Thursday, June 1, 1995.

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

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

God, Our Creator, we pause for this moment of prayer to turn our thoughts to You and ask for Your guidance in personal and legislative affairs. Inspire us to use our minds, hearts and talents to serve You and the people in our districts who depend upon us for relevant and reasonable legislation. Bless our efforts to unite people in seeking sound political, social and economic goals which address the challenges of the times. By our commitment to excellence in government, help us to build trust in You, in each other and in our institutions.

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

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

Resolutions.

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

Joel N. DuCharme.

Resolutions (filed by Mr. Kulik of Worthington) congratulating Joel N. DuCharme on receiving the Eagle Award of the Boy Scouts of America;

Marie McCabe Stebbins.

Resolutions (filed by Ms. Rogeness of Longmeadow) congratulating Marie McCabe Stebbins on receiving the Western Massachusetts Region of the National Conference, National Human Relations Award; and

Thomas B. Wheeler.

Resolutions (filed by Ms. Rogeness of Longmeadow) congratulating Thomas B. Wheeler on receiving the Western Massachusetts Region of the National Conference, National Human Relations Award;

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

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the Massachusetts Treatment Center located in the town of Bridgewater;

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the Essex County Correctional Facility located in the town of Middleton;

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

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

Severally sent to the Senate for its information.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. DeLeo of Winthrop, petition (accompanied by bill, House, No. 5097) of Robert A. DeLeo (by vote of the town) relative to the retirement rights of Robert C. Crawford, a police officer in the town of Winthrop;

By Ms. Flavin of Easthampton, petition (accompanied by bill, House, No. 5098) of Nancy Flavin and Stanley C. Rosenberg (by vote of the town) for legislation to exempt the position of school custodian in the town of South Hadley from the provisions of civil service law;

By the same member, petition (accompanied by bill, House, No. 5099) of Nancy Flavin and Stanley C. Rosenberg (by vote of the town) for legislation to exempt the position of custodian in the town of South Hadley from the provisions of civil service law; and

By the same member, petition (accompanied by bill, House, No. 5101) of Nancy Flavin and Stanley C. Rosenberg (by vote of the town) for legislation to exempt the position of director of the board of health in the town of South Hadley from the provisions of civil service law;

Severally to the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Binienda of Worcester, petition (subject to Joint Rule 12) of John J. Binienda and William J. Glodis, Jr., for legislation to require photographic records of persons leasing motor vehicles.

By Mr. Mariano of Quincy, petition (subject to Joint Rule 12) of Brian Howard and Ronald Mariano relative to the penalty for illegal
possession of firearms within the vicinity of elementary, vocational or secondary schools.

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

Reports of Committees.

By Mr. Cahill of Beverly, for the committee on Education, Arts and Humanities, on House, No. 3318, a Bill to establish a comprehensive health education program in all public school districts in the Commonwealth of Massachusetts (House, No. 5102) [Senator Walsh dissenting].

By Mr. Demakis of Boston, for the committee on Government Regulations, on a petition, a Bill relating to the occupancy of licensed premises (House, No. 1498).

By Mr. Rushing of Boston, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Carol LeDonne, an employee of the Department of Social Services (House, No. 5050).

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Michael Sullivan, an employee of the Department of Mental Health (House, No. 5086). Severally read; and placed in the Orders of the Day for the next sitting for a second reading.

Engrossed Bills.

Bills enacted.

Relative to the Westborough treatment plant board (see Senate, No. 1104); and

Designating a certain ice skating rink as the Honorable Charles J. Buffone Skating Rink (see Senate, No. 1826); (Which severally originated in the Senate); Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the Speaker and sent to the Senate.

Orders of the Day.

The Senate Bill establishing a liability insurance fund in the town of Rockport (Senate, No. 1074, changed), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

The House Bill relative to warranty repair reimbursement for motor vehicle parts at retail (House, No. 5028) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.
Order.

On motion of Ms. Chesky of Holyoke,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at one o’clock P.M.

At sixteen minutes after eleven o’clock A.M., on motion of Ms. Chesky, the House adjourned, to meet on Monday next at one o’clock P.M.

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

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

Lord God, we acknowledge our dependence on You and our need for guidance as we make our daily decisions and choices. In Your goodness, grant us the wisdom and the courage to serve You and the people whom we represent in carrying out our responsibilities. Inspire us to craft legislation and to create a political and social climate which motivates people to use their talents for self improvement and community benefit. As members of the one human family, teach us to respect others and their rights, and to unite the people in our communities in causes which reinforce human values and serve the best interest of people and the Commonwealth. Grant Your blessings to the Speaker, the members of this House and their families. Amen.

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

Resignation of Representative Michael J. Sullivan of Abington.

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:

Please accept this letter as notification of my resignation from the Massachusetts House of Representatives effective Monday, June 5, 1995 at 5:00 p.m.

As you know, I will be appointed, District Attorney, Plymouth County by His Excellency, the Governor of the Commonwealth of Massachusetts.

I am eternally grateful to the fine people of the 7th Plymouth District for honoring me with their trust these past five years. In addition, it has been my distinct pleasure to serve and work with you and our colleagues in helping the citizens of Massachusetts.
I look forward to my appointment and the challenges and opportunities it will provide, as well as working with you and your House in the future.

Thank you for your professionalism, courtesy and friendship.

Sincerely,

MICHAEL J. SULLIVAN,  
State Representative.

Statement Concerning Representative Angelo of Brockton.

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 Angelo of Brockton, is unable to be present in the House Chamber due to illness. Any roll calls that he may miss today will be due entirely to the reason stated.

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

Statement Concerning Representative Hodgkins of Lee.

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 Hodgkins of Lee, is unable to be present in the House Chamber due to official business in his district attending the opening of the Disaster Assistance Center on the southern campus of Berkshire Community College and meeting with the victims of the recent tornado which occurred in the towns of Great Barrington and Monterey. 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 Story of Amherst.

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 Story of Amherst, is unable to be present in the House Chamber due to personal family business. Any roll calls that she may miss today will be due entirely to the reason stated.

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

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 I was not present in the House Chamber for the session of Wednesday, May 31, due to my attendance at the graduation of my son from the West Point Military Academy. Any roll calls that I missed was 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.

Resolutions.

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

- Resolutions (filed by Mr. Bellotti of Quincy) honoring Victor Johnson on the occasion of his eightieth birthday;
- Resolutions (filed by Mr. Bosley of North Adams) congratulating Joseph C. Thompson on receiving the nineteen hundred and ninety-five Francis H. Hayden Memorial Award;
- Resolutions (filed by Mr. Brewer of Barre) congratulating Andrew M. McCrillis on receiving the Eagle Award of the Boy Scouts of America;
- Resolutions (filed by Mr. Casey of Winchester) congratulating Bill Colella on the occasion of his retirement from the Winchester Public Schools;
- Resolutions (filed by Mrs. Gomes of Harwich) congratulating Kathleen D. Bader on the occasion of her retirement;
- Resolutions (filed by Mr. Guerriero of Melrose) congratulating Kevin Michael Mason on receiving the Eagle Award of the Boy Scouts of America;
- Resolutions (filed by Mr. Guerriero of Melrose) congratulating Kevin Patrick Quinn on receiving the Eagle Award of the Boy Scouts of America;
- Resolutions (filed by Messrs. Kafka of Sharon and Galvin of Canton) congratulating the Stoughton Lions Club on the occasion of its forty-fifth anniversary;
- Resolutions (filed by Mr. Miceli of Wilmington) congratulating Josephine Campo on the occasion of her retirement from the Tewksbury Public Schools;
- Resolutions (filed by Ms. Resor of Acton) congratulating David J. Bergart on receiving the Eagle Award of the Boy Scouts of America;
- Resolutions (filed by Mr. Rogers of Norwood) congratulating Louis J. Buscone, Jr., upon the happy occasion of his retirement;
- Resolutions (filed by Mr. Slattery of Peabody) congratulating Catherine Apostolides on the occasion of her retirement from the Peabody Public Schools;
Resolutions (filed by Mrs. Sprague of Walpole) congratulating Daniel K. Kehoe on the occasion of his retirement as Superintendent of the Millis Public Schools; and
Resolutions (filed by Mr. Sullivan of Abington) congratulating Alfred Benbenek on receiving the Presidential Award for Excellence in Science and Mathematics Teaching;
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. Bellotti, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Petitions severally were presented and referred as follows:
By Mrs. Menard of Somerset, petition (accompanied by bill, House, No. 5103) of Joan M. Menard and Marc R. Pacheco (by vote of the town) relative to the disposition of certain insurance proceeds of the town of Dighton; and
By Mrs. Parente of Milford, 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; Severally to the committee on Local Affairs.
By Mr. DeFilippi of West Springfield, petition (accompanied by bill, House, No. 5105) of Walter A. DeFilippi (by vote of the town) for legislation to authorize the town of West Springfield to exempt certain positions in the school department from the provisions of civil service law. To the committee on Public Service.
Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:
By Mr. Cohen of Newton, petition (subject to Joint Rule 12) of David B. Cohen for legislation to authorize the Department of Social Services to establish a sick leave bank for Mary Conneely-Celi, an employee of said department.
By Mrs. Gray of Framingham, petition (subject to Joint Rules 12 and 9) of John A. Stefani, Barbara E. Gray and David P. Magnani (by vote of the town) for legislation to authorize the town of Framingham to establish an economic development industrial corporation.
Severally, under Rule 24, to the committee on Rules.

Paper from the Senate.

A petition (accompanied by bill, Senate, No. 1899) of Cheryl A. Jacques and Jo Ann Sprague (by vote of the town) for legislation relative to the construction of sewer extensions in the town of Millis, was referred, in concurrence, to the committee on Local Affairs.
Reports of Committees.

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

Petition (accompanied by bill) of Edward M. Lambert, Jr., for legislation to exempt certain subdivisions of land from zoning laws. To the committee on Local Affairs.

Petition (accompanied by bill) of Thomas S. Cahir relative to the taxation of certain property of charitable organizations. To the committee on Taxation.

Under suspension of Rule 42, on motion of Mr. Cahir of Bourne, the reports were considered forthwith. Joint Rule 12 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 Edward A. LeLacheur, Thomas A. Golden, Jr., Steven C. Panagiotakos and Daniel P. Leahy (with the approval of the city council) relative to the Lowell arena commission. Under suspension of Rule 42, on motion of Mr. Golden of Lowell, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Local Affairs. Sent to the Senate for concurrence.

Engrossed Bill.

The engrossed Bill establishing a liability insurance fund in the town of Rockport (see Senate, No. 1074, changed) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Orders of the Day.

The Senate Bill establishing an extended illness leave bank for state employees (Senate, No. 1837, amended), reported by the committee on Bills in the Third Reading to correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendments previously adopted by the House.

House bills

Further regulating the issuance of hazing information to students and student groups, teams and organizations (House, No. 886);

Authorizing the State Retirement Board to grant a pension to Arlenn Officer (House, No. 1752); and

Relative to municipal building officials (House, No. 2398) (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 authorizing the town of Hadley to impose certain charges on ticket sales for admission to certain places of entertainment (House, No. 4504) 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. Ms. Flavin of Easthampton moved that this vote be reconsidered; and, there being no objection, the motion to reconsider was considered forthwith and it was negatived. The bill then was sent to the Senate for concurrence.

House bills

Establishing a sick leave bank for Carol LeDonne, an employee of the Department of Social Services (House, No. 5050); and

Establishing a sick leave bank for Michael Sullivan, an employee of the Department of Mental Health (House, No. 5086);

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

The House Bill relative to shoplifting (House, No. 1975), 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, Messrs. Haley of Weymouth and Stoddart of Natick moved, there being no objection, that it be amended by substitution of a bill with the same title (House, No. 5107), 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 relative to possession of marihuana for medical purposes (House, No. 2170), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

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

The House Bill relative to the payment of wages of operators of equipment rentals by certain public agencies (House, No. 1961) (its title having been changed by the committee on Bills in the Third Reading) was read a third time.

Said committee reported recommending that the bill be consolidated with the House Bill making certain changes in the law regulating the rental of equipment (House, No. 3059), likewise referred to said committee; and the report was accepted.
The bill (House, No. 1961) then was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to racial or ethnic classification (House, No. 4575, changed and amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill to protect the health of minors (House, No. 2565) was considered.

Pending the question on adoption of 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, — and the main question on ordering the bill to a third reading, further consideration thereof was postponed, on further motion of the same member, until after disposition of the remaining matters in the Orders or the Day.

The House Bill further regulating the sale of tobacco (House, No. 3910) was considered.

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

“(5) Commencing on January 1, 2002 all tobacco products sold in the Commonwealth of Massachusetts must have listed on their individual exterior packages each substance contained within said tobacco product. Sanctions for noncompliance imposed under paragraph (3) of this act shall apply equally to paragraph (5).”

The amendment was rejected.

There being no objection, — Representatives Kerans of Danvers, Lewis of Bridgewater, Gray of Framingham and Stoddart of Natick moved that the bill be amended by inserting after the word “boldface,” in line 12, and also in line 18, the following sentence: “Said notice shall be provided by the department of public health.”; by striking out, in line 21, the words “five hundred dollars” and inserting in place thereof the words “one hundred dollars”; and by striking out, in lines 23 and 24, the words “one hundred dollars” and inserting in place thereof the words “fifty dollars”.

