within the limits of their jurisdiction and provided further that no provision of this section shall prevent a state law enforcement official from seizing a revoked registration plate when in the performance of normal duties."

The amendment was adopted; and the bill (House, No. 2419, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill providing indemnification for environmental police officers (House No. 3041), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Representatives Menard of Somerset and DiPaola of Malden moved, there being no objection, that it be amended by substitution of a bill with the same title (House No. 5312) which was read.

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

At twenty minutes before twelve o'clock noon (the Speaker being in the Chair), on motion of Mr. Verga of Gloucester, the House recessed until the hour of one o'clock P.M.; and at that time the House was called to order with the Speaker in the Chair.
Quorum.

Mr. Teague of Yarmouth asked for a count of the House 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 144 members were recorded as being in attendance.

[See Yea and Nay No. 207 in Supplement.]
Therefore a quorum was present.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the town of Berkley to use a portion of the Berkley common land for library purposes (see House, No. 4670) (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 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 143 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 208 in Supplement.]
Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Orders of the Day.

There being no objection, — the House Bill relative to the expansion, upkeep, and reinvestment in the existing correctional facilities of the Commonwealth and the counties, and the facilities of the Department of Youth Services (House, No. 5262) was considered.

Pending the question on ordering the bill to a third reading, Mr. Finneran of Boston moved that it be amended by substitution (in part) of a Bill relative to the expansion, upkeep, and reinvestment in the existing correctional facilities of the Commonwealth and the counties, and the facilities of the Department of Youth Services (House, No. 5309), which was read.

After debate on the question on adoption of the amendment (Mr. Hodgkins of Lee being in the Chair), the sense of the House was taken by yeas and nays, at the request of Mrs. Lewis of Bridgewater; and on the roll call (the Speaker having returned to the Chair) 111 members voted in the affirmative and 40 in the negative.

[See Yea and Nay No. 209 in Supplement.]
Therefore the amendment was adopted.

Under suspension of the rules, on motion of Mr. Finneran of Boston, the substituted bill was read a second and a third time forthwith.
Pending the question on passing the bill to be engrossed, Mrs. Gray of Framingham moved that it be amended by adding at the end thereof the following section:

"SECTION 21. Section 35 of Chapter 123, as appearing in the 1992 Official Edition, is amended by striking from the fourth paragraph the words, 'or at Framingham, if a female.'

Section 35 of Chapter 123, as appearing in the 1992 Official Edition, is further amended by striking from the fifth paragraph the words, 'and Framingham' and substituting the word 'institution' for the word, 'institutions' in the same paragraph.

Section 35 of Chapter 123, as so appearing, is further amended by adding the following paragraph:—

The department of public health shall establish and maintain no less than fifteen secure treatment beds for females to meet the requirements of this section.

Section 7 of chapter 111B, as appearing in the 1992 Official Edition, is hereby amended by striking the following words from the last sentence of the third paragraph:— 'or if any person is committed for rehabilitative purposes to the Massachusetts correctional institution, Bridgewater or to the Massachusetts correctional institution, Framingham, he shall be required to remain for a period of not less than ten days.'.

The amendment was adopted.

Mr. Greene of Billerica then moved that the bill be amended by adding at the end thereof the following section:

"SECTION 22. The commissioner of the division of capital planning and operations is hereby directed to connect the Middlesex county jail and house of correction in Billerica to the town of Billerica's sewer system consistent with a properly negotiated fee schedule agreeable to the division of capital planning and operations and the town of Billerica, and further provided that the division of capital planning and operations shall dismantle and remove the existing sewer treatment plant currently servicing the house of correction and ensure that the site is returned to an environmentally safe condition.'.

The amendment was adopted.

The same member then moved that the bill be amended by adding at the end thereof the following section:

"SECTION 23. Prior to the commencement of construction at the Middlesex county jail and house of correction in Billerica, the division of capital planning and operations shall conduct or have conducted a water suitability study which shall ensure that the town of Billerica is able to provide an adequate supply of water to the Middlesex county jail and house of correction in Billerica without overburdening the town's water purification and delivery system and without exceeding the maximum amount of water which the town is permitted to withdrawn from the Concord River.'.

The amendment was adopted.

There being no objection, — Messrs. Locke of Wellesley, Marini of Hanson, Peterson of Grafton and Mandile of Waltham moved that
the bill be amended by adding at the end thereof the following section:

"SECTION 24. Notwithstanding any general or special law to the contrary, any adult person committed to a state or county correctional facility as defined in section 1 of Chapter 125 of the General Laws shall at the time of sentencing be interviewed by the Department of Probation for the purpose of determination of financial condition and indigency. Said interview shall be conducted in accordance with the provisions of sections 27A through 27C of Chapter 261 of the General Laws. If the court finds that the defendant is not indigent, the court shall order in the mittimus that the prisoner pay to the Commonwealth if committed to a state correctional facility or to the county if committed to a House of Correction, the sum of $2.00 (two dollars) per calendar day of incarceration to defray the costs of incarceration. The Commissioner of Corrections or Sheriff or Superintendent of the facility in which the prisoner is incarcerated, shall no later than thirty days prior to the prisoner's release, prepare an accounting of sums owed to the Commonwealth. Said accounting shall be served upon each prisoner on the date of release. Said sums shall be collected in like manner as any other debt owed to the Commonwealth or a county, but non-payment shall in no case be a condition of release or grounds for violation of probation or parole. The provisions of this act shall not be applicable to prisoners determined to be pregnant, terminally ill or confined in a hospital during incarceration.

Any party aggrieved by the determination of the court, Commissioner, Sheriff or Superintendent may appeal such determination in accordance with the provisions of section 27D of Chapter 261 of the General Laws."

The amendment was adopted.

Mr. Caron of Springfield then moved that the bill be amended by adding at the end thereof the following section:

"SECTION 25. Six hundred and fifty thousand dollars shall be allocated to the town of Hampden for the purpose of meeting the twenty-five percent federal match requirement for the Western Massachusetts Law Enforcement Community application for the purchase of a mobile data system."

The amendment was adopted.

Mrs. Sprague of Walpole then moved that the bill be mended in section 2 by adding at the end of item 1102-6955 the words "; provided that nine hundred sixty thousand dollars be expended for assistance and reimbursement to the town of Norfolk at the rate of ten thousand dollars per cell for the cost of financing infrastructure repairs, purchases, replacement, or construction or other mitigation damages necessitated by a ninety-six cell expansion of the Massachusetts Correctional Institute, Norfolk. Such infrastructure repairs, purchases, replacement or construction shall include, but not be limited to, sewers, water mains, streets and highways, public safety communication equipment, other public safety equipment and vehicles, solid waste recovery or disposal facilities, street lighting
Correctional facilities—

expansion.

and traffic lights; and provided further that four hundred sixty thousand dollars be expended for assistance and reimbursement to the town of Walpole for the cost of financing the cost of financing infrastructure repairs, purchases, replacement or construction necessitated by a forty-six cell expansion of the Massachusetts Correctional Institution, Cedar Junction. Such infrastructure repairs, purchases, replacement, or construction shall include, but not be limited to, sewers, water mains, streets and highways, public safety equipment and vehicles, solid waste recovery or disposal facilities, street lighting, and traffic lights”.

After debate the amendment was rejected.

Mr. Gauch of Shrewsbury then moved that the bill be amended in section 2, in item 1102-6951, by inserting after the word “services;”, in line 2, the words “provided that the Department of Youth Services shall relocate the two programs at the Hadley Building to an alternative site within the Westboro Compound. Said site shall be determined by the Commissioner of DYS in consultation with the Westboro DYS Task Force;”.

The amendment was adopted.

Mr. Caron of Springfield then moved that the bill be amended in section 16 by inserting after the word “means”, in line sixty-two, the words “the joint committee on public safety,”; and the amendment was adopted.

Mrs. Lewis of Bridgewater then moved that the bill be amended by adding at the end thereof the following section:

“SECTION 26. Notwithstanding any provisions of chapter thirty-one of the General Laws or any other general or special law to the contrary, preference for all permanent or temporary positions at any new state correctional facility to be constructed in host communities shall be given to those persons determined by the commissioner of correction to be residents of such host communities, provided that such persons are otherwise qualified for such positions. For those positions subject to the provisions of chapter thirty-one of the General Laws, residents who achieve a passing grade on examination and are otherwise qualified under department regulations shall have their names placed on the top of the list in order of their grade.”.

The amendment was adopted.

Mr. Caron of Springfield then moved that the bill be amended by adding at the end thereof the following section:

“SECTION 27. Notwithstanding the provisions of any general or special law to the contrary, including but not limited to chapters 7, 21, 30, 40A, 41, 132A, 111, 131, 149 or 210, and further, notwithstanding any or all regulations promulgated thereunder, in order to relieve the overcrowded conditions within the institutions of the Department of Correction, the Commissioner of the Department of Correction is hereby authorized to immediately procure, site, and construct modular housing units, support space and acquire services related to the construction of said buildings. Siting shall be in such locations as deemed appropriate by the Commissioner of the
Department of Correction; provided that the Commissioner of the Department of Correction shall inform the Inspector General, in writing, of all actions taken pursuant to this section.

The amendment was adopted.

Mr. Teague of Yarmouth then moved that the bill be amended in section 11 by adding at the end thereof the following two paragraphs:

"Section 107. Section 87A of Chapter 276 of the General Laws, as most recently appearing in the 1992 Official Edition, is hereby amended by striking from the first and second sentences in the second paragraph the word 'supervised,' and further amending in the first sentence of the last paragraph of section 87A of said chapter by inserting after the word 'and' the following new words 'seventy-five percent of the fees collected shall be,' and further amending section 87A of said chapter by adding at the end thereof the following new paragraph:

There shall be established in every probation office of the Superior, Boston Municipal, District, and Juvenile Court Departments an Intermediate Sanction Fund Account. The designated fiduciary of each of the said courts shall be authorized to retain twenty-five percent of the probation fees collected monthly in said account. Said fees shall be forty-five dollars per month to be paid by probationee on first of said month. The Chief Probation Officer of each of the said courts shall have the authority to appoint such a fiduciary. Monies may be expended from this account for the purchase of equipment and services for intermediate sanctions for probationers and may include but would not be limited to the purchasing of equipment and services for drug screens, equipment and services for electronic monitoring and on site drug evaluations and counseling. The designated fiduciary of each said courts shall provide to the Office of Administration and Management of the Trial Court and to the Commissioner of Probation a detailed annual report of expenses from said fund."