The amendments were adopted; and the bill (House, No. 3910, amended) was ordered to a third reading.

The House Bill relative to correspondence of inmates (House, No. 1198) was considered.

Pending the question on ordering the bill to a third reading, Messrs. Caron of Springfield and Teague of Yarmouth moved, there being no objection, that it be amended by substitution of a bill with the same title (House, No. 5106), which was read.

The amendment was adopted; and the substituted bill was ordered to a third reading.
The House Bill relative to speed limits on certain town ways (House, No. 1913) was considered.

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

The House Bill correcting a reference in the debarment law (House, No. 9) was ordered to a third reading.

The House Bill clarifying the process by which certain laws or regulations are declared not to be effective in cities or towns (House, No. 4208) was considered.

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

The House Bill relating to the occupancy of licensed premises (House, No. 1498) was read a second time; and it was ordered to a third reading.

There being no objection,—the House Bill to establish a comprehensive health education program in all public school districts in the Commonwealth of Massachusetts (House, No. 5102) was read a second time.

After debate on the question on ordering the bill to a third reading, Mr. Stoddart of Natick moved that it be amended in section 2 by adding at the end thereof the following paragraph:

"Instruction in physical education shall consist of at least sixty clock hours each academic year for grades one to ten, and instruction in health education shall not be a credit towards or substitute for such physical education requirement [A]; provided, however that no waivers shall be granted; provided, further, that a portion of state aid in an amount to be determined by the commissioner of education shall be withheld from any public school system which fails to provide such minimum instruction; and, provided, further, that such withholding shall continue until said commissioner certifies compliance with such minimum instruction."

After remarks Mr. Cahill of Beverly moved that the amendment offered by Mr. Stoddart be amended by striking out [at "A"] the words "; provided, however that no waivers shall be granted; provided, further, that a portion of state aid in an amount to be determined by the commissioner of education shall be withheld from any public school system which fails to provide such minimum instruction; and, provided, further, that such withholding shall continue until said commissioner certifies compliance with such minimum instruction". After remarks the further amendment was adopted.

The amendment offered by Mr. Stoddart, as amended, then also was adopted.
Ms. Evans of Wayland then moved that the bill be amended by adding at the end thereof the following section:

"SECTION 3. The committee on ways and means shall make an investigation and study of the fiscal analysis on its impact on school districts in the commonwealth.

Said committee shall report to the house of representatives on or before September thirtieth, nineteen hundred and ninety-five."

After remarks the amendment was adopted; and the bill (House, No. 5102, amended) was referred, under Rule 33, to the committee on Ways and Means.

_Quorum._

Mr. Hynes of Marshfield 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 136 members were recorded as being in attendance.

[See Yea and Nay No. 123 in Supplement.]

Therefore a quorum was present.

_Order._

On motion of Mr. Sullivan of Abington,—

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. Sullivan of Abington 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-one minutes before three o’clock P.M., the House adjourned, to meet on Thursday next at eleven o’clock A.M., in an Informal Session.
Thursday, June 8, 1995.

The House was called to order, there being no objection, later than the time to which it had adjourned, at four minutes after twelve o'clock noon, in an Informal Session.

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

Gracious God, we are grateful for Your personal interest in our material and spiritual well-being. In Your goodness, help us to remain faithful to You, Your values and precepts. Grant us the wisdom to recognize today's political, social and ethical issues and to articulate for the electorate acceptable and reasonable options. Teach us as a society to listen to each other, to respect each other's views, and to reason together in addressing complex challenges and in planning for a prosperous future for our communities.

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

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

Appointment to a Special Commission.

The Speaker announced the appointment of Representative Gauch of Shrewsbury to the fifth position on the special commission established (under Section 3 of Chapter 6 of the Acts of 1995) to make an investigation and study of the selection and acquisition of the site, design, costs, development and construction of a new convention center in the Commonwealth to fill the existing vacancy.

The membership of said commission on the part of the House is as follows: Representatives Fitzgerald of Boston, Casey of Winchester, Larkin of Pittsfield, Sullivan of Braintree and Gauch of Shrewsbury.

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 and Messrs. DiPaola of Malden and Guerriero of Melrose) congratulating Pauline A. McCormack on the occasion of her retirement from the Malden Public School system;

Resolutions (filed by Mr. Voke of Boston and other members of the House) honoring the one hundredth anniversary of the founding of the Combined Jewish Philanthropies;
Resolutions (filed by Messrs. Casey of Winchester and Guerriero of Melrose) congratulating Dale Emery of the Stoneham Fire Department on the occasion of his retirement;

Resolutions (filed by Mr. Casey of Winchester) congratulating Robert D. Fitzgerald on the occasion of his retirement as Superintendent of the Winchester Public Schools;

Resolutions (filed by Messrs. Casey of Winchester and Guerriero of Melrose) congratulating Captain Francis Gould of the Stoneham Fire Department on the occasion of his retirement;

Resolutions (filed by Messrs. Casey of Winchester and Guerriero of Melrose) congratulating Charles Greenleaf of the Stoneham Fire Department on the occasion of his retirement;

Resolutions (filed by Messrs. Casey of Winchester and Guerriero of Melrose) congratulating Milo Ingalls of the Stoneham Fire Department on the occasion of his retirement;

Resolutions (filed by Ms. Donovan of Woburn) on the occasion of the "First Annual R. Wade Johnson Memorial Golf Tournament";

Resolutions (filed by Mr. Finneran of Boston) congratulating Coach George Davis of the University of Massachusetts/Lowell Track and Cross Country Team;

Resolutions (filed by Mr. Greene of Billerica) congratulating Elaine Shea on the occasion of her retirement;

Resolutions (filed by Mr. Greene of Billerica) congratulating Maureen M. Sullivan on the occasion of her retirement;

Resolutions (filed by Mr. Iannuccillo of Lawrence) congratulating Chester F. Sidell on receiving the Charles W. Eliot II Award;

Resolutions (filed by Messrs. Kafka of Sharon and Cohen of Newton) congratulating Learning Prep School on the occasion of its twenty-fifth anniversary;

Resolutions (filed by Ms. Kaprielian of Watertown) congratulating Mr. and Mrs. Francis J. Casey on the occasion of their Golden Wedding Anniversary;

Resolutions (filed by Mr. Larkin of Pittsfield) congratulating Joan M. Delory on the occasion of her retirement from Berkshire Community College;

Resolutions (filed by Ms. Resor of Acton) congratulating Anne McDonough on earning the prestigious Gold Award of the Girl Scouts of America;

Resolutions (filed by Mrs. Sprague of Walpole) congratulating James F. Clerici on the occasion of his retirement;

Resolutions (filed by Mrs. Sprague of Walpole and Mr. Rogers of Norwood) recognizing the Veterans of World War II Remembrance Committee of the town of Walpole; and

Resolutions (filed by Mr. Teague of Yarmouth) congratulating Chief Robert F. Chapman of the Yarmouth Police Department on the occasion of his retirement;

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

The following communication was read for the information of the House; and it was placed on file:

STATE OF OKLAHOMA
OFFICE OF THE GOVERNOR

Wednesday, May 24, 1995.

Robert E. MacQueen
Clerk of the House

MASSACHUSETTS HOUSE OF REPRESENTATIVES
Room 145, State House
Boston, Massachusetts 02133

Dear Mr. MacQueen and House Members:

On behalf of the people of Oklahoma — and of the families most deeply wounded by the tragedy of April 19 — thank you for your kind and generous expressions of sympathy. We have received literally hundreds of letters and notes from state governors, embassies, consulates and chiefs of state. We treasure them all as symbols of the bonds that unite humanity in such tragic times.

Our people are recovering. As we continue to bury our dead, we ask your ongoing prayers for comfort and for the ultimate justice this act demands.

If I can ever be of service, please don’t hesitate to call on me.

Sincerely,

FRANK KEATING,
Governor.

Communications

From the Personnel Administrator (under Section 25(3) of Chapter 31 of the General Laws) transmitting notice relative to the revocation of the eligible list for the position of police chief in certain cities and towns; and

From the Commissioner of Insurance (under Section 4(c) of Chapter 176K of the General Laws) relative to the Harvard Community Health Plan of New England, Inc.'s CarePlus product additional extension of its temporary exemption from the requirement to offer a prescription coverage product in order to participate in the market for Medicare beneficiary health insurance products;

Severally placed on file.

Annual and Special Reports.

The annual report of the Commissioner of Banks (under Section 13 of Chapter 167 of the General Laws) containing a statement of condition of each state chartered trust company in the Commonwealth; and
A report of the Secretary of Public Safety (under Section 5 of Chapter 387 of the Acts of 1993) submitting the results of a public information and education program of the Governor’s Highway Safety Bureau which details the initiatives undertaken to promote the use of safety belts and child safety seats in certain motor vehicles;

Severally sent to the Senate for its information.

A report of the Commissioner of Education (under Section 269 of Chapter 60 of the Acts of 1994) relative to the feasibility of opening a Department of Education regional office in the greater Springfield area, was placed on file.

Petitions.

Mr. Peterson of Grafton presented a petition (accompanied by bill, House, No. 5115) of George N. Peterson, Jr. (by vote of the town) for legislation to authorize the town of Upton to establish a department of finance; and the same was referred to the committee on Local Affairs. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Bosley of North Adams, petition (subject to Joint Rule 12) of Daniel E. Bosley and Paul Kujawski for legislation to designate the athletic complex at the North Adams State College as the Joseph Zavattaro Athletic Complex.

By Ms. Chandler of Worcester, petition (subject to Joint Rule 12) of Harriette L. Chandler and other members of the House relative to the status of tenant members of housing authorities.

By Ms. Chesky of Holyoke, petition (subject to Joint Rules 12 and 7B) of Evelyn G. Chesky, Walter A. DeFilippi and Michael R. Knapik for legislation to authorize the retirement board of the city of Holyoke to grant certain creditable service to Brian G. Smith of said city.

By Miss Garry of Dracut, petition (subject to Joint Rule 12) of Colleen M. Garry and other members of the General Court relative to the disposal of sanitary sewage.

By Mr. Glodis of Worcester, petition (subject to Joint Rule 12) 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.

By Mr. Hargraves of Groton, petition (subject to Joint Rule 12) of Robert S. Hargraves and Daniel P. Leahy (by vote of the town) relative to the Groton Country Club Authority.

By Mr. Kulik of Worthington, petition (subject to Joint Rule 12) 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.

By Mr. Manning of Milton, petition (subject to Joint Rules 12 and 7B) of M. Joseph Manning relative to the placement of John Nathan Previti of the town of Randolph on the eligibility list for the position of police officer in said town.
By Mrs. Murray of Cohasset, petition (subject to Joint Rule 12) of Mary Jeanette Murray relative to the penalty for assault on certain public employees.

By Mrs. Parente of Milford, petition (subject to Joint Rule 12) of Marie J. Parente relative to maturities of bonds and notes issued for approved school projects.

By Mr. Quinn of Dartmouth, petition (subject to Joint Rule 12) of John F. Quinn and Mark C. Montigny for legislation to authorize the Department of Mental Health to establish a sick leave bank for Susan Weeks, an employee of said department.

By Mr. Scaccia of Boston, petition (subject to Joint Rule 12) of Angelo M. Scaccia relative to the bail magistrate authority of the clerk of the Boston Municipal Court for Criminal Business.

By Mr. Scibelli of Springfield, petition (subject to Joint Rule 12) of Anthony M. Scibelli relative to the admission of certain veterans to soldiers’ homes.

By Mr. Stoddart of Natick, petition (subject to Joint Rule 12) of Douglas W. Stoddart and another relative to the return of additional sales tax revenue to cities and towns.

By the same member (by request), petition (subject to Joint Rule 12) of Jane Olive Buck relative to the donation of human body organs.

By Mr. Teague of Yarmouth, petition (subject to Joint Rule 12) of Edward B. Teague III, David M. Peters and Gary M. Coon relative to the distribution of voting lists.

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

Papers from the Senate.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 1900) of Matthew J. Amorello (by vote of the town) for legislation to establish a finance department and finance director in the town of Auburn;

Petition (accompanied by bill, Senate, No. 1901) of Matthew J. Amorello (by vote of the town) for legislation relative to the position of highway surveyor in the town of Auburn; and

Petition (accompanied by bill, Senate, No. 1902) of William R. Keating and Philip Travis (by vote of the town) for legislation to authorize the establishment of the Rehoboth water district;

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 Joseph B. McIntyre and Robert A. Antonioni for legislation to extend the reporting date of the special commission established to develop a full range of options concerning sentencing. To the committee on the Judiciary.
Petition (accompanied by bill) of Frank M. Hynes relative to the operation of unregistered motor vehicles. To the committee on Public Safety.

Under suspension of Rule 42, on motion of Mr. Hynes of Marshfield, 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 city of Waltham to grant easements over certain park and recreation land in the city of Waltham to the Massachusetts Water Resources Authority for the purpose of installing and maintaining a water main (House, No. 4938) ought to pass [Local Approval Received].