The amendment was adopted.

Mr. Teague then moved that the bill be amended in section 10 by inserting after the word "Judiciary", in lines 31 and 32, the following: "...the first of which shall be submitted no later than November 1, 1995". The amendment was adopted.

There being no objection,— Messrs. Jones of North Reading and Casey of Winchester moved that the bill be amended in section 17 by inserting after the word "correctional", in line 4, the words "or division of youth services"; and by inserting after the word "correctional", in lines 8 and 9, the words "and division of youth services".

The amendments were adopted.

Mr. Stoddart of Natick then moved that the bill be amended by adding at the end thereof the following section:

"SECTION 28. For those offenses not proscribed under section 16 (1), (2) or (3), trial court judges in the commonwealth may contemplate sentences of determinate weekends and the sheriffs of the commonwealth shall undertake such measures necessary to adequately house such persons."

The amendment was adopted.
There being no objection, Representatives Gardner of Holliston and Walrath of Stow moved that the bill be amended by adding at the end thereof the following section:

"SECTION 29. Chapter 127, Section 32(a) of the Massachusetts General Laws is hereby amended by striking out the section as appearing in the 1990 Official Edition, and inserting in place thereof the following paragraph:

Male and female prisoners and pretrial detainees of state and county correctional institutions shall be treated equally with respect to all prison programs, including education, training, employment opportunities to earn good time, counseling, substance abuse treatment, classification, pre-release, work-release, exercise and recreation, visitation, medical care, and discipline. No prisoner or pretrial detainee shall be denied equal access to any prison program or privilege on account of gender."

The amendment was adopted.

Ms. Kerans of Danvers and other members of the House moved, there being no objection, that the bill be amended in section 2, in item 1102-6951, by adding at the end thereof the words "; provided, that all boot-camp programs, so-called, shall, subject to appropriation, include appropriate follow-up services for participants, including job search, counseling, continued substance treatment, drug testing, and housing search; and provided further that the department of youth services shall conduct follow-up interviews with each participant within six months of departure to determine the success of the program". The amendment was adopted.

Ms. Khan of Newton then moved that the bill be amended in section 20 by inserting after the word "act", in line 4, the following: "and the objective or point-based classification system currently in use at MCI - Norfolk and MCI - Concord".

The amendment was adopted.

There being no objection,— Representatives Lewis of Bridgewater, Jones of North Reading, Cresta of Wakefield, Walrath of Stow and Hawke of Gardner moved that the bill be amended in section 2 by striking out, in item 1102-6951, the figures "37,684,000" and inserting in place thereof the figures "39,184,000"; by striking out, in item 1102-6955, the figures "50,000,000" and inserting in place thereof the figures "58,330,000"; by striking out, in item 1102-6956, the figures "15,000,000" and inserting in place thereof the figures "16,250,000"; and by adding at the end thereof the following three sections:

"SECTION 30. The secretary of health and human services, in consultation with the commissioner of the division of capital planning and operations, is authorized to transfer a portion of the funds described in section 2, item 1102-6951, of this act to communities hosting division of youth service facilities as called for in this act, in the form of grants to be used for publicly-owned capital projects within the host communities. Communities shall be awarded grants at a rate of ten thousand dollars for each new bed established in a division of youth services facility.
SECTION 31. The secretary of the executive office of public safety, in consultation with the commissioner of the division of capital planning and operations, is authorized to transfer a portion of the funds described in section 2, item 1102-6955, of this act to communities hosting modular prison units as called for in this act, in the form of grants to be used for publicly-owned capital projects within the host communities. Communities shall be awarded grants at a rate of ten thousand dollars for each modular prison unit established at a state and county correctional facility.

SECTION 32. The secretary of the executive office of public safety, in consultation with the commissioner of the division of capital planning and operations, is authorized to transfer a portion of the funds described in section 2, item 1102-6956, of this act to the community hosting the women’s correctional facility in Hampden county as called for in this act, in the form of grants to be used for publicly-owned capital projects within the host community. The community shall be awarded grants at a rate of ten thousand dollars for each new bed established in the women’s correctional facility in Hampden county.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mrs. Lewis of Bridgewater; and on the roll call 57 members voted in the affirmative and 93 in the negative.

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

Therefore the amendments were rejected.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Teague of Yarmouth; and on the roll call 139 members voted in the affirmative and 11 in the negative.

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

Therefore the bill was passed to be engrossed. Mr. Finneran of Boston moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill (House, No. 5309, printed as amended) then was sent to the Senate for concurrence.

Pending the question on ordering the residue of the bill (House, No. 5262) to a third reading, it was recommitted to the committee on Ways and Means, on motion of Mr. Finneran of Boston.

The House Bill regulating state contracts with companies doing business with or in Burma (Myanmar) (House, No. 2833), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Rushing of Boston moved that it be amended in section 1 by inserting after the word “having”, in line 13, the words “a principal place of business, place of incorporation or its corporate headquarters in Burma (Myanmar) or having”; and in section 2 by striking out the five paragraphs contained in lines 1 to 25, inclusive. The amendments were adopted.
Correctional facilities,—expansion.

Sick leave bank,—establishment.

Alzheimer's disease office.

Public counsel committee.

Modular buildings,—bidding.

Mr. Teague of Yarmouth then moved that the bill be amended in section 1, in lines 12, 15, 18, 25, 26, 28, 34, 35, 39 and 42; in section 2, in lines 8, 13, 59, 78, 79, 84 and 94; and also in section 4, in line 10, by inserting after the word "(Myanmar)", in each instance, the words "and/or China."

After debate the amendments were rejected; and the bill was passed to be engrossed. Mr. Rushing moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill (House, No. 2833, amended) then was sent to the Senate for concurrence.

The motion of Mr. Teague of Yarmouth, that the vote be reconsidered by which the House, on Monday, July 10, passed, in concurrence, notwithstanding the objections of His Excellency the Governor the engrossed Bill establishing an extended illness leave bank for certain employees of the Commonwealth (see Senate, No. 1837, amended) was considered.

Pending the question on passing the bill, notwithstanding the objections of His Excellency, further consideration thereof was postponed, on further motion of Mr. Teague, until after disposition of the remaining matters in the Orders of the Day.

The House Bill establishing an office on Alzheimer's disease and related disorders (House, No. 3121) was ordered to a third reading.

House bills

Providing that the employees of the Committee for Public Counsel Services shall have collective bargaining rights under Chapter 150E of the General Laws (House, No. 817); and

Limiting the use of modular construction bidding provisions for specially planned permanent building construction (House, No. 1227);

Severally were read a second time.

Pending the question, in each instance, on ordering the bill to a third reading, further consideration thereof was postponed, on motions of Mr. Teague of Yarmouth, until after disposition of the remaining matters in the Orders of the Day.

Order.

On motion of Mr. Serra of Boston,—

Ordered. That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A. M.; when the House adjourns tomorrow, it adjourn to meet on Monday (July 24) at eleven o'clock A. M.; when the House adjourns on Monday, it adjourn to meet on Thursday (July 27) 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 the sittings of Thursday, July 20, Monday, July 24 and Thursday, July 27.
Mr. Serra then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at eight minutes after five 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, July 20, 1995.

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

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

Gracious God, we pray for Your gift of wisdom, so that we will thank You for Your kindness towards us, and follow Your precepts in dealing with each other. Help us to keep all political and personal responsibilities in proper perspective, so that we recognize our dependence upon You and the purpose for which we exist. In working to improve the material and economic quality of life for all, may we be fully aware of the spiritual dimension of our being. Direct our political energies into programs and courses which help people to participate in the material blessings which we enjoy.

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

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

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to providing a capital outlay for the expansion of the Worcester civic and convention center (House, No. 5314) was filed in the office of the Clerk on Monday, June 19.

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.

Resolutions.

Resolutions (filed with the Clerk by Mr. Gauch of Shrewsbury) in recognition of the dedication of Korean War Veterans Memorial in Washington, D.C., were referred, under Rule 85, to the committee on Rules.

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

Petitions.

Mr. Fitzgerald of Boston presented a petition (subject to Joint Rule 12) of Kevin W. Fitzgerald, Robert E. Travaglini, other members of the General Court and others relative to the development of a
combined convention center and sports facility; 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. Fitzgerald, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Ways and Means. Sent to the Senate for concurrence in the suspension of Joint Rule 12.

Mr. Pedone of Worcester presented a petition (subject to Joint Rule 12) of Vincent A. Pedone, William J. McManus II, John J. Binienda, Harriette L. Chandler and William J. Glodis, Jr., for legislation to provide a capital outlay for the expansion of the Worcester civic and convention center, 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. Pedone, 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.

Papers from the Senate.

The House Bill making appropriations for the fiscal year nineteen hundred and ninety-five to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5269) came from the Senate with the endorsement that said branch had insisted on its amendments (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1980; and striking out the title and inserting in place thereof the following title: "An Act making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-five to provide for supplementing certain existing appropriations and for certain other activities and projects.") (in which the House had non-concurred), concurred in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Birmingham, Wetmore and Rauschenbach had been joined as the committee on the part of the Senate.

The House Bill relative to the equitable taxation of financial institutions (House, No. 4975, amended) came from the Senate passed to be engrossed, in concurrence, with the following amendment:

Striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1974.