Under suspension of Rule 41, on motion of Mr. Mandile of Waltham, 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. Gately of Waltham, 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 authorizing the city of Waltham to grant easements over certain park and recreation land in the city of Waltham. Sent to the Senate for concurrence.

Mr. Scaccia of Boston, for the committee on Science and Technology, on part of the Bill relative to providing for capital outlays for the acquisition and upgrading of certain major information technology systems (House, No. 1453), a Bill relative to providing for capital outlays for the acquisition and upgrading of certain major information technology systems (House, No. 5111) [Appropriation: $60,440,000.00 — Bonds: $17,440,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mrs. Owens-Hicks of Boston, for the committee on Education, Arts and Humanities, on a petition, a Bill requiring dietary guidelines for school meals (House, No. 4265).

By Mr. Fennell of Lynn, for the committee on Housing and Urban Development, on Senate, No. 577 and House, Nos. 1696, 2185, 2572 and 2748, a Bill to further regulate the rental voucher program in the Commonwealth (House, No. 5112).

Severally read; and 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 House, Nos. 2699 and 4053, a Bill relative to holidays and Sundays (House, No. 5113).

By Ms. O’Brien of Hanover, for the committee on Local Affairs, on House, No. 370, a Bill to facilitate the orderly subdivision of land (House, No. 5114).

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

The engrossed Bill relative to impact fees for the town of Franklin (see House, No. 4778) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Orders of the Day.

House bills
Validating the acts and proceedings of the nineteen hundred and ninety-four annual town meeting in the town of Avon (printed in House, No. 3289) (its title having been changed by the committee on Bills in the Third Reading); and
Establishing a sick leave bank for Carol LeDonne, an employee of the Department of Social Services (House, No. 5050);
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 charter of the town of North Andover (House, No. 4991, changed) was read a third time.
The committee on Bills in the Third Reading reported recommending that the bill be amended by striking out section 31 (inserted by change) and inserting in place thereof the following section: "SECTION 37. This act shall take effect upon its passage."
The amendment was adopted; and the bill (House, No. 4991, changed and amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. Bosley of North Adams,—
Ordered. That when the House adjourns today, it adjourn to meet on Monday next at one o'clock P.M.

At twenty-five minutes before one o'clock P.M., on motion of Mr. Bosley, the House adjourned, to meet on Monday next at one o'clock P.M.
Monday, June 12, 1995.

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

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

Eternal God, we pray for Your gift of wisdom, so that Your ways, values and precepts will be clear to us. We also look to You for the courage to remain faithful to our political, ethical and constitutional responsibilities. In Your goodness, guide our efforts to respond to the needs of the times, the people and our communities. Inspire us to plan for the future with confidence and enthusiasm, so that all people will enjoy the opportunities which are available in our country. Let both the material and spiritual dimensions of our lives remain in clear focus.

Today, we remember in our prayers and thoughts Representative Louis Angelo whom You have called from our midst and freed from his suffering. Grant him eternal peace, happiness and rest. May his family be strengthened by Your grace during these trying times.

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

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

Silent Prayer.

At the request of the Speaker, the members, guests and employees stood in a moment of silent prayer to the memory of Representative Louis F. Angelo of Brockton.

Statement Concerning Representatives Haley of Weymouth and Mariano of Quincy.

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 two of our colleagues, Representatives Haley of Weymouth and Mariano of Quincy, will not be present in the House Chamber for today's sitting due to their attendance at the Base Realignment and Closure Commission's hearing in Washington, D.C., as they decide the fate of the South Weymouth Naval Air Station. Any roll calls that they 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.
The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Speaker Flaherty of Cambridge) commending the Honorable Foster Furcolo for a lifetime of distinguished service to Massachusetts and America;

Resolutions (filed by Speaker Flaherty of Cambridge and Mr. Cohen of Newton) congratulating Cynthia Goff, Education Director of the Sports Museum of New England, on the occasion of her retirement;

Resolutions (filed by Mr. Fagan of Taunton) congratulating Mr. and Mrs. Tilmont J. Griffith on the occasion of their fiftieth wedding anniversary;

Resolutions (filed by Representatives Giglio of Medford, Ciampa of Somerville and Jehlen of Somerville) congratulating the Boys and Girls Clubs of Medford and Somerville;

Resolutions (filed by Mrs. Harkins of Needham) honoring Ron Sockol;

Resolutions (filed by Mr. Kaufman of Lexington) congratulating Richard H. Barnes on the occasion of his retirement from the Lexington Public Schools;

Resolutions (filed by Mr. Lepper of Attleboro) congratulating Joseph Hillman on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mr. Miceli of Wilmington) congratulating Elaine M. Mullen on the occasion of her retirement from the Tewksbury Public Schools;

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

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

Resolutions (filed by Mr. Bosley of North Adams) commemorating the two hundred and eighteenth anniversary of the Flag of the United States of America; and

Resolutions (filed by Mr. Petersen of Marblehead) congratulating Genevieve Moloney on the occasion of her retirement;

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

Petitions severally were presented and referred as follows:

By Mr. Gauch of Shrewsbury, petition (accompanied by bill, House, No. 5119) of Ronald W. Gauch and Matthew J. Amorello (by vote of the town) relative to the expenditure of certain funds by the town of Shrewsbury;

By Mr. Kulik of Worthington, petition (accompanied by bill, House, No. 5120) of Stephen Kulik and Stanley C. Rosenberg (by vote of the town) for legislation to authorize the town of Whately to establish the office of treasurer-collector; and

By Mrs. Paulsen of Belmont, petition (accompanied by bill, House, No. 5121) of Anne M. Paulsen and Warren E. Tolman (by vote of the town) relative to the capital endowment fund of the town of Belmont;

Severally to the committee on Local Affairs.

By Mr. Colt of Wenham, petition (accompanied by bill, House, No. 5122) of James D. Colt (by vote of the town) for legislation to authorize the town of Boxford to establish a land bank fund. To the committee on Taxation.

Severally sent to the Senate for concurrence.

Papers from the Senate.

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

Petition (accompanied by bill, Senate, No. 1903) of Steven G. Sargent, Jr., Leslie E. Romananauskas and Adam R. Richard for legislation to establish a pet ownership responsibility committee. To the committee on Counties.

Petition (accompanied by bill, Senate, No. 1904) of Michael W. Morrissey, Janet W. O’Brien and John R. Ward for legislation relative to the payment of restitution for vandalism. To the committee on Criminal Justice.

Petition (accompanied by resolutions, Senate, No. 1905) of Vincent Giangregorio for the adoption of resolutions memorializing Congress and the President of the United States to cease and desist from exceeding their constitutional authority in passing mandates onto the states. To the committee on Federal Financial Assistance.

Petition (accompanied by bill, Senate, No. 1906) of Michael W. Morrissey for legislation relative to plumbing and gas inspectors. To the committee on Government Regulations.

Petition (accompanied by bill, Senate, No. 1907) of Ruth T. Meehan, William G. Meehan, William G. Meehan, Jr., and Madeline A. Larkham for legislation to authorize the commitment of certain persons who refuse medication. To the committee on the Judiciary.

Petition (accompanied by bill, Senate, No. 1908) of Daniel P. Leahy, Barbara Gardner, Alvin E. Thompson, Kevin W. Fitzgerald, Patricia D. Jehlen, Carol A. Donovan, John E. McDonough and Barbara E. Gray for legislation to create a Department of Correction advisory board. To the committee on Public Safety.
Petition (accompanied by bill, Senate, No. 1909) of Michael W. Morrissey, Michael G. Bellotti, A. Stephen Tobin, Ronald Mariano and James Sheets (with the approval of the mayor and city council) for legislation to authorize the Quincy retirement board to grant creditable service to a certain employee; and

Petition (accompanied by bill, Senate, No. 1910) of Michael W. Morrissey, Michael G. Bellotti, A. Stephen Tobin, Ronald Mariano and James Sheets (with the approval of the mayor and city council) for legislation relative to the civil service placement of Richard J. Flynn for the position of police officer in the city of Quincy;

Severally to the committee on Public Service.

Petition (accompanied by bill, Senate, No. 1911) of Joseph Pellechia for legislation relative to creating an international cultural dome authority. To the committee on State Administration.

Petition (accompanied by bill, Senate, No. 1912) of Robert A. Havern for legislation to designate a certain bridge in the town of Lexington as the Trooper David Whiting Bridge. To the committee on Transportation.

Reports of Committees.

Mr. Finneran of Boston, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1898) of 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. 4980), reports recommending that the House recede from its non-concurrence with the Senate in its amendment and concur therein with the following further amendment:

Striking out all after the enacting clause and inserting in place thereof the text of House document numbered 5116; and that the Senate concur in the further amendment.

Under suspension of Rule 42, on motion of the same member, the report (having been approved by the committees on Bills in the Third Reading of the two branches, acting concurrently) was considered forthwith; and it was accepted. The report then was 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 Stephen M. Brewer for legislation to clarify license fees and service charges of municipalities. Under suspension of Rule 42, on motion of Mr. Brewer of Barre, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Local Affairs. Sent to the Senate for concurrence.
By 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 Paul C. Demakis and Salvatore F. DiMasi relative to the leasing of motor vehicles. Under suspension of Rule 42, on motion of Mr. Demakis of Boston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Commerce and Labor. Sent to the Senate for concurrence.

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 Colleen M. Garry and other members of the General Court relative to the disposal of sanitary sewage. Under suspension of Rule 42, on motion of Miss Garry of Dracut, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Natural Resources and Agriculture. Sent to the Senate for concurrence.

By Mr. Glodis of Worcester, for the committee on Election Laws, on a petition, a Bill relative to the date of the presidential primary (House, No. 4954), 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. The same member moved that this vote be reconsidered; and, there being no objection, the motion to reconsider was considered forthwith and it was negatived. The bill then was sent to the Senate for concurrence.

Emergency Measure.

The engrossed Bill establishing an extended illness leave bank for certain employees of the Commonwealth (see Senate, No. 1837, 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 28 to 0. Sent to the Senate for concurrence.

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

Report of a Committee.

Mr. Finneran of Boston, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in
place thereof the text of Senate document numbered 1997) of the House 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 (House, No. 5001), reports, in part, a 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 (House, No. 5100).

Under suspension of Rule 42, on motion of the same member, the report (having been approved by the committees on Bills in the Third Reading of the two branches, acting concurrently) was considered forthwith.

After debate on the question on acceptance of the report of the committee of conference, the sense of the House was taken by yeas and nays, at the request of Mr. Finneran; and on the roll call 149 members voted in the affirmative and 3 in the negative.

[See Yea and Nay No. 124 in Supplement.]

Therefore the report of the committee of conference was accepted. The same member moved that this vote be reconsidered; and, there being no objection, the motion to reconsider was considered forthwith and it was negatived. The report then was sent to the Senate for concurrence.

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

MR. SPEAKER: During consideration of the General Appropriation Bill, I spoke and voted against acceptance of the report of the committee of conference based upon incorrect information which stated that said document would repeal the law mandating regional school transportation. If I had been aware of this, I would have debated for and then would have voted in the affirmative.

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

Subsequently Mr. Miceli of Wilmington 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 personal family business outside of the State House. Had I been present when the vote was taken, I would have voted in the affirmative.

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

Orders of the Day.

The Senate Bill relative to the financial operations of the South Essex Sewerage District (Senate, No. 1871), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.
House bills
Relative to the debarment law (House, No. 9) (its title having been changed by the committee on Bills in the Third Reading);
Relative to fraudulent transfers (House, No. 281) (its title having been changed by the committee on Bills in the Third Reading);
Relative to bicycle and pedestrian access in construction of public ways (House, No. 1940, amended);
Relative to the reporting of abuse on persons with disabilities (House, No. 2007);
Further regulating the sentences of certain inmates (House, No. 3194);
Further protecting and enhancing the wetlands of the Commonwealth (House, No. 3395);
Protecting the environment through ensuring the proper disposal of low-level radioactive waste (House, No. 3969) (its title having been changed by the committee on Bills in the Third Reading);
Requiring accessory apartments to be included in local ordinances and by-laws (House, No. 4171) (its title having been changed by the committee on Bills in the Third Reading);
Relative to the effective date of zoning ordinances (House, No. 4172) (its title having been changed by the committee on Bills in the Third Reading);
Authorizing cities and towns to permit open space development (House, No. 4173) (its title having been changed by the committee on Bills in the Third Reading);
Relative to commission sales contracts (House, No. 4245, changed); and
Relative to the Massachusetts Economic Development Incentive Program (House, No. 4654, amended);
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 disposition and acquisition of conservation land (House, No. 2234) 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, Ms. Resor of Acton moved that it be amended by substitution of a bill with the same title (House, No. 5123), 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 relative to the permissible hours and days of work performed by minors under sixteen (House, No. 2888) (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 time for certain appeals from permit granting authorities for appeals (House, No. 4170) (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. Petrolati of Ludlow, until after disposition of the remaining matters in the Orders of the Day.

The House Bill providing for the prevention and control of non-point source pollution (House, No. 2239) (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 Ms. Resor of Acton, until after disposition of the remaining matters in the Orders of the Day.

The House Bill relative to the collection of solid waste generated by certain docking facilities (House, No. 2785), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to possession of marihuana for medical purposes (House, No. 2170) was considered.

Pending the question on passing the bill to be engrossed, Mr. Locke of Wellesley moved that it be amended by striking out section 1.

The amendment was adopted; and the bill (House, No. 2170, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill to protect the health of minors (House, No. 2565) was considered.

Pending the question on adoption of 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, — and the main question on ordering the bill to a third reading, further consideration thereof was postponed, on motion of Mrs. Lewis of Bridgewater, until after disposition of the remaining matters in the Orders of the Day.

The House Bill relative to speed limits on certain town ways (House, No. 1913) was considered.

Pending the question on ordering the bill to a third reading, Mrs. Paulsen of Belmont moved that it be amended by substitution of a bill with the same title (House, No. 5124), which was read.
The amendment was adopted; and the substituted bill was ordered to a third reading.

The House Bill clarifying the process by which certain laws or regulations are declared not to be effective in cities or towns (House, No. 4208) was considered.

Pending the question on ordering the bill to a third reading, 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.

The House Bill relative to holidays and Sundays (House, No. 5113) 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. Bosley of North Adams, until after disposition of the remaining matters in the Orders of the Day.

The House Bill to facilitate the orderly subdivision of land (House, No. 5114) was read a second time.

Pending the question on ordering the bill to a third reading, Ms. O'Brien of Hanover moved that it be amended by substitution of a bill with the same title (House, No. 5125), which was read.

The amendment was adopted; and the substituted bill was ordered to a third reading.

Recesses.

At eight minutes before three o'clock P.M., on motion of Mr. Correia of Fall River, the House recessed until a quarter after three o'clock; and at that time the House was called to order.

The House thereupon, on motion of Mr. Finneran of Boston, took a further recess until a quarter before four o'clock P.M.; and at twenty-five minutes after four o'clock the House was called to order.

Paper from the Senate.

A report of the committee of conference on the disagreeing votes of the two branches with reference to the House amendment of the report of the Senate committee on Rules on adoption of the temporary Joint Rules as the permanent Joint Rules of the present General Court (Senate, No. 1776, amended),— recommending as follows:

That the Senate recede from its non-concurrence with the House in its amendment (striking out the text and inserting in place thereof the text contained in House document numbered 4718) and concur therein with a further amendment striking out the text (inserted by the House) and inserting in place thereof the following (see Senate document numbered 1913):
Recommending that the rules of the preceding General Court be the permanent rules for the years 1995 and 1996 with the following changes:

In Joint Rule 1 by inserting after the first paragraph the following new paragraph:

"Within three calendar days of the opening of each annual session of the General Court the committees on Rules of the Senate and the House of Representatives shall meet concurrently to establish at least one designated day of each week and designated hours during that day which shall be set aside for the holding of formal sessions of the respective branches and during which the joint standing committees shall not hold public hearings or executive sessions of their members from the opening of the first annual session through the fourth Wednesday in April in that session." and by striking out, in the third paragraph of said Joint Rule 1, the words "Within four weeks of the opening of the 1984 session and within the first four weeks of the first year of each General Court thereafter" and inserting in place thereof the following:

"Within four weeks of the appointment of joint standing committees in the first annual session of the General Court", and also in Joint Rule 1 by adding at the end thereof the following two paragraphs:

"Committees shall coordinate oversight activities, under the direction of the presiding officers of both branches, for the purpose of achieving the maximum objectives of clauses (i), (ii) and (iii).

Each committee shall, upon completion of its oversight hearings, be authorized to report to the General Court the results of its findings and recommendations, with accompanying corrective legislation, if any, by filing the same with the Clerk of the House of Representatives or the Clerk of the Senate. Copies of such reports shall be printed and be made available for the members and the public. The disposition of said reports shall be determined by the Clerks with the approval of the Speaker and the President."

By striking out Joint Rule 1C and inserting in place thereof the following:

"1C. All joint standing committees shall schedule committee hearings and executive sessions so as not to conflict, to the extent feasible, with the schedules of other committees and so as not to conflict with the day of the week and hours of the day which have been designated under Joint Rule 1 as the day of the week and times during that day set aside for formal sessions of the respective branches from the first Wednesday in January through the fourth Wednesday of April in the first annual session."

In Joint Rule 1D by inserting after the first sentence the following sentence:

"All joint standing committees will determine a schedule for committee hearings to be held from the beginning of the first annual session through the fourth Wednesday in June in said session. These committee schedules shall be submitted to the Sergeant at Arms who shall cause them to be published. Establishment of such schedules
shall not preclude joint standing committees from scheduling additional hearings or meetings as needed.

In Joint Rule 9, in the first paragraph, by striking out the following: "Tercentenary Edition, as most recently amended by chapter 31 of the act of 1956" and inserting in place thereof the words "as appearing in the Official Edition", and in the second paragraph by striking out the following: "Tercentenary Edition, as amended by section 3 of chapter 364 of the acts of 1937, section 2A of chapter 549 of the acts of 1943 and section 1 of chapter 750 of the acts of 1962" and inserting in place thereof the words "as appearing in the Official Edition";

In Joint Rule 10 by striking out the first sentence and inserting in place thereof the following sentence:

"In the first annual session of the General Court, joint committees and the committees on Rules of the two branches, acting concurrently, shall make final report not later than the fourth Wednesday of June on all matters referred to them previously to the fifteenth day of June, and within ten days on all matters referred to them on and after said fifteenth day of June.", and by inserting at the end thereof the following sentence:

"Notwithstanding the provisions of Joint Rule 30, this rule shall not be rescinded, amended or suspended more than three times except by unanimous consent."

By striking out Joint Rule 12 and inserting in place thereof the following three rules:

"12. Resolutions intended for adoption by both branches of the General Court, petitions, and all other subjects of legislation, shall be deposited with the Clerk of either branch prior to five o'clock in the afternoon on the first Wednesday in December preceding the first annual session of the General Court.

All such matters (except messages from the Governor, reports required or authorized to be made to the Legislature and petitions filed or approved by the voters of a city or town, or the mayor and city council, or other legislative body of a city, or the town meeting of a town, for the enactment of a special law in compliance with the requirements of Section 8 of Article LXXXIX of the Amendments to the Constitution and which do not affect the powers, duties, etc., of state departments, boards, commissions, etc., or which do not affect generally the laws of the Commonwealth) deposited with the respective Clerks subsequent to five o'clock on the first Wednesday of December preceding the first annual session of the General Court shall be referred by the Clerks to the committees on the Rules of the two branches, acting concurrently. No such matter shall be admitted for consideration except on report of the committees on Rules of the two branches, acting concurrently, and then upon approval of four-fifths of the members of each branch voting thereon. Matters upon which suspension of Joint Rule 12 has been negatived shall be placed on file.

At any special session called under Rule 26A, however, matters relating to the facts constituting the necessity for convening such
session shall, if otherwise admissible, be admitted as though filed seasonably in accordance with the first sentence of this rule. Any recommendations from the Governor shall be similarly considered. This rule shall not be rescinded, amended or suspended, except by a concurrent vote of four fifths of the members of each branch present and voting thereon.

12A. All formal business of the first annual session of the General Court shall be concluded no later than the third Wednesday in November of that calendar year and all formal business of the second annual session shall be concluded no later than the last day of July of that calendar year.

In order to assist the Senate and House in its analysis and appraisal of laws enacted by the General Court, each joint standing committee, upon conclusion of the formal business of the annual sessions, shall, as authorized by Joint Rule 1, initiate oversight hearings for the purpose of evaluating the effectiveness, application and administration of the subject matter of laws within the jurisdiction of that committee.

Unfinished Business of the Session.

12B. Any matter pending before the General Court at the end of the first annual session and any special session held in the same year shall carry over into the second annual session of the same General Court in the same legislative status as it was at the conclusion of the first annual session or any special session held during that year; provided, however, that any measure making or supplementing an appropriation for a fiscal year submitted to or returned to the General Court by the Governor, under the provisions of Article LXIII of the Amendments to the Constitution, in the first annual session or in a special session held during that year shall cease to exist upon the termination of the first annual session.’’;

In Joint Rule 23A by striking out the first paragraph and inserting in place thereof the following paragraph:

“Any reorganization plan (accompanied by a bill) submitted by the Governor under the provisions of Article LXXXVII of the Amendments to the Constitution shall be referred by the Clerks of the Senate and the House, with the approval of the President and Speaker, to a joint standing committee within five days of the presentation thereof.’’; and by striking out the seventh paragraph and inserting in place thereof the following paragraph:

“When such plan is before either branch, no motion relating to said plan shall be allowed except the motions to lay on the table (only in the Senate), to postpone to a time certain, or to commit or recommit (at the pleasure of either branch). The motions to take a recess, to adjourn, the previous question (if provided in the branch debating the issue), to close debate at a specific time, and the motion to reconsider shall also be in order.’’;

By adding after Joint Rule 34 the following new rule:

“35. The committees on Rules of the two branches, acting concurrently, shall reexamine the Joint Rules of the House and Senate

as needed, but at least every four years, and shall report to each branch any recommendations it may have to facilitate the work of the respective branches and the joint standing committees.”;

And further recommending that so much of the changes as relate to insertion of a new paragraph after the first paragraph of Joint Rule 1, the striking and insertion of language in the third paragraph of Joint Rule 1, the striking out and insertion of a new Joint Rule 1C and the insertion of a new sentence following the first sentence of Joint Rule 1D shall be effective as of January 3, 1997 and that all other changes shall take effect upon their adoption.”, and that the House concur in the further amendment.

Under suspension of Rule 42, on motion of Mr. Voke of Boston, the report was considered forthwith.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of Mr. Hynes of Marshfield; and on the roll call 152 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 125 in Supplement.]

Therefore the report of the committee of conference was accepted, in concurrence.

Engrossed Bills.

Bills enacted.

Engrossed bills

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 (see House, No. 4980, amended); and

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);

(Which severally originated in the House);

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

Order.

On motion of Mr. DiMasi of Boston.—

Ordered, That when the House adjoins 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. Kennedy of Brockton then moved that as a mark of respect to the memory of Representative Louis F. Angelo, a member of the House from Brockton in 1995, the House adjourn; and the motion prevailed.
Accordingly, without further consideration of the remaining matters in the Orders of the Day, at one minute after five o'clock P.M., on motion of Mrs. Canavan of Brockton, 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. 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:

Eternal God, we believe that You have created us in Your image, endowed us with material and spiritual gifts, and bestowed upon us an eternal destiny. In our efforts to remain faithful to You and to our personal and Constitutional responsibilities, help us to use these talents and gifts wisely. In addressing the issues of the day, grant us the patience and good sense to evaluate the many legislative suggestions accurately. Let our judgments be sound and reasonable so that the best interests of the people and the Commonwealth will be well served.

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.

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

Bunker Hill Associates.

Resolutions (filed by Mr. Voke of Boston) congratulating the Bunker Hill Associates on the occasion of its tenth anniversary;

Alliance for Education.


Frank Baxter.

Resolutions (filed by Ms. Brenton of Burlington) congratulating Frank Baxter of being named “Citizen of the Year — 1995” in the town of Burlington;

Cape Verdean Independence Day.

Resolutions (filed by Messrs. Cabral of New Bedford, Koczera of New Bedford, McIntyre of New Bedford, Quinn of Dartmouth and Straus of Mattapoisett) commemorating Cape Verdean Independence Day and the featuring of the Cape Verdean Community at the Festival of American Folklife;

Richard A. Giesser.

Resolutions (filed by Messrs. Cahir of Bourne and Flaherty of Cambridge) honoring Richard A. Giesser;

Kristophe Karami.

Resolutions (filed by Mr. Locke of Wellesley) congratulating Kristophe Karami on receiving the Eagle Award of the Boy Scouts of America;
Resolutions (filed by Mr. Mariano of Quincy) congratulating Gemma A. Fertile on the occasion of her retirement;

Resolutions (filed by Mr. Poirier of North Attleborough) congratulating Todd P. Staples on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mr. Rushing of Boston and other members of the House) congratulating the Right Reverend Marvil Thomas Shaw III on his elevation as the fifteenth Bishop of the Diocese of Massachusetts;

Mr. Serra of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of Rule 41, in each instance, on motion of Mr. 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 this day by Speaker Flaherty of Cambridge) 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 Seventh Plymouth District shall designate Tuesday, September 19, 1995 as the time ordered by the House of Representatives for said election.

Mr. Voke of Boston, for the committee on Rules, then reported that the order ought to be adopted. Under suspension of Rule 42, on motion of Mr. Voke, the order was considered forthwith; and it was adopted.

Annual Report.