Under suspension of the rules, on motion of Mr. Brett of Boston, the amendment was considered forthwith; and it was adopted, in concurrence.
A Bill establishing a new department of inspections in the city of Quincy (Senate, No. 1159) (on a petition), passed to be engrossed by the Senate, was read [Local Approval Received].

Under suspension of Rule 41, on motion of Mr. Bellotti of Quincy, 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. Tobin of Quincy, 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 establishing a department of inspections in the city of Quincy. Mr. Mariano of Quincy moved that this vote be reconsidered; and, there being no objection, the motion to reconsider was considered forthwith and it was negatived.

Reports of Committees.

By Mr. Petrolati of Ludlow, for the committee on Local Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 5104) of Marie J. Parente (by vote of the town) for legislation to authorize the board of health of the town of Hopedale to appoint and have general authority over the dog officer of said town, — and recommending that the same be referred to the committee on Counties on the part of the House. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the discharge of the committee.

By Mrs. Harkins of Needham, for the committee on Housing and Urban Development, on a petition, a Bill to establish a community housing corporation in the town of Acton, Massachusetts (House, No. 5283) [Local Approval Received]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Engrossed Bills.

The engrossed Bill further amending the lobbying laws (see House, No. 3527, changed and amended) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill relative to the traffic commission and a certain appointment in the city of Marlborough (see Senate, No. 1960, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.
THURSDAY, JULY 20, 1995.

At twenty-six minutes after eleven o'clock A.M., on motion of Mrs. Paulsen of Belmont (Mr. Bosley of North Adams 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. Voke of Boston in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

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

Eternal God, we pause for a moment to turn our thoughts to You, Our Creator, and to open our hearts to Your goodness. In Your kindness, grant us the strength to remain faithful to You by observing Your precepts, and to our constituents by promoting programs and causes which benefit the people and our communities. Help us to comprehend the complex philosophical, economic and ethical issues of the times, and to address fairly the political challenges of our pluralistic society. Inspire us to build trust in each other and in our institutions which promote peace, stability and security in our society.

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

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

Resolutions.

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

Resolutions (filed by Speaker Flaherty of Cambridge) congratulating the Honorable John F. X. Davoren on the occasion of his eightieth birthday;

Resolutions (filed by Messrs. Brett of Boston and Scaccia of Boston) recognizing the professional achievements of Thomas J. Moccia on the occasion of his retirement from the Massachusetts Society of Public Accountants, Inc.;

Resolutions (filed by Mr. Miceli of Wilmington) congratulating Mr. and Mrs. Ellis K. Washburn on the occasion of their fiftieth wedding anniversary;

Resolutions (filed by Mr. Poirier of North Attleborough) congratulating Larry Brunell on the occasion of his retirement; and

Resolutions (filed by Mr. Slattery of Peabody) congratulating the Burke Elementary School in the city of Peabody on the occasion of its thirtieth anniversary;

Mr. Voke 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. Verga of Gloucester, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith, and they were adopted.
Orders.

The following order (filed this day by Mr. Voke of Boston) was referred, under Rule 85, to the committee on Rules:

Ordered, That the precept to be issued by the Speaker, under the provisions of Section 141 of chapter 54 of the General Laws, appointing a time for the election to fill the vacancy existing in the office of Representative in the General Court from the Second Franklin District shall designate Tuesday, November 7, 1995 as the time ordered by the House of Representatives for said election.

Mr. Voke, for the committee on Rules, then reported that the order ought to be adopted. Under suspension of Rule 42, on motion of Mr. Angelo of Saugus, the order was considered forthwith; and it was adopted.

The following order (filed by Mr. DiMasi 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, the committee on Banks and Banking be granted until Friday, September 22, 1995 within which to make its final report on current House documents numbered 565 and 3160.

Mrs. Menard of Somerset, for the committees on Rules, reported that the order ought to be adopted. Under suspension of Rule 42, on motion of Mr. DiMasi, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Rushing 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, the committee on Public Service be granted until Friday, September 29, 1995 within which to make its final report on current Senate documents numbered 807, 1339, 1421, 1800, 1864, 1886, 1978 and 1984; and on House documents numbered 134, 135, 341, 630, 765, 1333, 1536, 3036, 3139, 3748, 3749, 4491, 5233 and 5307.

Mrs. Menard of Somerset, for the committees on Rules, reported that the order ought to be adopted. Under suspension of Rule 42, on motion of Mr. Rushing, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

An Order (filed with the Clerk this day by Messrs. Hodgkins of Lee and Kulik of Worthington) relative to requesting the Department of Public Utilities to make an investigation and study of power outages following a certain storm in the western part of the Commonwealth and the response to said outages by the Western Massachusetts Electric Company (House, No. 5331) was referred, under Rule 85, to the committee on Rules.

Mr. Voke of Boston, for the committee 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. Hodgkins, the order was considered forthwith; and it was adopted.

Petitions.

Petitions severally were presented and referred as follows:

By Ms. Evans of Wayland, petition (accompanied by bill, House, No. 5315) of John C. Drobinski, Nancy H. Evans, Lucile P. Hicks and others (by vote of the town) for legislation to authorize the town of Sudbury to send certain information to registered voters in said town; and

By Mr. Hawke of Gardner, petition (accompanied by bill, House, No. 5316) of Robert D. Hawke (by vote of the town) relative to recall elections in the town of Westminster;

Severally to the committee on Election Laws.

By Mr. Manning of Milton, petition (accompanied by bill, House, No. 5317) of M. Joseph Manning, William C. Galvin, W. Paul White and Michael G. Bellotti (by vote of the town) for legislation to authorize the licensing authority of the town of Randolph to issue a license for the sale of all alcoholic beverages to the Lieutenant John D. Crawford Veterans Association, Inc. To the committee on Government Regulations.

By Mr. Businger of Brookline, petition (accompanied by bill, House, No. 5318) of Donna R. Kalikow, John A. Businger, Paul C. Demakis, Lois G. Pines, David B. Cohen, Steven A. Tolman and others (by vote of the town) for legislation to authorize the town of Brookline to regulate and restrict the use of certain land and structures in residentially zoned districts for educational purposes;

By Mrs. Cleven of Chelmsford, petition (accompanied by bill, House, No. 5319) of Carol C. Cleven and Lucile P. Hicks (by vote of the town) for legislation to authorize the town of Carlisle to grant a certain conservation restriction;

By Ms. Gardner of Holliston, petition (accompanied by bill, House, No. 5320) of Barbara Gardner (by vote of the town) for legislation to authorize the town of Medway to use a certain parcel of park and recreation land for the construction of a senior citizen center and camp sunshine;

By Mr. Kelly of Dalton, petition (accompanied by bill, House, No. 5321) of Shaun P. Kelly and Jane M. Swift (by vote of the town) for legislation to establish the position of town manager in the town of Dalton;

By Mr. Landers of Palmer, petition (accompanied by bill, House, No. 5322) of Patrick F. Landers III (by vote of the town) for legislation to authorize the conservation commission of the town of Palmer to sell forest and agricultural products; and

By Mr. Travis of Rehoboth, petition (accompanied by bill, House, No. 5323) of Philip Travis and William R. Keating (by vote of the town) relative to the charter of the town of Seekonk;

Severally to the committee on Local Affairs.

By Mr. Manning of Milton, petition (accompanied by bill, House, No. 5324) of M. Joseph Manning, W. Paul White, William C. Galvin and Michael G. Bellotti (by vote of the town) for legislation...
to exempt the custodial maintenance positions in the town of Randolph school department from the provisions of civil service law. To the committee on Public Service.

By Mr. Cousins of Newburyport, petition (accompanied by bill, House, No. 5325) of Frank G. Cousins, Jr., and James P. Jajuga (with the approval of the mayor and city council) for legislation to authorize the city of Newburyport to convey certain land to Edward C. Fitzgerald, notwithstanding the competitive bidding laws. To the committee on State Administration.

Severally sent to the Senate for concurrence.

Mr. Hodgkins of Lee presented a petition (subject to Joint Rule 12) of Christopher J. Hodgkins and Jane M. Swift for legislation to authorize the appropriation of a certain sum of money to provide emergency disaster relief for the towns of Egremont, Great Barrington and Monterey for alleviation of the financial burden imposed on said towns by the damages caused by the recent tornado; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

The House Bill relative to the payment and receipt of good funds in mortgage transactions (House, No. 4808) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the following:

"SECTION 1. Chapter 183 of the General Laws is hereby amended by striking out section 63B, inserted by section 2A of chapter 245 of the acts of 1994, and inserting in place thereof the following section:

Section 63B. No mortgagee who makes a loan to be secured by a mortgage on real estate located in the commonwealth in conjunction with which a mortgage deed evidencing the same is to be recorded in a registry of deeds or registry district in the commonwealth, shall deliver said deed, or cause the same to be delivered, into the possession of such registry of deeds or registry district for the purpose of the recording thereof, unless prior to the time said deed is so delivered said mortgagee has caused the amount of the proceeds of such loan due to the mortgagor, pursuant to the settlement statement relevant thereto given to said mortgagor, to be transferred to the mortgagor, the mortgagor's attorney or the mortgagee's attorney in the form of a certified check, bank treasurer's check, cashier's check or by a transfer of funds between accounts within the same state or federally chartered bank or credit union, or by the funds-transfer system owned and operated by the Federal Reserve Banks, or by a transfer of funds processed by an automated clearinghouse; provided however, that neither the mortgagor’s attorney or the mortgagee’s attorney shall be required to make disbursements or deliver said proceeds to the mortgagor in such form.

SECTION 2. This act shall take effect as of March twenty-seventh, nineteen hundred and ninety-five."
Under suspension of Rule 35, on motion of Mr. Rogers of Norwood, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith.