The annual report of the Group Insurance Commission (under Section 3 of Chapter 32A of the General Laws) for the fiscal years 1993 and 1994, was sent to the Senate for its information.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Cresta of Wakefield, petition (accompanied by bill, House, No. 5136) of Brian M. Cresta, Steven Angelo and Edward J. Clancy, Jr. (by vote of the town) for legislation to authorize the town of Lynnfield to lease South Hall and a portion of land to the United States Postal Service;

By Mr. Hargraves of Groton, petition (accompanied by bill, House, No. 5137) of Robert S. Hargraves and Daniel P. Leahy (by vote of the town) for legislation to authorize the town of Groton to establish an impact fee by-law;

By Mr. Kollios of Millbury, petition (accompanied by bill, House, No. 5138) of Paul Kollios and Matthew J. Amorello (by vote of the town) relative to the town surveyor of the town of Auburn;
By the same member, petition (accompanied by bill, House, No. 5139) of Paul Kollios and Matthew J. Amorello (by vote of the town) for legislation to authorize the town of Auburn to establish a finance department and the position of finance director; and

By the same member, petition (accompanied by bill, House, No. 5140) of Paul Kollios and Matthew J. Amorello (by vote of the town) relative to the conveyance of a certain parcel of land in the town of Auburn;

Severally to the committee on Local Affairs.

By Mr. Petersen of Marblehead, petition (accompanied by bill, House, No. 5141) of Douglas W. Petersen and Edward J. Clancy, Jr. (by vote of the town) for legislation to authorize the town of Swampscott to exempt the position of health officer from the provisions of civil service law. To the committee on Public Service.

By Mr. Kaufman of Lexington, petition (accompanied by bill, House, No. 5142) of Jay R. Kaufman (by vote of the town) relative to the property tax bill in the town of Lexington. To the committee on Taxation.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Binienda of Worcester, petition (subject to Joint Rules 12 and 9) of Charles J. Flagg, John J. Binienda, Matthew J. Amorello, Paul Kollios, David M. Peters, Louis P. Bertonazzi and another relative to the Cherry Valley and Rochdale Water District.

By Mr. Coon of Andover, petition (subject to Joint Rule 12) of Gary M. Coon, Edward A. LeLacheur and John D. O'Brien for legislation to designate a certain bridge in the town of Andover as the Andover World War II Veterans Memorial Bridge.

By Mr. Cresta of Wakefield (by request), petition (subject to Joint Rule 12) of Leigh F. Musicof and others relative to fees for parking at state colleges and universities.

By Mr. DiPaola of Malden, petition (subject to Joint Rule 12) of James V. DiPaola relative to collective bargaining for court and probation officers.

By Mr. Gauch of Shrewsbury, petition (subject to Joint Rules 12 and 7B) of Ronald W. Gauch and Matthew J. Amorello for legislation to exempt the positions of foreman and general foreman on the highway, sewer and water, and park and cemetery departments in the town of Shrewsbury from the provisions of civil service law.

By Mr. Giglio of Medford, petition (subject to Joint Rule 12) of Anthony P. Giglio and another for legislation to exempt certain property from personal property taxation.

By Mr. Iannuccillo of Lawrence, petition (subject to Joint Rule 12) of M. Paul Iannuccillo relative to the replacement of long-term care facilities.

By the same member, petition (subject to Joint Rule 12) of M. Paul Iannuccillo and Brian S. Dempsey relative to long-term care facilities.
By Mr. Kujawski of Webster, petition (subject to Joint Rules 12 and 7B) of Paul Kujawski for legislation to authorize the town of Webster to abate and refund certain property taxes assessed in the name of Dennis J. Kelly.

By Mr. Petrolati of Ludlow, petition (subject to Joint Rule 12) of Thomas M. Petrolati and Brian P. Lees (by vote of the town) for legislation to authorize the Hampden County retirement system to retire Ann M. Charest-Livingstone, a former police employee of the town of Ludlow.

By Mr. Teague of Yarmouth, petition (subject to Joint Rule 12) of Edward B. Teague III, Henri S. Rauschenbach and Thomas S. Cahir for legislation to authorize the Department of Mental Health to establish a sick leave bank for Ruth Ann Santos, an employee of said department.

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

Papers from the Senate.

The engrossed Bill authorizing the city of Fitchburg to convey certain park land to Fitchburg State College (see House, No. 2504) came from the Senate with the following amendment:

In section 1 inserting after the word "College,", in line 3 (as engrossed), the words "for use for the general purposes of said college."

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

A Bill authorizing the town of West Boylston to use a certain parcel of land for park, street and school purposes (Senate, No. 65) (on a petition), passed to be engrossed by the Senate, was read [Local Approval Received].

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

Bills

To reaffirm the right of parents to control the moral and religious education of their children and provide for privacy protection (Senate, No. 1808, amended by striking out, in line 5, the words "predominant thrust" and inserting in place thereof the words "primary involvement"; by striking out, in lines 15 to 18, inclusive, the words "and shall be offered by the instructor an alternative human sexuality and sexual education project acceptable to the parents/guardians for the duration of the curriculum lesson"; and by striking out, in line 19, the word "annually" and inserting in place
thereof the words “at the beginning of each school year”) (on Senate, No. 361 and House, No. 1817); and
Further regulating billboards in the Commonwealth (printed as House, No. 491) (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.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:
Petition (accompanied by bill, Senate, No. 1921) of John D. O’Brien for legislation relative to retirement benefits to a widow of a former State Police captain. To the committee on Public Service.
Petition (accompanied by bill, Senate, No. 1922) of John D. O’Brien for legislation to designate a certain bridge in the town of Tewksbury as the James R. Miceli bridge. 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 Jane Olive Buck relative to the donation of human body organs. To the committee on Health Care.
Petition (accompanied by bill) of Douglas W. Stoddart and another relative to the return of additional sales tax revenue to cities and towns. To the committee on Taxation.
Under suspension of Rule 42, on motion of Mr. Stoddart of Natick, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Petrolati of Ludlow, for the committee on Local Affairs, on a petition, a Bill relative to the financing of a golf course by the town of Acushnet (House, No. 4900, changed in section 1 by striking out, in lines 21 and 22, the words “bond proceeds or other sources of funds” and inserting in place thereof the words “sources of funds other than bond proceeds”), which was read [Local Approval Received].
Under suspension of the rules, on motion of Mr. Koczera of New Bedford, the bill was read a second and a third time forthwith.
The committee on Bills in the Third Reading reported recommending that the bill be amended in section 1 by striking out, in lines 21 and 22, the words “sources of funds other than bond proceeds” (inserted by change) and inserting in place thereof the words “bond proceeds or other sources of funds” (stricken out by change). The amendment was adopted; and the bill (House, No. 4900, changed and amended) was passed to be engrossed. Sent to the Senate for concurrence.
By Mr. Petrolati of Ludlow, for the committee on Local Affairs, on a petition, a Bill exempting the leasing of a baseball stadium and related amenities on real property owned by the city of Springfield from the provisions of Massachusetts General Laws chapter forty, section three (House, No. 5071), which was read [Local Approval Received].

Under suspension of Rule 41, on motion of Mr. Caron of Springfield, 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. Scibelli of Springfield, 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 authorizing the city of Springfield to lease certain property. Sent to the Senate for concurrence.

By Mr. Rushing of Boston, for the committee on Public Service, on a petition, a Bill regarding civil service preference in the city of Boston for Robert Charbonnier (House, No. 4874), which was read [Local Approval Received].

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

Under suspension of the rules, on motion of Mr. Honan of Boston, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, its title having been changed by said committee to read: An Act relative to the eligible list for the police service. Sent to the Senate for concurrence.

By Mr. Hodgkins of Lee, for the committee on State Administration, on a petition, a Bill exempting certain contracts of the town of Southwick from the competitive bid law (House, No. 4920), which was read [Local Approval Received].

Under suspension of the rules, on motion of Mr. Keenan of Blandford, 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. Bosley of North Adams, for the committee on Commerce and Labor, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4319) of J. Michael Ruane for legislation to further regulate the safe driver insurance plan, — and recommending that the same be recommitted to the committee on Insurance. Under Rule 42, the report was considered forthwith; and it was accepted.

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. 2768) of William P. Nagle, Jr., and Evelyn G. Chesky for legislation to establish a western Massachusetts division of the Housing Court Department, — and recommending that the same be referred to the Senate committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted, insomuch as relates to the discharge of the committee. Sent to the Senate for concurrence.

By Mr. McIlvaine of New Bedford, for the committee on the Judiciary, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4325) of David B. Cohen relative to the establishment of the privacy of personal records law and regulating the technology of data encryption, — and recommending that the same be referred to the committee on Science and Technology; and

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. 4717) of William P. Nagle, Jr., and Stanley C. Rosenberg (with the approval of the mayor and city council) for legislation to establish the Smith Vocational Agricultural High School in the city of Northampton as a regional school district;

By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 2193) of Patricia D. Jehlen relative to federal minimum wage requirements for persons employed under work programs of the Department of Public Welfare; and

Of the petition (accompanied by bill, House, No. 4301) of Carol C. Cleven for legislation to develop a collaborative plan to prevent teenage pregnancy in priority health care zones of the Commonwealth;

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

Of the petition (accompanied by bill, Senate, No. 890) of Cheryl A. Jacques and Samuel E. Zoll for legislation to strengthen local court administration in the district court; and

Of the petition (accompanied by bill, House, No. 2984) of Samuel E. Zoll relative to the administration of the district courts of the Commonwealth;

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. 575) of Evelyn G. Chesky (with the approval of the mayor and city council) for legislation to provide additional authority for issuance of revenue bonds by the city of Holyoke Gas and Electric Department; and

Of the petition (accompanied by bill, House, No. 774) of Evelyn G. Chesky and Walter A. DeFilippi for legislation to provide
additional authority for issuance of revenue bonds by light boards, gas boards and electric commissions of municipalities;

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. 4755) of Anthony M. Scibelli (with the approval of the mayor and city council) relative to residency requirements for teachers in the city of Springfield;

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. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4466) of Barbara Gardner and other members of the General Court for legislation to authorize the Secretary of Health and Human Services to establish centers for supervised visitation programs, — and recommending that the same be referred to the committee on the Judiciary;

By Mr. McDonough of Boston, for the committee on Insurance, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4139) of the Massachusetts AFL-CIO and Stephen M. Brewer relative to medical insurance for injured employees, — and recommending that the same be referred to the committee on Commerce and Labor;

Of the petition (accompanied by bill, House, No. 928) of the Professional Fire Fighters of Massachusetts and Alvin E. Thompson for legislation to establish an emergency medical services program for the purpose of assisting local fire departments through a surcharge on insurance policies, — and recommending that the same 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. 2397) of Philip Travis relative to the collection of fraudulent checks, — and recommending that the same be referred to the committee on Banks and Banking;

Of the petition (accompanied by bill, House, No. 3177) of John A. Stefaniini for legislation to repeal certain provisions of the law relative to pre-marital testing, — and recommending that the same be referred to the committee on Health Care; and

Of the petition (accompanied by bill, House, No. 3139) of Salvatore F. DiMasi, Robert A. DeLeo and another for legislation to authorize payment for accumulated sick and vacation leave to retiring justices of the Trial 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. Severally sent to the Senate for concurrence.

By Mr. Glodis of Worcester, for the committee on Election Laws, on a petition, a Resolve providing for an investigation and study by a special commission relative to reform of Article 48 of the Massachusetts Constitution and changes relative to both the initiative petition and referendum petition process (House, No. 4865).

By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, on House, Nos. 1644 and 3972, a Bill providing for an environmental enhancement and protection program for the Commonwealth (House, No. 5143) [Bond Issue: $369,150,000.00].

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

By Mr. Turkington of Falmouth, for the committee on Counties, on House, Nos. 1663 and 4771, a Bill relative to the closure of the Worcester County Hospital (House, No. 4771) [Cost: $8,350,000.00].

By Mrs. Owens-Hicks of Boston, for the committee on Education, Arts and Humanities, on a petition, a Bill relative to improving public school enrollment calculations (House, No. 2544).

By Ms. Jehlen of Somerville, for the same committee, on Senate, No. 353 and House, No. 2144, a Bill relative to Braille literacy (House, No. 2144).

By Mr. McDonough of Boston, for the committee on Insurance, on Senate, Nos. 763, 774 and 797 and House No. 2200, a Bill relative to long-term care insurance (House, No. 5126).

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 in Revere to Robert J. Bonney (House, No. 3453).

By the same member, for the same committee, on a petition, a 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).

By Mr. Cahir of Bourne, for the committee on Transportation, on a petition, a Bill relative to the payment of certain contractors by the Department of Highways (House, No. 3076).

By the same member, for the same committee, on House, No. 1458, a Bill relative to the revitalization and development of the Commonwealth’s seaports and the improvement of freight access within the Commonwealth (House, No. 5127) [Bond Issue: $330,360,000.00].

Severally read; and 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 a petition, a Bill relative to certain corporate document filings (House, No. 826).

By the same member, for the same committee, on Senate, No. 536 and House, No. 3675, a Bill to amend the definition of professional services under professional corporations, MGL Chapter 156A (House, No. 3675).

By the same member, for the same committee, on a petition, a Bill establishing the Amherst economic development and industrial corporation (House, No. 4897) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill establishing a code of corporate standards relative to China for companies receiving certain state funds (House, No. 4909).