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

"SECTION 1. Chapter 183 of the General Laws is hereby amended by striking out section 63B, as appearing in the 1994 Official Edition, and inserting in place thereof the following:

Section 63B. No mortgagee who makes a loan to be secured by a mortgage or lien on real estate located in the commonwealth in conjunction with which, a mortgage deed evidencing the same is to be recorded in a registry of deeds or registry district in the commonwealth, shall deliver said deed or cause the same to be delivered into the possession of such registry of deeds or registry district for the purpose of the recording thereof unless prior to the time said deed is so delivered for recording, said mortgagee has caused the full amount of the proceeds of such loan due to the mortgagor pursuant to the settlement statement relevant thereto given to said mortgagor or in the instance of any such loan in which the full amount of the proceeds due to the mortgagor pursuant to the terms thereof are not to be advanced prior to said recording, so much thereof as is designated in the loan agreement, to be transferred to the mortgagor, the mortgagor’s attorney or the mortgagee’s attorney in the form of a certified check, bank treasurer’s check, cashier’s check or by a transfer of funds between accounts within the same state or federally chartered bank or credit union, or by the funds-transfer system owned and operated by the Federal Reserve Banks, or by a transfer of funds processed by an automated clearinghouse; provided, however, that neither the mortgagor’s attorney or the mortgagee’s attorney shall be required to make disbursements or deliver said proceeds to the mortgagor in such form; provided, however, that the provisions of this section shall not apply to the commonwealth, its agencies or political subdivisions.

SECTION 2. This act shall take effect as of March twenty-seventh, nineteen hundred and ninety-five."

The further amendment was adopted.

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

A Bill relative to the construction of sewer extensions in the town of Millis (Senate, No. 1899) (on a petition), passed to be engrossed by the Senate, was read [Local Approval Received].

Under suspension of the rules, on motion of Mrs. Sprague of Walpole, 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.
Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 1985) of Robert A. Antonioni and Robert D. Hawke (by vote of the town) for legislation to establish a board of water and sewer commissioners in the town of Ashburnham; and

Petition (accompanied by bill, Senate, No. 1986) of Robert A. Antonioni and Robert D. Hawke (by vote of the town) for legislation to authorize the town of Ashburnham to establish a capital improvement fund;

Severally to the committee on Local Affairs.

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

Petition (accompanied by bill, Senate, No. 1987) of Robert E. Travaglini and Salvatore F. DiMasi for legislation to withdraw certain parcels of registered land in the city of Boston from the provisions of law relative to certificates of title. To the committee on the Judiciary.

Petition (accompanied by bill, Senate, No. 1988) of Frederick E. Berry for legislation to provide for motor vehicle identification plates for county commissioners. To the committee on Public Safety.

Reports of Committees.

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

Petition (accompanied by bill) of Patrick F. Landers III, Stephen M. Brewer, Robert D. Wetmore, David M. Peters and Mary S. Rogeness relative to the Tantasqua Regional School District. To the committee on Education, Arts and Humanities.

Petition (accompanied by bill) of Jo Ann Sprague relative to workers' compensation insurance for sole proprietors. To the committee on Commerce and Labor.

Petition (accompanied by bill) of Jo Ann Sprague for legislation to require law enforcement officers to request a breathalizer or blood test at certain accident scenes. To the committee on Public Safety.

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

By Mrs. Menard of Somerset, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Daniel F. Keenan for legislation to authorize an appropriation of a certain sum of money for plans, designs and construction of boat launching facilities in the town of Southwick. Under suspension of Rule 42, on motion of Mr. Keenan of Blandford, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Ways and Means. Sent to the Senate for concurrence in the suspension of Joint Rule 12.
By Mr. Hodgkins of Lee, for the committee on State Administration, asking to be discharged from further consideration

Of the recommitted petition (accompanied by bill, House, No. 1029) of Walter A. DeFilippi for legislation to exempt all grants relative to the health and safety of municipalities from requirements of the Massachusetts Commission Against Discrimination;

Of the recommitted petition (accompanied by bill, House, No. 4389) of Mary Jeanette Murray relative to the payment of certain bills to contractors and subcontractors by housing authorities; and

Of the petition (accompanied by bill, House, No. 5253) of Marie J. Parente relative to the Division of Purchased Services;

And recommending that the same severally be referred to the committee on Ways and Means.

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

By Mr. McDonough of Boston, for the committee on Insurance, on House, Nos. 36, 48, 50, 339, 343, 346, 564, 755, 756, 757, 758, 761, 763, 767, 925, 926, 927, 1106, 1107, 1108, 1110, 1113, 1329, 1331, 1528, 1530, 1532, 1535, 1700, 1707, 1708, 1716, 1847, 1997, 2040, 2044, 2198, 2199, 2203, 2275, 2760, 2761, 2764, 2946, 2950, 2951, 2952, 3360, 3371, 3750, 3751, 3755, 3934, 3935, 3937, 3940, 3941, 4141, 4309, 4310, 4313, 4315, 4318, 4482, 4485, 4486, 4498, 4711 and 4749, an Order relative to authorizing the committee on Insurance to make an investigation and study of certain House documents concerning health, life and fire insurance and various other matters related to the insurance industry of the Commonwealth (House, No. 5328).

By Mr. Rushing of Boston, for the committee on Public Service, on Senate, Nos. 315, 1323, 1348, 1358, 1361, 1382, 1383, 1393, 1404, 1428, 1430, 1835, 1858, 1877 and 1921 and House, Nos. 212, 218, 228, 399, 402, 413, 417, 424, 487, 499, 610, 611, 627, 802, 812, 814, 928, 966, 988, 989, 992, 993, 1005, 1006, 1016, 1021, 1222, 1376, 1396, 1400, 1574, 1578, 1592, 1602, 1604, 1606, 1671, 1766, 1921, 1977, 2085, 2086, 2103, 2255, 2259, 2262, 2647, 2807, 2873, 3032, 3047, 3055, 3056, 3209, 3231, 3239, 3241, 3258, 3290, 3612, 3774, 3799, 3802, 3803, 3820, 4001, 4009, 4010, 4099, 4200, 4203, 4372, 4373, 4375, 4377, 4532, 4535, 4536, 4537, 4631, 4667, 4671, 4672, 4690, 4691, 4692, 4713, 4727, 4729, 4754, 4764, 4789, 4830, 4832, 4858, 4859, 4870, 4871, 4902, 4911, 4961, 4999, 5002, 5025, 5052, 5096, 5097, 5098, 5099, 5101, 5105, 5141 and 5162, an Order relative to authorizing the committee on Public Service to make an investigation and study of certain Senate and House documents concerning the civil service system, retirement benefits, regulations and various other matters related to public employees (House, No. 5329).
By Mr. Cahir of Bourne, for the committee on Transportation, on
Senate, Nos. 1732, 1745 and 1758 and House, Nos. 669, 670, 671,
672, 1054, 1254, 1437, 1621, 1640, 2499, 2500, 2877, 4405, 4408,
4409, 4559 and 4751, an Order relative to authorizing the committee
on Transportation to make an investigation and study of certain
Senate and House documents concerning the Massachusetts Bay
Transportation Authority, the Highway Department, the Port
Authority and various other related matters (House, No. 5330).

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

Subsequently Mr. Serra of Boston, for said committees, reported,
in each instance, asking to be discharged from further consideration
of said orders; and recommending that the same severally be
referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith;
and they were accepted.

By Mr. Hodgkins of Lee, for the committee on State Adminis-
tration, that the recommitted Bill relative to municipal fraud audits
(House, No. 2837) ought to pass. Referred, under Rule 33, to the
committee on Ways and Means.

By Mr. Angelo of Saugus, for the committee on Government
Regulations, on House, Nos. 204, 211 and 1508, a Bill relating to birth,
murriage and death records (House, No. 211, changed in section 21
by adding at the end thereof the following sentence: "The board of
health shall transmit all completed certificates of death it receives to
the town clerk."); in section 72 by striking out, in line 5, the word
"blanks" and inserting in place thereof the word "forms"; in sec-
tion 103 by inserting after the word "making", in line 5, the word
"of"; and by adding at the end thereof the following section:

"SECTION 104. The department of public health, the registry of
vital records and statistics, any municipal clerks, and any other
agency or public subdivision of the commonwealth shall be prohib-
ited from either selling or providing, either for a fee or otherwise,
such information collected and disseminated pursuant to the provi-
sions of this act to any vendor or other such entity, commercial or
otherwise, whose intentions would be to use such information for
commercial purposes."). Read; and referred, under Rule 33, to the
committee on Ways and Means.

Emergency Measure.

The engrossed Bill designating a certain bridge in the town of
Freetown as the Freetown VFW Post 6643 Memorial Bridge (see
House, No. 5186), 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 34
to 0. Sent to the Senate for concurrence.
Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

Engrossed bills
Establishing a department of inspections in the city of Quincy (see Senate, No. 1159) (which originated in the Senate);
Establishing a code of corporate standards relative to China for companies receiving certain state funds (see House, No. 4909); and
Relative to the equitable taxation of financial institutions (see House, No. 4975, 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.

The Senate Bill relative to the Andover Firemen's Relief Association (Senate, No. 1475) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

House bills
Designating a certain bridge in the town of Andover as the Andover World War II Veterans Memorial Bridge (House, No. 5165); and
Designating a certain athletic complex in the city of North Adams as the Joseph Zavattaro Athletic Complex (House, No. 5214) (its title having been changed by the committee on Bills in the Third Reading);
Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

At twenty-three minutes after eleven o'clock A.M., on motion of Mr. Verga of Gloucester (Mr. Voke of Boston being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.
Met according to adjournment, at eleven o'clock A.M., in an
Informal Session, with Mr. Serra of Boston in the Chair (having
been appointed by the Speaker, under authority conferred by Rule 5,
to perform the duties of the Chair).

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

Lord God, we place our confidence in You and our trust in Your
personal interest in our material and spiritual well-being. In Your
kindness, inspire us to follow Your precepts and to accept and
implement in our daily living the values which You have made
known to us. Grant us the wisdom to make reasonable decisions, the
courage to remain faithful to our principles, and the good sense to
respect the views of others even when there are points of serious dis-
agreement, and to give thanks for our material and spiritual gifts.

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

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

Message from the Governor.

A message from His Excellency the Governor (under the provi-
sions of Section 8 of Article LXXXIX of the Amendments to the
Constitution) recommending legislation relative to validating the
results of a special debt exclusion election held in the town of Brook-
field on May twentieth, nineteen hundred and ninety-five (House,
No. 5341) was filed in the office of the Clerk on Monday, July 24.

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

Resolutions.

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

Resolutions (filed by Mr. Brewer of Barre) congratulating
Raymond S. St. Peter on receiving the Eagle Award of the Boy
Scouts of America;

Resolutions (filed by Ms. Kerans of Danvers) congratulating
Ernest J. Gagnon on the occasion of his retirement;

Resolutions (filed by Messrs. Lepper of Attleboro and Poirier of
North Attleborough) commending William Skitt for thirty years of
dedicated service to the Attleboro School system; and
Resolutions (filed by Representatives Menard of Somerset, Correia of Fall River, Herren of Fall River, Lambert of Fall River and Travis of Rehoboth) on the occasion of Fall River celebrates America Festival in the City of Fall River.

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

Communication.

The following communication was read for the information of the House; and it was placed on file:

THE CITY OF
OKLAHOMA CITY
RONALD J. NORICK, MAYOR


Dear Representatives:

I thank you for your heartfelt compassion toward our community. We appreciate your thoughts, prayers and kindness.

We are genuinely grateful for the expression of condolence in the Resolution of the Massachusetts House of Representatives. The continual support and generosity bestowed upon this community have given us renewed strength as we continue to deal with the magnitude of this senseless tragedy.

The atrocity in our City reminded us of the fortitude and cohesiveness of this great nation. May we never forget the united spirit we have demonstrated amidst the adversity.

Sincerely,

RONALD J. NORICK,
Mayor.

Special Report.

A report of the Special Commission established (under Section 3 of Chapter 6 of the Acts of 1995) for the purpose of making formal recommendations regarding the development, siting and financing of a multi-purpose convention center and integrated sports facility and
baseball stadium (House, No. 5300) was referred to the committee on Ways and Means.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. DiPaola of Malden, petition (accompanied by bill, House, No. 5342) of James V. DiPaola, William G. Reinstein, Edward G. Connolly, Richard R. Tisei and Anthony P. Giglio (with the approval of the mayor and city council) for legislation to increase the requirements for nomination as a candidate for elective office in the city of Malden; and

By the same member, petition (accompanied by bill, House, No. 5343) of Anthony P. Giglio, Edward G. Connolly, William G. Reinstein, Richard R. Tisei and James V. DiPaola (with the approval of the mayor and city council) for legislation to provide for a four year term for the office of mayor of the city of Malden;

Severally to the committee on Election Laws.

By Mrs. Harkins of Needham, petition (accompanied by bill, House, No. 5344) of Lida E. Harkins and Cheryl A. Jacques (by vote of the town) relative to the school committee of the town of Needham; and

By Mrs. Hyland of Foxborough, petition (accompanied by bill, House, No. 5345) of Barbara C. Hyland (by vote of the town) for legislation to authorize the town of Foxborough to convey a certain parcel of conservation land to Erika E. Kun;

Severally to the committee on Local Affairs.

By Mr. Verga of Gloucester, petition (accompanied by bill, House, No. 5346) of Anthony J. Verga, Bruce E. Tarr and another (by vote of the town) for legislation to authorize the town of Rockport to offer health insurance to certain elected officials and employees of said town. To the committee on Public Service.

Mrs. Sprague of Walpole presented a petition (subject to Joint Rule 12) of Jo Ann Sprague and Cheryl A. Jacques (by vote of the town) for legislation to authorize the discontinuance of sounding of train whistles at railroad crossings in the town of Norfolk; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Voke 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. Kulik of Worthington, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Herren of Fall River (by request), petition (subject to Joint Rule 12) of Nancy Medeiros for legislation to require the appointment of women to housing authorities in cities.
By Mr. Kafka of Sharon, petition (subject to Joint Rule 12) of Rachmiel Liberman, Louis L. Kafka, William M. Straus and Jay R. Kaufman for legislation to authorize the sale of kosher wine on Sundays.

By Mr. Mariano of Quincy, petition (subject to Joint Rule 12) of Ronald Mariano and other members of the House for legislation to provide funds for the Soldiers' homes in the Commonwealth from proceeds received by the Registrar of Motor Vehicles for the issuance of certain veterans plates.

By Ms. Story of Amherst, petition (subject to Joint Rule 12) of Ellen Story for legislation to authorize the Department of Mental Retardation to establish a sick leave bank for Lee Vaughan, an employee of said department.

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

Papers from the Senate.

The House Order relative to extending until Wednesday, September 20, 1995, the time within which the committee on Local Affairs is authorized to report on certain current Senate and House documents, came from the Senate adopted, in concurrence, with the following amendment:

Adding at the end thereof the following: "including Senate documents numbered 1351 and 1895; and House documents numbered 2220, 2606, 2783, 4170, 4174, 5073, 5084, 5085 and 5108."

Under suspension of Rule 35, on motion of Mr. Petrolati of Ludlow, the amendment was considered forthwith; and it was adopted, in concurrence.

Bills

Relative to the Fire Prevention Association of Massachusetts, Inc., (Senate, No. 1438) (on a petition); and

Making certain changes in the bidding of public construction contracts (Senate, No. 1484) (on Senate, No. 1484 and House, No. 3060);

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.

Reports of Committees.

By Mr. Voke 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 Stephen Kulik and Stanley C. Rosenberg (by vote of the town) for legislation to limit access by all forms of motorized and vehicular traffic on certain roads in the town of Montague. To the committee on Local Affairs.

Petition (accompanied by bill) of Stephen Kulik, Patrick F. Landers III and Stanley C. Rosenberg for legislation to exempt certain sales of recycling or composting bins from the sales tax. To the committee on Taxation.
Under suspension of Rule 42, on motion of Mr. Kulik of Worthington, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Finneran of Boston, for the committee on Ways and Means, that the Bill authorizing the Division of Capital Planning and Operations to convey a certain parcel of land to the town of Leicester (House, No. 4730) ought to pass with amendments in section 1 by striking out, in line 4, the words "nominal consideration" and inserting in place thereof the words "consideration as described in section 2 of this act"; and by striking out section 2 and inserting in place thereof the following five sections:

"SECTION 2. The consideration paid by town of Leicester for said parcel shall be the full and fair market value of the property determined by the independent appraisal, for its use as described herein. The inspector general shall review and approve said appraisal and said review shall include a review of methodology utilized for said appraisal. The inspector general shall prepare a report for his review and file said report with the commissioner for submission to the house and senate committees on ways and means and chairmen of the joint committee on state administration in accordance with section five of this act. The town of Leicester shall pay said consideration in accordance with the terms of the agreement.

SECTION 3. The town of Leicester shall be responsible for any costs for appraisals, surveys and other expenses relating to the transfer of the property, or for any costs and liabilities and expenses of any nature and kind for its development, maintenance or operation. In the event said parcel of land ceases to be used at any time for the purposes contained herein said parcel of land shall revert to the care and control of the division of capital planning and operations and any further disposition of said parcel of land shall be subject to the provisions of sections forty E to forty J, inclusive, of chapter seven of the General Laws.

SECTION 4. The sale price paid as consideration pursuant to sections one and two shall be deposited in the general fund of the commonwealth.

SECTION 5. The commissioner shall, thirty days before the execution of any agreement authorized by this act, or any subsequent amendment thereof, submit the agreement or amendment and a report thereon to the inspector general for his review and comment. The inspector general shall issue his review and comment within fifteen days of receipt of any agreement or amendment. The commissioner shall submit the agreement and any subsequent amendments thereof, the reports, and the comments of the inspector general, if any, to the house and senate committees on ways and means and the chairmen of the joint committee on state administration at least fifteen days prior to execution.
SECTION 6. This act shall take effect upon its passage." [Local Approval Received].

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

The amendments previously recommended by the committee on Ways and Means then were adopted; and the bill, as amended, was ordered to a third reading.

Under suspension of the rules, on further motion of Mr. Binienda, 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. The bill (House, No. 4730, amended) then was sent to the Senate for concurrence.

By Mr. Petrolati of Ludlow, for the committee on Local Affairs, on a petition, a Bill authorizing the town of Plymouth to borrow funds and make loans to certain homeowners in the town (House, No. 5222), which was read [Local Approval Received].

Under suspension of the rules, on motion of Ms. Teagan of Plymouth, the bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed, its title having been changed by said committee to read: An Act authorizing the town of Plymouth to borrow funds and make loans to certain homeowners in said town. Sent to the Senate for concurrence.