By the same member, for the same committee, on a petition, a Bill regulating the advertising and sale of certain photographs (House, No. 4986).

By the same member, for the same committee, on House, Nos. 4059 and 4070, a Bill relative to a living wage (House, No. 5128).

By Ms. Chesky of Holyoke, for the same committee, on a petition, a Bill authorizing the suspension of certain labor laws in an emergency (House, No. 4930).

By Mr. Turkington of Falmouth, for the committee on Counties, on a petition, a Bill authorizing the county commissioners of Dukes County to renovate a certain courthouse (House, No. 4841).

By the same member, for the same committee, on a petition, a Bill further extending the time for which certain land in Norfolk County may be used as a temporary minimum security alternative correction center (House, No. 4910).

By Mrs. Owens-Hicks of Boston, for the committee on Education, Arts and Humanities, on a petition, a Bill relative to school adjustment counselors and school social workers (House, No. 5022).

By the same member, for the same committee, on House, No. 4868, a Bill relative to charter school enrollment (House, No. 5129).

By Mr. Lane of Holden, for the same committee, on House, No. 4102, a Bill relating to professional teacher status (House, No. 5130).

By Mr. Glodis of Worcester, for the committee on Election Laws, on a message from His Excellency the Governor, a Bill validating the results of a certain special election held within the town of Dudley on April eleventh, nineteen hundred and ninety-five (printed in House, No. 5005).

By Mr. Angelo of Saugus, for the committee on Government Regulations, on a petition, a Bill relative to the salaries of the members of the Boston Licensing Board (House, No. 4662) [Local Approval Received].
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<th>Location</th>
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<tr>
<td>Berkley</td>
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<td>Billerica</td>
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<td>Chestnut Hill historic district</td>
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<td>Lee</td>
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<td>West Barnstable Fire District</td>
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<td>Barnstable</td>
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<td>Wilmington</td>
<td>Conservation land</td>
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By Mr. McIntyre of New Bedford, for the committee on the Judiciary, on House, No. 2977, a Bill relative to standby and emergency guardianship proxies (House, No. 5131).

By Mr. Broadhurst of Methuen, for the same committee, on a petition, a Bill relative to purging certain criminal records (House, No. 4320).

By Mr. Vallee of Franklin, for the same committee, on a petition, a Bill clarifying actions relating to defective condition of premises (House, No. 1877).

By Mr. Petrolati of Ludlow, for the committee on Local Affairs, on a petition, a Bill authorizing the town of Berkley to use an additional portion of the Berkley common land to expand the Berkley public library and parking lot (House, No. 4670) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to the position of local inspector in the town of Billerica (House, No. 4685) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill concerning the Chestnut Hill historic district within the city of Newton (House, No. 4787) [Local Approval Received].

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill validating certain actions of the zoning board of appeals of the town of Lee, and repealing chapter twenty-eight of the acts of nineteen hundred and ninety-four (printed in House, No. 4796).

By the same member, for the same committee, on House, Nos. 4850 and 4851, a Bill relative to the administration of the West Barnstable Fire District (House, No. 4850).

By the same member, for the same committee, on a petition, a Bill relating to the Webster board of health (House, No. 4872) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to the appointment of a superintendent of streets by the board of selectmen of the town of Hopkinton (House, No. 4899) [Local Approval Received] [Representative Murray of Cohasset dissenting].

By the same member, for the same committee, on a petition, a Bill relative to a certain contract of the town of Westport (House, No. 4901) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the city of Westfield to convey certain land (House, No. 4919) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill making certain corrective changes in the home rule charter of the town of Barnstable (House, No. 4940) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the town of Wilmington to release a certain easement (House, No. 5055) [Local Approval Received].
By Mr. Rushing of Boston, for the committee on Public Service, on a petition, a Bill providing for the appointment of a building inspector for the city of Brockton (House, No. 1549) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to the funding schedule for the retirement system of the city of Haverhill (House, No. 4878) [Local Approval Received].

By the same member, for the same committee, on House, No. 1374, a Bill directing the re-enlistment and reinstatement of Roland J. Martineau as a sergeant first class (E-7) in the Massachusetts National Guard (House, No. 5132).

By Mr. Panagiotakos of Lowell, for the same committee, on a petition, a Bill relative to a certain retired firefighter of the city of Lowell (House, No. 4831) [Local Approval Received].

By Mr. Hodgkins of Lee, for the committee on State Administration, on a petition, a Bill to exempt certain property conveyances from the provisions of General Laws Chapter 30B (House, No. 2283, changed by striking out section 1 and inserting in place thereof the following section:

"SECTION 1. Sections 16(c)(1) and 16(c)(2) of Chapter 30B of the General Laws are hereby amended by deleting the words 'five hundred dollars' and inserting in place thereof the words 'twenty-five thousand dollars'."

By Mr. Cahir of Bourne, for the committee on Transportation, on a petition, a Bill designating a certain bridge in the city of Lawrence as the Santo S. Nicolosi Bridge (House, No. 4886).

By the same member, for the same committee, on a petition, a Bill designating a certain road in the city of Lawrence as Commonwealth Drive (House, No. 4887).

By the same member, for the same committee, on a petition, a Bill designating a certain bridge as the Korean War Veterans Memorial Bridge (House, No. 5004).

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

By Mr. Bosley of North Adams, for the committee on Commerce and Labor, ought NOT to pass, on the petition (accompanied by bill, House, No. 4427) of Marc Miller for legislation to authorize agreements for the sale of used motor vehicles with defects and without warranties.

By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, ought NOT to pass, on the petition (accompanied by bill, House, No. 562) of Mary Jeanette Murray for legislation to provide suitable recognition of residents of the Commonwealth who served in the armed forces of the United States during the Persian Gulf Conflict.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2586) of the Massachusetts Municipal Association, Patricia A. Walrath and other
members of the General Court relative to the appointment or reappointment of veterans' agents.

By Mr. Mcintyre of New Bedford, for the committee on the Judiciary, ought NOT to pass, on the petition (accompanied by bill, House, No. 773) of Alvin E. Thompson and another that the Governor of the Commonwealth be subject to the law relative to declaratory judgments.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1127) of Salvatore F. DiMasi relative to the recording of documents upon conduct of a mortgage foreclosure sale.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3141) of Salvatore F. DiMasi, Robert A. DeLeo and another relative to visitation rights of certain grandparents of unmarried minor children.

By Mr. Petrolati of Ludlow, for the committee on Local Affairs, ought NOT to pass, on the petition (accompanied by bill, House, No. 3183) of John A. Stefanini for legislation to further define the term “educational purposes” under the zoning law in cities and towns.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4507) of Michael J. Sullivan relative to the size for average house lots in municipalities.

By Mr. Cahir of Bourne, for the committee on Transportation, ought NOT to pass, on the petition (accompanied by bill, House, No. 864) of Mary Jane Simmons and Robert A. Antonioni relative to fares for disabled persons on facilities of the Massachusetts Bay Transportation Authority.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1253) of Daniel F. Keenan for legislation to further regulate the procedure for abandoning certain municipal ways.

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

Engrossed Bills.

The engrossed Bill validating the acts and proceedings of certain town meetings in the town of Avon (see House bill printed in House, No. 3289) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.
Third reading bills.

Engrossed bills
Relative to the financial operations of the South Essex Sewerage District (see Senate, No. 1871) (which originated in the Senate);
Relative to the setting of municipal licensing fees (see House, No. 775); and
Relative to the pension rights of certain call fire fighters (see House, No. 4704, amended);
(Which severally originated in the House);
Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

House bills
Designating a certain parking lot in the town of Salisbury as the James H. Hunt, Sr. Parking Lot (House, No. 2105) (its title having been changed by the committee on Bills in the Third Reading);
Authorizing the city of Boston to grant a certain easement to the Boston Edison Company (House, No. 4668) (its title having been changed by the committee on Bills in the Third Reading);
Designating a certain bridge in the town of Natick as the Anthony and Francis Culcasi Memorial Bridge (House, No. 4968); and
Establishing a sick leave bank for Michael Sullivan, an employee of the Department of Mental Health (House, No. 5086);
Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Order.
On motion of Mr. Cabral of New Bedford,—
Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Mr. Thompson of Cambridge then moved that as a mark of respect to the memory of Thomas H. Doherty, Jr., a member of the House from Cambridge from 1965 to 1967, inclusive, the House adjourn; and the motion prevailed.
Accordingly, at twenty minutes before twelve o'clock noon, on motion of Mr. Kafka of Sharon (Mr. Cohen of Newton 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 think about our relationship with You and to ask You to share Your peace with us. We pray for peace of mind, heart and soul so that we will be at peace with You and ourselves. In the struggle to use our time prudently, teach us to keep our legislative priorities, personal goals and political responsibilities in focus. Let our political decisions make a difference in providing opportunities for people to use their talents for self and community improvement. Grant us the patience and the good sense to respect the political, social and ethical views of others even when we disagree on serious issues or public policy.

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

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

Statement Concerning Representative Coon of Andover.

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 Coon of Andover, will not be present in the House Chamber for today's sitting due to official business outside of the Commonwealth on a trade mission to the country of Viet Nam. Any roll calls that he may miss today 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 Concerning Representative Petersen of Marblehead.

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 Petersen of Marblehead, will not be present in the House Chamber for a portion of today's sitting due to his attendance at a funeral. Any roll calls that he may miss today will be due entirely to the reason stated.

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

Before proceeding to consideration of the Orders of the Day, Mr. Stefanini of Framingham 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 be present in the House Chamber for a portion of today's sitting because I was presiding at a hearing regarding universal health care. Any roll calls that I may have missed today was due entirely to the reason stated.

Mr. Stefanini 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 Chair (Mr. Serra of Boston) declared a recess subject to the call of the Chair, there being no objection; and introduced the Right Reverend Marvil Thomas Shaw III. The Right Reverend Shaw was elevated to the position of Fifteenth Bishop of the Diocese of Massachusetts earlier this year. The Chair presented Bishop Shaw with previously adopted Resolutions of the House of Representatives and congratulated him on his elevation to the office of Bishop and on his other outstanding achievements. Bishop Shaw then addressed the House briefly. He was the guest of Representatives Rushing of Boston, Colt of Wenham, Gardner of Holliston, Hahn of Westfield, Richie of Boston, Rogeness of Longmeadow and Thompson of Cambridge.

During consideration of the Orders of the Day, the Chair (Mrs. Menard of Somerset) declared a recess subject to the call of the Chair, there being no objection, for the purpose of introducing Ms. Esther Rolle and other members of the cast of Raisin in the Sun. The play, written by Lorraine Hansberry, and first produced on Broadway in 1959, is being presented in Boston by the Huntington Theatre Company. The Chair then introduced the cast members: Kemal Hassan Collins, Joseph Culliton, Michelle Dowd, Hassan El-Amin, Ricardo Engerman, Lonnie Farmer, B.W. Gonzalez, Donald Griffin, Marguerite Hannah, Khalil Hill, Jean-Pierre R. Jacquet, Afrika Lambe, Robert Murphy, Adrian Roberts, Carolyn Roberts and Geoffrey D. Williams. The Chair also introduced Jennifer Brown, production stage manager, and Timothy Jason Smith, assistant stage manager, Michael Masso, managing director; and Peter Altman, producing director, accepted Citations of the House of Representatives for the Huntington Theatre Company. The director, Mr. Kenny Leon, was unable to attend. Ms. Esther Rolle, representing the members of the cast, then addressed the House. They were the guests of Representative Shirley Owens-Hicks and all the members of the Black Caucus.
During consideration of the Orders of the Day, the Chair (Mrs. Menard) declared a recess subject to the call of the Chair, there being no objection; and introduced the Nigerian Democratic Alliance who were seated to the right of the Speaker’s Rostrum. They were the guests of Representative Gloria Fox of Boston and all the members of the Black Caucus.

Resolutions.

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

- Resolutions (filed by Messrs. Brewer of Barre and Lane of Holden) congratulating Leonard F. Gengel on being named nineteen hundred and ninety-five Builder of the Year by the Home Builders Association of Massachusetts, Inc.;
- Resolutions (filed by Mr. Cohen of Newton) honoring Myra Tattenbaum for her service as Chair of the Newton Ward Eight Democratic Committee and her many other contributions to the city of Newton;
- Resolutions (filed by Mrs. Hyland of Foxborough) congratulating the Foxborough High School jazz ensemble on a very successful nineteen hundred and ninety-four—nineteen hundred and ninety-five season;
- Resolutions (filed by Ms. Kerans of Danvers) congratulating Paul Coleman on the occasion of his retirement as Principal of Danvers High School; and
- Resolutions (filed by Mr. Miceli of Wilmington) congratulating Virginia Callahan on the occasion of her retirement from the Tewksbury Public Schools;

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. Miceli, 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 Messrs. Fennell of Lynn and McGee of Lynn) congratulating the Lynn Yacht Club on the occasion of its one hundred and twenty-fifth anniversary; and
- Resolutions (filed by Ms. Flavin of Easthampton) congratulating Dorothy Jordan on the occasion of her eightieth birthday;

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

Mr. Flaherty of Cambridge presented a petition (subject to Joint Rule 12) of Charles F. Flaherty relative to the filling of certain vacancies in the office of Representative in the General Court in the cities of Boston and Brockton; and the same was referred, under Rule 24, to the committee on Rules.