By Mrs. Owens-Hicks of Boston, for the committee on Education, Arts and Humanities, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 5293) of Edward B. Teague III, John A. Lepper, Gary M. Coon, Francis L. Marini, David M. Peters and Linda C. Teagan for legislation to prohibit disciplinary action against teachers due to membership or non-membership in a union,— and recommending that the same be referred to the committee on Public Service. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Mr. Haley of Weymouth, for the committee on Criminal Justice, on Senate, Nos. 150, 156, 168, 169, 171, 176, 177, 179, 180, 183, 185, 193, 208, 211, 213, 215, 218, 222, 226, 229, 232 and 245 and House, Nos. 299, 301, 303, 688, 880, 882, 884, 885, 1079, 1080, 1083, 1483, 1487, 1664, 1673, 1969, 1973, 2136, 2333, 2530, 2533, 2535, 2883 App. F, 3094, 3495, 3496, 3497, 3498, 3499, 3682, 3683, 3870, 3871, 3872, 3873, 3880, 3883, 3884, 3885, 3887, 4074, 4077, 4078, 4254, 4431 and 4432, an Order relative to authorizing the committee on Criminal Justice to make an investigation and study of certain Senate and House documents concerning minimum mandatory sentencing procedures in the courts of the Commonwealth (House, No. 5332).
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By the same member, for the same committee, on House, Nos. 302, 304, 360, 879, 883, 1081, 1084, 1263, 1265, 1267, 1484, 1485, 1486, 1665, 1667, 1668, 1670, 1799, 1800, 1801, 1802, 1804, 1807, 1808, 1968, 1970, 1972, 1974, 1976, 2135, 2138, 2140, 2334, 2335, 2337, 2338, 2339, 2529, 2532, 2706, 2707, 2708, 2709, 2767, 2883 App. A, B, C, D, E, G, H and I, 2899, 2901, 2902, 2905, 2907, 2908, 3095, 3288 App. A to J, inclusive, 3313, 3314, 3315, 3316, 3492, 3494, 3501, 3680, 3681, 3868, 3874, 3876, 3877, 3878, 3879, 3881, 3886, 4075, 4076, 4080, 4081, 4253, 4255, 4257, 4428, 4429, 4433, 4582, 4583, 4584, 4585, 4586, 4587, 4588, 4842, 4952, 4987, 5047 and 5083, an Order relative to authorizing the committee on Criminal Justice to make an investigation and study of certain House documents concerning the penalties for criminal actions in the Commonwealth and other matters related thereto (House, No. 5333).

By Mr. McIntyre of New Bedford, for the committee on the Judiciary, on House, Nos. 357, 358, 935, 1120, 1126, 1128, 1132, 1133, 1140, 1145, 1146, 1337, 1539, 1542, 1544, 1721, 1730, 1855, 1868, 1875, 1878, 2051, 2053, 2060, 2064, 2210, 2214, 2215, 2773, 2955, 2956, 2971, 2973, 3146, 3158, 3166, 3167, 3175, 3176, 3375, 3561, 3567, 3758, 3761, 3764, 3945, 3948, 3949, 3953, 4144, 4145, 4154, 4164, 4166, 4322, 4323, 4499 and 4619, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning public employee immunity, abandoned property, homestead exemptions, fair information practices, indexed judgment rates, secrecy agreements, landlords and tenants, charitable, summary process, and other matters related to court proceedings (House, No. 5334).

By the same member, for the same committee, on House, Nos. 212, 242, 364, 365, 567, 569, 571, 572, 573, 768, 938, 939, 940, 941, 1732, 1867, 1869, 1871, 2052, 2206, 2990, 3173, 3564, 3565, 3566, 3768, 4149, 4150, 4151, 4153, 4158, 4169, 4289, 4332, 4466, 4683, 4701, 4768, 4795, 4849, 4934, 4958 and 4959, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning abortion, non-criminal dispositions, constables, health services, liability, gambling devices, minors, divorce proceedings, sex offenders, disability leave and juvenile court proceedings (House, No. 5335).

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

Subsequently Mr. Serra of Boston, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Bosley of North Adams, for the committee on Commerce and Labor, on House, Nos. 36 and 37, a Bill relative to the disclosure of a consumer’s lemon law rights (House, No. 37).
By Mr. Stefanini of Framingham, for the committee on Health Care, on House, No. 5310, a Bill to preserve the mission of Boston City Hospital (House, No. 5336) [Local Approval Received].

By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, on a petition, a Bill requiring persons engaged in the business of installing and maintaining private water well systems to be registered (House, No. 4994).

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

By Mr. Angelo of Saugus, for the committee on Government Regulations, that the recommitted Bill pertaining to regional cable television franchising authorities (House, No. 45) ought to pass. Placed in the Orders of the Day for the next sitting, the question being on ordering the bill to a third reading.

By Mr. Turkington of Falmouth, for the committee on Counties on the part of the House, on a petition, a Bill providing for the appointment of the dog officer by the board of health in the town of Hopedale (House, No. 5104) [Local Approval Received].

By Mr. Dempsey of Haverhill, for the committee on Election Laws, on a petition, a Bill authorizing the town of Sudbury to send certain information to registered voters in the town of Sudbury (House, No. 5315) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill providing for recall elections in the town of Westminster (House, No. 5316) [Local Approval Received].

By Mr. Herren of Fall River, for the committee on Energy, on House, Nos. 110, 112 and 3334, a Bill to promote the use of natural gas vehicles (House, No. 3334).

By Mr. McDonough of Boston, for the committee on Insurance, on a petition, a Bill relative to the Watertown Firefighters Relief Association (House, No. 5284).

By the same member, for the same committee, on Senate, No. 741 and House, Nos. 1526, 1531, 1534, 1711, 2597, 3368, 3369 and 3752, a Bill further protecting the confidentiality of patients (House, No. 5347).

By Mr. Hodgkins of Lee, for the committee on State Administration, on a petition, a Bill designating the riverwalk on the grounds of the Lowell Heritage State Park as the Scott Finnernal Memorial Riverwalk (House, No. 5287).

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

Engrossed Bills.

Engrossed bills
Relative to the Andover Firemen’s Relief Association (see Senate, No. 1475);
Relative to the construction of sewer extensions in the town of Millis (see Senate, No. 1899);
(Which severally originated in the Senate);
Providing for recall elections in the town of Southampton (see House, No. 4599);

Relative to the salaries of the members of the Boston Licensing Board (see House, No. 4662);

Authorizing the county commissioners of the county of Dukes County to borrow money to renovate a certain court house (see House, No. 4841); and

Establishing the Amherst economic development and industrial corporation (see House, No. 4897);

(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

Authorizing the Granby Telephone and Telegraph Company of Massachusetts to borrow an additional sum of money (House, No. 1507);

Authorizing the county commissioners of Norfolk County to acquire and develop certain land in the city of Quincy and to borrow money therefor (House, No. 2132) (its title having been changed by the committee on Bills in the Third Reading);

Establishing the Berkshire economic development authority (House, No. 3382); and

Relative to the Groton Country Club Authority (House, No. 5216);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The Senate Bill relative to the operations of Quincy Hospital (Senate, No. 1854) was read a third time.

The committee on Bills in the Third Reading reported recommending that the bill be amended by striking out section 3 (as printed); by striking out sections 5 and 6 (as printed); and by inserting after section 13 (as printed) the following five sections:

“SECTION 11. Section 1 of chapter 312 of the acts of 1981 is hereby amended by striking out, in line 5, the word ‘City’.

SECTION 12. Said section 1 of said chapter 312 is hereby further amended by striking out, in line 7, the word ‘city’.

SECTION 13. Said chapter 312 is hereby further amended by striking out section 2 and inserting in place thereof the following section:

Section 2. Except as otherwise specifically provided in this act, expenditure from the account authorized by section one shall be made by the director of the Quincy hospital without appropriation and used for the operation, maintenance and service development of said hospital and for capital equipment and plant for said hospital. Said account authorized by said section one shall be deemed to be a
trust fund. It shall be maintained on behalf of said hospital by the Quincy hospital investment committee hereinafter referred to as the investment committee and the funds therein shall be invested by the treasurer of the city of Quincy solely at the discretion of and within the discretion of the investment committee and income occurring thereon shall inure to the benefit of said hospital; provided, however, that such funds shall be invested in any such investment as may be lawful for fiduciaries in the commonwealth. Said investment committee shall consist of the treasurer of the city of Quincy, the auditor of the city of Quincy, the director and chief financial officer of the Quincy hospital, three members of the board of managers of the Quincy hospital who shall be appointed by the board of managers of said hospital for such terms as it deems appropriate; provided, further, that such terms of appointment shall be for less than two years and two persons with expertise in financial investment activities who shall be appointed by the board of managers of said hospital for such terms as it deems appropriate; provided, however, that such terms of appointment shall be for less than two years. Said investment committee shall take all actions by affirmative vote of at least five of its members. Said investment committee shall report, in writing, at least quarterly, to the board of managers of the Quincy hospital and to the mayor and the city council of said city of its activities and investments. Said investment committee is hereby authorized to enter into contracts for such professional services as it deems proper to advise said committee relative to the investment of the funds in said account, and is further authorized to expend funds from said account for said purpose. In addition, upon recommendation by the director and approval by a two-thirds vote of the board of managers, expenditures from such account may be loaned with proper surety and security as determined by the city solicitor and city auditor, for the purposes of assisting in physician recruitment. Such account shall be maintained in accordance with generally accepted accounting principals and shall be audited annually by a certified public accountant. Such audits shall be submitted to the board of managers of said hospital and to the mayor and city council of said city. For the purpose of providing health care for the citizens of the city of Quincy, said city may from time to time appropriate monies into said account and donations from private sources may be received into such special account.

SECTION 14. The first sentence of section 3 of said chapter 312, as appearing in section 13 of chapter 470 of the acts of 1985, is hereby further amended by striking out, in lines 2 and 4, the word 'city'.

SECTION 15. Section 4 of said chapter 312, as amended by said section 13 of said chapter 470, is hereby further amended by striking out, in line 1, the word 'city'.

The amendments were adopted; and the bill (Senate, No. 1854, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendments adopted by the House.
Order.

On motion of Mr. McDonough of Boston,—

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

At sixteen minutes after eleven o'clock A.M., on motion of Mr. Rushing of Boston (Mr. Serra of Boston being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M.

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, the new week offers us new legislative challenges and new opportunities for serving You and the people in our districts. Open our hearts and minds so that we will recognize the needs of the people and society. Let our concern for the issues of the day continue to remain constant. By our commitment to excellence in government administration, help us to build confidence in our institutions and in our capacity to plan for a better future. Teach us to respect the rights and dignity of all people in our communities and to encourage all to use their talents prudently, so that they will participate in the many opportunities which are available in our society.

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

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

Message from the Governor — Reorganization Plan Number 1 of 1995.

A message from His Excellency the Governor submitting (under Article LXXXVII of the Amendments to the Constitution) Reorganization Plan Number 1 of 1995, relative to eliminating unnecessary government regulation of professionals (House, No. 5348) was filed in the office of the Clerk on Monday, July 24.