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

Subsequently Mr. Glodis of Worcester, for the committee on Election Laws, reported on the foregoing petition, a Bill relative to certain special elections (House, No. 5144), 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.

Ms. Lewis of Dedham presented a petition (accompanied by bill, House, No. 5152) of Maryanne Lewis (by vote of the town) relative to recall elections in the town of Dedham; and the same was referred to the committee on Election Laws. Sent to the Senate for concurrence.

Mr. Angelo of Saugus presented a petition (subject to Joint Rule 12) of Steven Angelo, Edward J. Clancy, Jr., and Thomas F. Birmingham for legislation to designate a certain bridge in the town of Saugus as the Veterans of Foreign Wars Memorial Bridge; 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. Angelo of Saugus, 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. Cahir of Bourne, petition (subject to Joint Rule 12) of Thomas S. Cahir relative to applications for health insurance.

By Mr. Teague of Yarmouth, petition (subject to Joint Rule 12) 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.

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

Reports
Of the committee on the Judiciary, asking to be discharged from further consideration
Of the petition (accompanied by bill, Senate, No. 825) of Robert A. Antonioni and Mary Jane Simmons for legislation relative to the appointment of two assistant district court clerks in the district court of Leominster;
Of the petition (accompanied by bill, Senate, No. 831) of Frederick E. Berry, Douglas W. Petersen, Michael P. Cahill, Kevin M. Burke, District Attorney for the Eastern District, James P. Jajuga and Sally P. Kerans for legislation to enhance inter-agency communication in criminal proceedings regarding juveniles and youthful offenders;
Of the petition (accompanied by bill, Senate, No. 835) of Frederick E. Berry, Michael P. Cahill, Kevin M. Burke, District Attorney for the Eastern District, James P. Jajuga, Sally P. Kerans and Douglas W. Petersen for legislation to require that DNA identification tests be conducted on certain sex offenders and the results be filed in a central registry;
Of the petition (accompanied by bill, Senate, No. 836) of Frederick E. Berry, Edward J. Clancy, Jr., Kevin M. Burke, District Attorney for the Eastern District, James P. Jajuga and Sally P. Kerans for legislation to regulate the courthouses and related facilities;
Of the petition (accompanied by bill, Senate, No. 840) of Frederick E. Berry for legislation to increase the number of assistant clerks in the Superior Court Department of the Trial Court in Essex County from eight to ten;
Of the petition (accompanied by bill, Senate, No. 842) of Louis P. Bertonazzi for legislation relative to the financing of motor vehicle law enforcement;
Of the petition (accompanied by bill, Senate, No. 856) of Robert A. Havern and J. James Marzilli, Jr., for legislation relative to the liability of the Commonwealth to John Ciaramaglia of Arlington concerning his commitment to a state institution;
Of the petition (accompanied by bill, Senate, No. 886) of Cheryl A. Jacques and Robert S. Bloom for legislation to establish a one trial system for civil cases in Norfolk County;
Of the petition (accompanied by bill, Senate, No. 951) of David P. Magnani for legislation to study the integration of computer systems in the criminal justice system, to increase the number of prosecutors and judges and to train judges in restitution and alternative sentencing options;
Of the petition (accompanied by bill, Senate, No. 954) of Linda J. Melconian, Walter A. DeFilippi, Robert D. Wetmore, Stanley C. Rosenberg and other members of the General Court for legislation to establish a Western Massachusetts Division of the Housing Court Department of the Trial Court;
Of the petition (accompanied by bill, Senate, No. 955) of Linda J. Melconian and Benjamin Swan for legislation relative to tenant assertion of claims and defenses in summary proceedings;
Of the petition (accompanied by bill, Senate, No. 956) of Linda J. Melconian for legislation relative to exempted transactions;
Of the petition (accompanied by bill, Senate, No. 957) of Linda J. Melconian for legislation relative to property exempt from execution;
Of the petition (accompanied by bill, Senate, No. 958) of Linda J. Melconian for legislation relative to the recovery of attorney's fees in actions for proceedings involving leases of residential property;
Of the petition (accompanied by bill, Senate, No. 959) of Linda J. Melconian, Walter A. DeFilippi, Paul E. Caron, Dennis M. Murphy, Michael R. Knapik, Evelyn G. Chesky and Benjamin Swan for legislation to provide for the appointment of three additional assistant clerks in the Hampden County Superior Court;
Of the petition (accompanied by bill, Senate, No. 962) of Mark C. Montigny for legislation to compensate the estate of Karolina Szala for an eminent domain taking;
Of the petition (accompanied by bill, Senate, No. 963) of Michael W. Morrissey for legislation to increase fees for marriages and divorces and to provide that such increases be used to aid shelters for victims of domestic violence;
Of the petition (accompanied by bill, Senate, No. 968) of Michael W. Morrissey for legislation to increase the amount of damages awarded in claims against the state;
Of the petition (accompanied by bill, Senate, No. 972) of Therese Murray and the Massachusetts Chapter of Supervised Visitation Network, by Robert Strauss, D.M.H., J.D., for legislation to provide for supervised visitation services and centers;
Of the petition (accompanied by bill, Senate, No. 993) of Stanley C. Rosenberg, Shaun P. Kelly, Stephen Kulik and Ellen Story for legislation relative to quarterly payments to counties of court rental costs;
Of the petition (accompanied by bill, Senate, No. 994) of Edmund F. Smith for legislation relative to the compensation of jurors;
Of the petition (accompanied by bill, Senate, No. 1005) of Jane M. Swift, Peter J. Larkin and Shaun P. Kelly for legislation to provide for the appointment of an additional assistant clerk in the District Court of Central Berkshire;
Of the petition (accompanied by bill, Senate, No. 1028) of Paul C. Losapio, Paul F. LaConto and Robert D. Wetmore for legislation to provide certain personnel for the District Court of Western Worcester;
Of the petition (accompanied by bill, Senate, No. 1041) of W. Paul White and Mary C. Fitzpatrick, Chief Justice of the Probate and Family Court Department of the Trial Court, for legislation relative to the appointment of deputy assistant registers in the Probate and Family Court Department of the Trial Court;
Of the petition (accompanied by bill, Senate, No. 1042) of W. Paul White and Mary C. Fitzpatrick, Chief Justice of the Probate and Family Court Department of the Trial Court, for legislation relative to the appointment of circuit justices for the Probate and Family Court Department of the Trial Court;

Of the petition (accompanied by bill, Senate, No. 1044) of W. Paul White and Mary C. Fitzpatrick, Chief Justice of the Probate and Family Court Department of the Trial Court, for legislation to authorize payment for accumulated sick and vacation leave to retiring justices of the Trial Court;

Of the petition (accompanied by bill, Senate, No. 1046) of W. Paul White and Mary C. Fitzpatrick, Chief Justice of the Probate and Family Court Department of the Trial Court, for legislation relative to the deposit of wills with the register of probate; and

Of the petition (accompanied by bill, Senate, No. 1047) of W. Paul White and Mary C. Fitzpatrick, Chief Justice of the Probate and Family Court Department of the Trial Court, for legislation relative to the fees in the probate and family court;

Of the committee on Natural Resources and Agriculture, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 1097) of Edward J. Clancy, Jr., for legislation to allow the Secretary of Environmental Affairs to establish a program to assist in the acquisition of boatyard preservation; and

Of the petition (accompanied by bill, Senate, No. 1150) of Frederick B. Walker and Lynda Walker for legislation relative to the compensation of an abutter to the proposed residuals landfill in the town of Walpole by the Massachusetts Water Resources Authority; and

Of the committee on Public Service, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1405) of Charles E. Shannon, Vincent P. Ciampa and Richard A. Voke for legislation to authorize and direct the State Board of Retirement to grant creditable service to Francis G. McDonald, Jr., a former police officer.

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 committees.

Reports

Of the committee on Government Regulations, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 415) of Edward J. Clancy, Jr., for legislation to establish the Massachusetts roadway beautification fund to regulate the use of billboards; and
Of the committee on the Judiciary, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 931) of William R. Keating for legislation relative to the liability for failure to pay commissions to a sales representative in accordance with the provisions of a previously entered contract for services;

And recommending that the same severally be referred to the committee on Commerce and Labor.

Of the committee on the Judiciary, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 907) of James P. Jajuga, the Massachusetts Chiefs of Police Association, by Paul L. Doherty, executive director, and Paul E. Caron for legislation to exempt police officers from personal liability for issuing temporary driver’s licenses,— and recommending that the same be referred to the committee on Criminal Justice.

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 committee on Public Safety.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence.

A report of the Trustees of the Boston Metropolitan District (under the provisions of Section 2 of Chapter 383 of the Acts of 1929) for the year nineteen hundred and ninety-four (Senate, No. 1920) was read for the information of the House; and returned to the Senate to be placed on file.

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

Petition (accompanied by bill, Senate, No. 1925) of Bernard Sidman for legislation relative to deleting foreign languages from the area of competency determination for statewide educational goals. To the committee on Education, Arts and Humanities.

Petition (accompanied by bill, Senate, No. 1926) of Lois G. Pines and other members of the General Court and another for legislation to expand childbirth and post partum care benefits. To the committee on Insurance.

Reports of Committees.

By Mrs. Menard of Somerset, for the committee on Rules and the committee on Rules of the two branches, acting concurrently, that Joint Rules 12 and 9 be suspended on the petition of John A. Stefanini,
Barbara E. Gray and David P. Magnani (by vote of the town) for legislation to authorize the town of Framingham to establish an economic development industrial corporation. Under suspension of Rule 42, on motion of Mr. Stefanini of Framingham, the report was considered forthwith. Joint Rules 12 and 9 were suspended; and the petition (accompanied by bill) was referred to the committee on Commerce and Labor. 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 Gary M. Coon, Edward A. LeLacheur and John D. O'Brien for legislation to designate a certain bridge in the town of Andover as the Andover World War II Veterans Memorial Bridge. Under suspension of Rule 42, on motion of Mr. LeLacheur of Lowell, 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.

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 C. Foster for legislation to authorize the Board of State Examiners of Plumbers and Gas Fitters to establish a procedure for the licensing of septic system installers. To the committee on Government Regulations.

Petition (accompanied by bill) of David B. Cohen for legislation to authorize the Department of Social Services to establish a sick leave bank for Mary Conneely-Celi, an employee of said department. To the committee on Public Service.

Under suspension of Rule 42, on motion of Mr. Cohen of Newton, 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 Steven C. Panagiotakos relative to the crime of motor vehicle homicide. To the committee on Public Safety.

Petition (accompanied by bill) of James V. DiPaola relative to collective bargaining for court and probation officers. To the committee on Public Service.

Under suspension of Rule 42, on motion of Mr. DiPaola of Malden, 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 Resolve relative to the operation of steam boilers (House, No. 4790); and

Of the Resolve providing for an investigation and study by a special commission relative to reform of Article 48 of the Massachusetts Constitution and changes relative to both the initiative petition and referendum petition process (House, No. 4865);

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.

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. 3319) of Thomas S. Cahir that provision be made for a school building assistance reimbursement formula for new school construction in certain cities and towns; and

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. 594) of Joseph C. Sullivan and Ronald Mariano that the Division of Waterways be authorized to dredge the Weymouth Fore River;

Of the petition (accompanied by bill, House, No. 783) of Patricia A. Walrath, Edward G. Connolly, Carol C. Cleven, Christopher J. Hodgkins and Lois G. Pines for legislation to include within the State Building Code continuous ventilation capability in all new one and two family dwellings;

Of the petition (accompanied by bill, House, No. 1737) of William G. Reinstein and Robert A. DeLeo for legislation to provide for the construction of a public launching ramp in the city of Revere;

Of the petition (accompanied by bill, House, No. 2787) of Frank M. Hynes for legislation to authorize the Department of Environmental Management to contribute a sum of money toward the cost and maintenance of a dredging project in Scituate Harbor;

Of the petition (accompanied by bill, House, No. 2790) of William P. Nagle, Jr., Steven Angelo, Pamela P. Resor and Eric Turkington relative to the protection of the Northern Right Whale;

Of the petition (accompanied by bill, House, No. 3980) of John F. Quinn, William M. Straus and Mark C. Montigny for legislation to establish a fund for coastal infrastructure improvement;

Of the petition (accompanied by bill, House, No. 4180) of Robert A. DeLeo and Robert E. Travaglini for legislation to direct the Department of Environmental Management to dredge the Belle Isle Creek and the mooring areas adjacent to the Beachmont Yacht Club and VFW Post in the city of Revere;
Revere,—
flood protection.

Female inmates,—
programs.

Mattapoisett River Valley Committee.