The message was read; and it was referred, under Joint Rule 23A, with the accompanying draft of a bill, to the committee on Government Regulations. Sent to the Senate for concurrence.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to clarifying the application of certain regulations in Chapter thirty-one (House, No. 5349) was filed in the office of the Clerk on Friday, July 28.

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

Changes in House Standing Committees.

The Speaker announced the following changes in House standing committees:

That Representative DeLeo of Winthrop had been relieved of duty (at his own request) from the committee on Ethics; and that Representative Honan of Boston had been appointed to the first position on said committee to fill the existing vacancy; and
That Representative Honan of Boston had been relieved of duty (at his own request) from the committee on Post Audit and Oversight; and that Representative Donovan of Woburn had been appointed to the second position on said committee to fill the existing vacancy.

Changes in Joint Standing Committees.

The Speaker announced the following changes in joint standing committees:

That Representative McDonough of Boston had been appointed to the first position on the committee on Health Care to fill the existing vacancy;

That Representative McDonough of Boston had been relieved of duty (at his own request) from the committee on Insurance; and that Representative Rushing of Boston had been appointed to the first position on said committee to fill the existing vacancy;

That Representative Petrolati of Ludlow had been relieved of duty (at his own request) from the committee on Local Affairs; and that Representative DeLeo of Winthrop had been appointed to the first position on said committee to fill the existing vacancy; and

That Representative Rushing of Boston had been relieved of duty (at his own request) from the committee on Public Service; and that Representative Petrolati of Ludlow had been appointed to the first position on said committee to fill the existing vacancy.

Statement of Representative Bosley of North Adams.

During consideration of the Orders of the Day, Mr. Bosley of North Adams 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 the earlier part of today’s sitting due to official business outside the Commonwealth. Any roll calls that I may have missed today was due entirely to the reason stated.

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

Statement Concerning Representative Caron of Springfield.

Before proceeding to consideration of the Orders of the Day, Mr. Voke of Boston 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 Caron of Springfield, will not be present in the House Chamber for today’s sitting due to the pending birth of his child. Any roll calls that he may miss today will be due entirely to the reason stated.

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

During consideration of the Orders of the Day, Mr. Voke of Boston 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 Fennell of Lynn, is unable to be present in the House Chamber due to a prior family commitment outside the Commonwealth. Any roll calls that he may miss today will be due entirely to the reason stated.

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

Statement Concerning Representative Verga of Gloucester.

Before proceeding to consideration of the Orders of the Day, Mr. Voke of Boston 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 Verga of Gloucester, will not be present in the House Chamber for today’s sitting due to his hospitalization while recovering from surgery. 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.

Guests of the House.

During consideration of the Orders of the Day, the Speaker declared a recess subject to the call of the Chair, there being no objection; and introduced Kameelah Fuller of Brockton. Ms. Fuller was recently presented the John F. Kennedy First Place Trophy at the American Legion High School Oratorical Finals Contest held at the Charlestown Navy Yard. She was the guest of Representative Voke of Boston.

During consideration of the Orders of the Day, the Speaker declared a recess subject to the call of the Chair, there being no objection, for the purpose of introducing Ms. Marcia Turner. Marcia, a junior at Harvard University, where she is pursuing an honors degree in Government, was recently elected Miss Massachusetts for the current year. She was accompanied by her parents, Robert and Catherine Fuller, and her sister, Elisa. Ms. Turner, who was the guest of the Speaker, then addressed the House briefly.

Resolutions.

Resolutions (filed with the Clerk by Mr. Fennell of Lynn) congratulating Reverend Joseph H. Fellin, C.S.S., on the occasion of the fiftieth anniversary of his ordination as a Stigmatine priest, were referred, under Rule 85, to the committee on Rules.
Mr. Voke of Boston, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of Rule 41, on motion of Mr. McGee of Lynn, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Order.

The following order (filed by Mrs. Gray of Framingham) 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, the committee on Natural Resources and Agriculture be granted until Friday, October 13, 1995 with which to make its final report on current House documents numbered 2233, 3398, 4512, 5212, 5286 and 5295.

Mr. Voke of Boston, for the committees on Rules, then reported that the order ought to be adopted. Under suspension of Rule 42, on motion of Mrs. Gray, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Papers from the Senate.

The following order (having been approved by the committees on Rules of the two branches, acting concurrently), adopted by the Senate, was considered.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care be granted until Friday, September 1, 1995, within which to make its final report on Senate document numbered 1982, to provide for disclosure of certain information relating to tobacco products sold in the Commonwealth.

Under suspension of Rule 42, on motion of Mr. Stefanini of Framingham, the order was considered forthwith; and it was adopted, in concurrence.

The House Bill authorizing the Division of Capital Planning and Operations to transfer easements in land located in the town of Southborough (House, No. 4805) came from the Senate passed to be engrossed, in concurrence, with certain amendments in section 1 by striking out, in lines 2 and 3 (as printed), the words “and directed, notwithstanding the provisions of sections forty E to forty J, inclusive,” and inserting in place thereof the words “Notwithstanding the provisions of section forty H of chapter seven of the General Laws”; and in section 4 by striking out, in lines 7 and 8, the words “care and control of the” and inserting in place thereof the words “ownership of the commonwealth, acting by and through its”.

Under suspension of the rules, on motion of Ms. Gardner of Holliston, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn, as changed) were considered forthwith; and they were adopted, in concurrence.
The House Bill relative to providing for capital outlay for the acquisition and upgrading of certain major information technology systems (House, No. 5190) came from the Senate passed to be engrossed, in concurrence, with the following amendments:

In section 2, in item 1101-8922, striking out, in line 10 (as printed), the words “one million dollars” and inserting in place thereof the words “five hundred and twenty-five thousand dollars”; and in said item striking out the figures “6,440,000” and inserting in place thereof the figures “5,965,000”; in section 4 striking out, in lines 5 and 6 (as printed), the words “six million four hundred forty thousand dollars” and inserting in place thereof the words “five million nine hundred and sixty-five thousand dollars”; in section 5 striking out, in lines 5 and 6 (as printed), the words “fifteen million seven hundred thousand dollars” and inserting in place thereof the words “sixteen million seven hundred thousand dollars”; and in section 7 inserting after the word “plan”, in line 17 (as printed), the words “and an information access plan”, and adding at the end of said section the following two sentences: ‘For the further protection and welfare of children and families, said information access plan shall include, but not be limited to, the following provisions: contracted vendors, so-called, of the department, shall have equal access to all information gathered by the department relating to the referral, placement, and removal of a child or family; the department and its contracted vendors shall have equal access to criminal offender record information of any foster care parent or any employee or applicant for any position with a contracted vendor, including any subcontractor; and the costs associated with the implementation of said plan. Such criminal offender record information access shall be exercised in accordance with sections one hundred and sixty-seven to one hundred and seventy-eight, inclusive, of chapter six of the General Laws.”.

Under suspension of the rules, on motion of Mr. Finneran of Boston, the amendments were considered forthwith; and they were adopted, in concurrence.

A Bill authorizing certain public employees creditable retirement service time for active service in the armed forces (Senate, No. 1999) (on Senate, Nos. 1356, 1441, 1457 and 1936 and on House, Nos. 970, 1221, 1920 and 3040), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Counties on the part of the House.

Bills

Authorizing the Division of Capital Planning and Operations to convey a certain parcel of land located in the town of Greenfield (Senate, No. 1889, amended in section 1 by striking out, in line 6, the words “by deed approved as to form by the attorney general”;) and by striking out, in line 13, the word “conditions” and inserting in place thereof the words “any conditions determined by the com-
missioner of the division of capital planning and operations to be appropriate which shall be included") (on a petition); and

Authorizing the Commissioner of the Division of Capital Planning and Operations to grant a permanent easement to the city of Marlborough (Senate, No. 1941) (on Senate, Nos. 1836 and 1868).

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

A petition (accompanied by bill, Senate, No. 1992) of Jane M. Swift (by vote of the town) for legislation to provide for the appointment of the tax collector and treasurer of the town of Heath, was referred, in concurrence, to the committee on Local Affairs.

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

Petition (accompanied by resolve, Senate, No. 1993) of Lucile P. Hicks, Daniel P. Leahy, Carol C. Cleven, Mary Jeanette Murray and other members of the General Court that provision be made for an investigation and study by a special commission (including members of the General Court) of the effect of the “Gulf War Syndrome” on veterans. To the committee on Human Services and Elderly Affairs.

Petition (accompanied by bill, Senate, No. 1994) of Robert A. Antonioni for legislation relative to clarifying the implementation of the Commonwealth’s cross connection program for water suppliers. To the committee on Natural Resources and Agriculture.

Petition (accompanied by bill, Senate, No. 1995) of Robert A. Havern and William G. Greene, Jr. (by vote of the town) for legislation relative to the transfer of a certain bridge in the town of Billerica to the State Department of Highways. To the committee on Transportation.

Reports of Committees.

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

Petition (accompanied by bill) of William J. Glodis, Jr., for legislation to establish scholarships at all public institutions of higher education for persons who have attained general equivalency diplomas. To the committee on Education, Arts and Humanities.

Petition (accompanied by bill) of John C. Klimm relative to the administration of the Hyannis Fire District. To the committee on Local Affairs.

Under suspension of Rule 42, on motion of Mr. Glodis of Worcester, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.
By Mrs. Menard of Somerset, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Marie J. Parente and other members of the General Court for an investigation by a special commission (including members of the General Court) relative to the effects of privatization on the delivery of human services. Under suspension of Rule 42, on motion of Mrs. Parente of Milford, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by resolve) was referred to the committee on Human Services and Elderly Affairs. Sent to the Senate for concurrence.

By Mr. Serra of Boston, for the committee on Rules, asking to be discharged from further consideration of the Resolve creating a special commission to study and investigate the Commonwealth's involuntary commitment laws for persons with mental illness (House, No. 5173),— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted.

Engrossed bills

Relative to trust responsibilities of banks (see House, No. 3297, changed);

Authorizing the city of Leominster to establish certain funds (see House, No. 4873); and

Authorizing the town of Plymouth to borrow funds and make loans to certain homeowners in said town (see House, No. 5222);

(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.
Relative to insurable interests in life and accident insurance policies (House, No. 5298) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The House Bill further regulating the distribution of certain cosmetic samples (House, No. 4246) was read a third time.

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

The bill then was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the assault, abuse, neglect and financial exploitation of an elderly or disabled person (House, No. 1266, changed) was read a third time.

The committee on Bills in the Third Reading reported recommending that the bill be amended in section 1 (as printed) by striking out the paragraph contained in lines 72, 73 and 74; and in said section by striking out the paragraph (added by change) and inserting in place thereof the following two paragraphs:

“(g) A person shall not be subject to prosecution under this section for any action taken in accordance with the provisions of section eight of chapter two hundred and one D.

(h) A person shall not be subject to prosecution under subsection (d), (e) or (f) if he, in lieu of medical treatment, and upon the actual consent of the elderly or disabled person, causes or permits such elderly or disabled person to be furnished with or rely upon treatment by spiritual means through prayer in accordance with the tenets and practices of the established religious tradition of such elderly or disabled person.”.

The amendments were adopted; and the bill (House, No. 1266, changed and amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Resolve relative to the operation of steam boilers (House, No. 4790) was read a third time.

The committee on Bills in the Third Reading reported recommending that the resolve be amended by substitution of a Resolve providing for an investigation and study by a special commission relative to the operation of certain boilers and power generating equipment (House, No. 5355), which was read.

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

The recommitted House Bill pertaining to regional cable television franchising authorities (House, No. 45) was ordered to a third reading.
Second reading bills.

Senate bills
Relative to the Fire Prevention Association of Massachusetts, Inc. (Senate, No. 1438); and
Making certain changes in the bidding of public construction contracts (Senate, No. 1484); and

House bills
To promote the use of natural gas vehicles (House, No. 3334); Providing for the appointment of the dog officer by the board of health in the town of Hopedale (House, No. 5104); Relative to the Watertown Firefighters Relief Association (House, No. 5284); Designating the riverwalk on the grounds of the Lowell Heritage State Park as the Scott Finneral Memorial Riverwalk (House, No. 5287); Authorizing the town of Sudbury to send certain information to registered voters in the town of Sudbury (House, No. 5315); Providing for recall elections in the town of Westminster (House, No. 5316); and Further protecting the confidentiality of patients (House, No. 5347);
Severally were read a second time; and they were ordered to a third reading.

Alzheimer’s disease office.

The House Bill establishing an office on Alzheimer’s disease and related disorders (House, No. 3121) was read a third time.
The committee on Bills in the Third Reading reported asking to be discharged from further consideration of the bill; and the report was accepted.
Pending the question on passing the bill to be engrossed, Mr. Petersen of Marblehead moved that it be amended by substitution of a bill with the same title (House No. 5356), which was read.
The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At twenty-nine minutes after eleven o’clock A.M., on motion of Mr. McGee of Lynn, the House recessed until the hour of one o’clock P.M.; and at nineteen minutes after one o’clock the House was called to order.

Camps,—

The House Bill requiring certain camps to provide certified lifeguards (House, No. 3993) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.
Pending the question on passing the bill to be engrossed, further consideration thereof was postponed, on motion of Mr. Cohen of
Newton, until after disposition of the remaining matters in the Orders of the Day.

The motion of Mr. Teague of Yarmouth, that the vote be reconsidered by which the House, on Monday, July 10, passed, in concurrence, notwithstanding the objections of His Excellency the Governor, the engrossed Bill establishing an extended illness leave bank for certain employees of the Commonwealth (see Senate, No. 1837, amended) was considered; and after debate the motion to reconsider was negatived.

Mr. Cohen of Newton being in the Chair, — the House Bill providing that the employees of the Committee for Public Counsel Services shall have collective bargaining rights under Chapter 150E of the General Laws (House, No. 817) was ordered to a third reading.

The House Bill limiting the use of modular construction bidding provisions for specially planned permanent building construction (House, No. 1227) was considered.

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

House bills
Relative to including private non-profit corporations which receive public funds under the provisions of the open meeting and open records laws (House, No. 2112);
Relative to the Massachusetts Port Authority board (House, No. 2282);
To protect the community from sexual offenders (House, No. 2638, changed);
Making certain changes in the bidding of fence erection contracts (House, No. 4017);
Making certain changes in the bidding of landscaping contracts (House, No. 4019);
Providing for greater accountability on public works projects (House, No. 4216);
Relative to auditing practices (House, No. 4545);
Relative to health insurance for part-time municipal employees (House, No. 4891); and
Relative to uniform procurement procedures (House, No. 4966);
Severally were read a second time.

Pending the question, in each instance, on ordering the bill to a third reading, further consideration thereof was postponed, on motions of Mr. Hodgkins of Lee, until after disposition of the remaining matters in the Orders of the Day.
Vehicles,— child restraints.

The House Bill relative to child passenger restraints in motor vehicles (House, No. 5301) was read a second time.

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

Quorum.

The Speaker having returned to the Chair,—

Mr. Angelo of Saugus then 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 134 members were recorded as being in attendance.

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

Therefore a quorum was present.

Reports of Committees.

Mr. Finneran of Boston, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments (striking out all after the enacting clause and inserting in place thereof the text of Senate document numberd 1897; and striking out the title and inserting in place thereof a new title) of the House Bill relative to bond authorizations to meet certain capital emergencies of the Commonwealth (House, No. 4867), reports, in part, a Bill authorizing certain capital expenditures for local water pollution control (House, No. 5351).

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

Mr. Finneran of Boston, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments (striking out all after the enacting clause and inserting in place thereof the text of Senate document number 1944; striking out the title and inserting in place thereof the following title: "An Act providing for the operation of the Third Harbor Tunnel and a study of the unified transportation system in the Boston metropolitan area."); and striking out the emergency preamble and inserting in place thereof the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is immediately to establish the operation of the Third Harbor Tunnel and to initiate a study of a unified transportation system in the Boston metropolitan area, therefore it is hereby declared an emergency law, necessary for the immediate preserva-
tion of the public convenience.”) of the House Bill establishing a unified transportation system in the Boston metropolitan area (House, No. 4814), reports recommending that the House recede from its non-concurrence with the Senate in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 1944) and concur therein with a further amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5350; and that the Senate concur in the further amendment;

That the House recede from its non-concurrence with the Senate in its amendment (striking out the title and inserting in place thereof the following title: “An Act providing for the operation of the Third Harbor Tunnel and a study of the unified transportation system in the Boston metropolitan area.”) and concur therein with a further amendment by striking out the title and inserting in place thereof the following title: “An Act providing for the operation of the Third Harbor Tunnel and the study of a unified transportation system in the Boston metropolitan area.”, and that the Senate concur in the further amendment; and

That the House recede from its non-concurrence with the Senate in its amendment (striking out the emergency preamble and inserting in place thereof the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is immediately to establish the operation of the Third Harbor Tunnel and to initiate a study of a unified transportation system in the Boston metropolitan area, therefore it is hereby declared an emergency law, necessary for the immediate preservation of the public convenience.”), and concur therein with a further amendment by striking out the emergency preamble and inserting in place thereof the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately establish the operation of the Third Harbor Tunnel and to initiate a study of a unified transportation system in the Boston metropolitan area, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”, and that the Senate concur in the further amendment.

Under suspension of Rule 42, on motion of Mr. Finneran, the report (having been approved by the committee on Bills in the Third Reading) was considered forthwith; and it was accepted. The report then was sent to the Senate for concurrence.

Recess.

At nineteen minutes after two o’clock P.M., on motion of Mr. Angelo of Saugus, the House recessed until a quarter before three o’clock P.M.; and at six minutes after three o’clock the House was called to order.
Emergency Measures.

The engrossed Bill providing for the operation of the Third Harbor Tunnel and the study of a unified transportation system in the Boston metropolitan area (see House, No. 4814, 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 24 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 taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, this also 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 this also being a "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 122 members voted in the affirmative and 17 in the negative.

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

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

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

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

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

The engrossed Bill authorizing certain capital expenditures for local water pollution control (see House, No. 5351), 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 24 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 "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 139 members voted in the affirmative and 0 in the negative.

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

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

Recess.

At ten minutes before four o’clock P.M., on motion of Mr. Hynes of Marshfield, the House recessed until twenty minutes after four o’clock P.M.; and at ten minutes before five o’clock the House was called to order.

Engrossed Bills — Land Takings.

The engrossed Bill authorizing the city of Waltham to grant easements over certain park and recreation land in the city of Waltham (see House, No. 4938) (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 141 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 215 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 relative to the disposition of certain state-owned property in the towns of Dover and Wellesley (see House, No. 5163) (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 140 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 216 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 Wilmington to release a certain easement (see House, No. 5055) (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 XC VII of the Amendments to the Constitution); and on the roll call 141 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 217 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 Division of Capital Planning and Operations to transfer easements in land located in the town of Southborough (see House, No. 4805, 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 XC VII 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. 218 in Supplement.]

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

Recess.

At twelve minutes after five o'clock P.M., on motion of Mr. Scaccia of Boston, the House recessed until half past five o'clock P.M.; and at eighteen minutes before six o'clock the House was called to order.

Emergency Measure.

The engrossed Bill relative to providing for capital outlays for the acquisition and upgrading of certain major information technology systems (see House, No. 5190, 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 47 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 "loan" bill as defined by Section 3 of Article LXII 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. 219 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. McGee of Lynn,—

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. Casey of Winchester then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at four minutes before six o'clock P.M. (the Speaker being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.