Of the petition (accompanied by bill, House, No. 4181) of Robert A. DeLeo relative to coastal flood protection improvements in the Roughans Point section of the city of Revere;

Of the petition (accompanied by bill, House, No. 4187) of Lida E. Harkins, Michael G. Bellotti, John H. Rogers and Maryanne Lewis for legislation to require the Water Resources Authority to release certain easements upon the completion of construction projects; and

Of the petition (accompanied by bill, House, No. 4191) of William M. Straus and Marc R. Pacheco relative to the Mattapoisett River Valley Water Supply Advisory Committee;

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 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. 1977) of the Boston Fire Fighters Local 718 and Salvatore F. DiMasi relative to the admission and tuition payments of police officers and fire fighters in higher educational institutions of the Commonwealth,—
and recommending that the same be referred to the committee on Public Service; and

Of the petition (accompanied by bill, House, No. 2142) of Thomas M. Menino, Marian Walsh, Kevin W. Fitzgerald, Shirley Owens-Hicks, Paul C. Demakis and another relative to the donation of computer equipment by corporations to public school systems,—
and recommending that the same be referred to the committee on Taxation.

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

By Mr. McIntyre of New Bedford, for the committee on the Judiciary, on House, Nos. 95, 98, 137, 140, 141, 147, 349, 568, 574, 1129, 1130, 1134, 1149, 1157, 1540, 1856, 1857, 2049, 2055, 2057, 2058, 2059, 2207, 2381, 2385, 2393, 2599, 2601, 2960, 2972, 3372, 3374, 3377, 3765, 3944, 3947, 3952, 4155, 4321, 4526, 4331, 4336, 4341, 4348, 4496 and 4620, an 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).

By the same member, for the same committee, on House, Nos. 100, 105, 186, 188, 191, 196, 769, 942, 944, 1114, 1115, 1116, 1117, 1118, 1119, 1339, 1342, 1722, 1723, 1724, 1727, 1728, 1731, 1870, 1872, 2061, 2065, 2066, 2217, 2392, 2394, 2395, 2775, 2776, 2978, 2989, 3000, 3002, 3003, 3004, 3128, 3138, 3379, 3560, 3568, 3570,
3572, 3576, 3583, 3584, 3585, 3586, 3756, 3757, 3760, 3762, 3763, 3767, 3946, 3954, 3955, 3957, 3958, 3960, 3962, 4143, 4157, 4327, 4333, 4339, 4344, 4345, 4347, 4494, 4495, 4500 and 4502, an 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).

By the same member, for the same committee, on House, Nos. 350, 351, 566, 936, 1150, 1153, 1158, 1334, 1336, 1338, 1341, 1537, 1541, 2046, 2062, 2209, 2211, 2218, 2382, 2769, 2770, 2771, 2774, 2964, 2965, 2966, 2985, 2987, 2995, 2996, 2997, 2998, 3006, 3132, 3133, 3134, 3135, 3140, 3147, 3148, 3149, 3150, 3151, 3153, 3156, 3157, 3171, 3172, 3559, 3563, 3573, 3574, 3575, 3581, 3579, 3961, 4142, 4147, 4148, 4156, 4159, 4161, 4162, 4337, 4346 and 4503, an 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).

By Mr. Petrolati of Ludlow, for the committee on Local Affairs, on House, Nos. 4505 and 4623, an 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).

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

By Mr. Serra of Boston, for the committees on Rules of the two branches, acting concurrently, that the Bill providing for an environmental enhancement and protection program for the Commonwealth (House, No. 5143) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

By Mr. Serra of Boston, for the committees on Rules of the two branches, acting concurrently, that the following resolves ought to pass:

Providing for an investigation and study by a special commission relative to retirement benefits for public safety employees (House, No. 5009); and

Providing for an investigation and study by a special commission relative to retirement benefits for public employees (House, No. 5045); and

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

By Mr. McDonough of Boston, for the committee on Insurance, on House, Nos. 36 and 53, a Bill further strengthening the drunk driving and habitual offender laws (House, No. 53).
By Mr. Rushing of Boston, for the committee on Public Service, on a petition, a Bill to make whole employees covered by rulings SUP-3426 and SUP-3475 of the state Labor Relations Commission (House, No. 4370).

By the same member, for the same committee, on House, Nos. 995 and 3227, a Bill relative to group health insurance (House, No. 5149).

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

Engrossed Bills.

Engrossed bills
Relative to the eligible list for the police service in the city of Boston (see House, No. 4874);
Exempting the leasing of certain land in the city of Springfield from certain bidding laws (see House, No. 4927); and
Relative to the date of the presidential primary (see House, No. 4954);
(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.

Mr. Cohen of Newton being in the Chair,—
The engrossed Bill relative to certain special elections (see House, No. 5144) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

House bills
Facilitating procedures for grants of location in Metropolitan District Commission property (printed as Senate, No. 605, changed);
Relative to the administrative proceedings of the state police (House, No. 215);
Relative to the report of fatal accidents (House, No. 217);
Relative to certain rules and regulations governing the practice of medicine (House, No. 1516) (its title having been changed by the committee on Bills in the Third Reading);
Further defining participation by selectmen and mayors in self-insurance groups (House, No. 2666);
Relative to the authority of education collaboratives (House, No. 3507); and
Establishing an advisory council on business education (House, No. 4984) (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 sale of tobacco (House, No. 3910, amended) 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 a certain contract of the town of Westport (House, No. 4901) was read a second time; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Lambert of Fall River, 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.

House bills
Providing for the appointment of a building inspector for the city of Brockton (House, No. 1549);
To exempt certain property conveyances from the provisions of General Laws chapter 30B (House, No. 2283, changed);
To amend the Definition of Professional Services under Professional Corporations, MGL Chapter 156A (House, No. 3675);
Authorizing the town of Berkley to use an additional portion of the Berkley common land to expand the Berkley public library and parking lot (House, No. 4670);
Relative to the position of local inspector in the town of Billerica (House, No. 4685);
Concerning the Chestnut Hill historic district within the city of Newton (House, No. 4787);
Validating certain actions of the zoning board of appeals of the town of Lee, and repealing charter twenty-eight of the acts of nineteen hundred and ninety-four (printed in House, No. 4796);
Relative to a certain retired firefighter of the city of Lowell (House, No. 4831);
Authorizing the county commissioners of Dukes County to renovate a certain courthouse (House, No. 4841);
Relative to the administration of the West Barnstable Fire District (House, No. 4850);
Relative to the Webster board of health (House, No. 4872);
Relative to the funding schedule for the retirement system of the city of Haverhill (House, No. 4878);
Designating a certain bridge in the city of Lawrence as the Santo S. Nicolosi Bridge (House, No. 4886);
Designating a certain road in the city of Lawrence as Commonwealth Drive (House, No. 4887);
Establishing the Amherst economic development and industrial corporation (House, No. 4897);
Further extending the time for which certain land in Norfolk County may be used as a temporary minimum security alternative correction center (House, No. 4910);
Authorizing the city of Westfield to convey certain land (House, No. 4919);
Authorizing the suspension of certain labor laws in an emergency (House, No. 4930);
Making certain corrective changes in the home rule charter of the town of Barnstable (House, No. 4940);
Designating a certain bridge as the Korean War Veterans Memorial Bridge (House, No. 5004); and
Authorizing the town of Wilmington to release a certain easement (House, No. 5055);
Severally were read a second time; and they were ordered to a third reading.

House reports
Of the committee on Commerce and Labor, ought NOT to pass, on the petition (accompanied by bill, House, No. 4427) of Marc Miller for legislation to authorize agreements for the sale of used motor vehicles with defects and without warranties;
Of the committee on Human Services and Elderly Affairs, ought NOT to pass, on the petition (accompanied by bill, House, No. 2586) of the Massachusetts Municipal Association, Patricia A. Walrath and other members of the General Court relative to the appointment or reappointment of veterans' agents;
Of the committee on the Judiciary, ought NOT to pass, on the petition (accompanied by bill, House, No. 773) of Alvin E. Thompson and another that the Governor of the Commonwealth be subject to the law relative to declaratory judgments;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1127) of Salvatore F. DiMasi relative to the recording of documents upon conduct of a mortgage foreclosure sale; and
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3141) of Salvatore F. DiMasi, Robert A. DeLeo and another relative to visitation rights of certain grandparents of unmarried minor children;
Of the committee on Local Affairs, ought NOT to pass, on the petition (accompanied by bill, House, No. 3183) of John A. Stefanini for legislation to further define the term "educational purposes" under the zoning law in cities and towns; and
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4507) of Michael J. Sullivan relative to the size for average house lots in municipalities; and
Of the committee on Transportation, ought NOT to pass, on the petition (accompanied by bill, House, No. 864) of Mary Jane Simmons and Robert A. Antonioni relative to fares for disabled persons on facilities of the Massachusetts Bay Transportation Authority; and
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1253) of Daniel F. Keenan for legislation to further regulate the procedures for abandoning certain municipal ways;
Severally were accepted.
The House Bill relative to the salaries of the members of the Boston Licensing Board (House, No. 4662) 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. DiMasi of Boston, until Monday, June 26.

The House Bill validating the results of a certain special election held within the town of Dudley on April eleventh, nineteen hundred and ninety-five (printed in House, No. 5005) was read a second time. Pending the question on ordering the bill to a third reading, Mr. Peters of Charlton moved that it be amended by inserting after section 2 the following section:

“SECTION 2A. Notwithstanding the provisions of any general or special law to the contrary the results of the Dudley-Charlton Regional School District held on April eleventh, nineteen hundred and ninety-five at which it was voted to approve the regional school committees incurring indebtedness in the amount of nine hundred and thirty-five thousand dollars for the purpose of roof replacement and related repairs to the Sheperd Hill Regional High School are hereby ratified, validated and confirmed notwithstanding the failure of the district to publish the warrant for said election.”.

The amendment was adopted; and the bill (printed in House, No. 5005, amended) was ordered to a third reading.

At twenty minutes after twelve o’clock noon, on motion of Mrs. Lewis of Bridgewater (Mr. Cohen of Newton being in the Chair), the House recessed until the hour of one o’clock P.M.; and at seven minutes after one o’clock the House was called to order with Mr. Serra of Boston in the Chair.

The House Bill relative to handicapped parking plates (House, No. 1189), 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. Caron of Springfield moved that it be amended by inserting after the word “cystitis”, in line 4, the words “, crohn’s disease or ulcerative colitis”.

The amendment was adopted; and the bill (House, No. 1189, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the Clean Water Act of the Commonwealth (House, No. 3966, amended) (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 Mrs. Gray of Framingham, until after disposition of the remaining matters in the Orders of the Day.
Subsequently the remaining matters in the Orders of the Day having been disposed of, the bill was considered further, pending which Mr. Teague of Yarmouth moved that it be amended in section 2 by inserting after the words “violation or”, in line 6, the word “substantial”.

The amendment was adopted; and the bill (House, No. 3966, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill prohibiting standees on school buses (House, No. 2454, changed) (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.

After remarks on the question on passing the bill to be engrossed, Mr. Teague of Yarmouth moved that it be amended by adding at the end thereof the following section:

“SECTION 3. The Commonwealth shall be responsible for the reimbursement to any town or municipality for the purpose of purchasing new vehicles for the purpose of school busing if as a result of this section a town needs to purchase additional school buses.”

After debate the amendment was rejected. The bill (House, No. 2454, changed) then was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the time for certain appeals from permit granting authorities for appeals (House, No. 4170) 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 providing for the prevention and control of non-point source pollution (House, No. 2239) was considered.

Pending the question on passing the bill to be engrossed, Mr. Peterson of Grafton moved that it be amended in section 1 by striking out the paragraph contained in lines 4 to 10, inclusive, and inserting in place thereof the following paragraph:

“Best Management Practices — Best Management Practices shall be defined as guidelines developed by the Department of Environmental Protection, and approved by the committee on Natural Resources and Agriculture of the General Court.”

The amendment was adopted; and the bill (House, No. 2239, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill to protect the health of minors (House, No. 2565) was considered.

Pending the question on adoption of 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
The House Bill clarifying the process by which certain laws or regulations are declared not to be effective in cities or towns (House, No. 4208) 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 five sections:

"SECTION 2. Section 27C of chapter 29 of the General Laws, as most recently amended by section 24 of chapter 71 of the acts of 1993, is hereby amended by deleting in paragraph (a) the words 'or by the appropriation of money for such purposes'.

SECTION 3. Said section 27C of chapter 29 is hereby further amended by inserting after paragraph (c) the following:

(c½) For the purposes of this section, state laws imposing any direct service or cost obligation, state laws granting or increasing exemptions from local taxation, and administrative rules or regulations resulting in the imposition of additional cost shall be termed 'local mandates', provided that said laws, rules and regulations take effect on or after January first, nineteen hundred and eighty-one. Local mandates shall include but not be limited to any state initiated statutory or regulatory action that:

(1) requires any city or town to undertake any service or cost obligation, or to establish, expand or modify any existing activity in such a way that results in the expenditure of funds or resources or results in the diversion of funds or resources from any existing activity; provided that a new law containing a specific provision for local acceptance shall not be deemed a local mandate beyond any cost associated with conducting a special election explicitly required by the law. For the purposes of this section, the term 'existing activity' shall include any program or service lawfully undertaken by any city or town under the authority of any law, special law, administrative rule or regulation or city or town charter;

(2) relieves the state or a county from providing a service or program so that any city or town instead incurs the cost of such service or program;

(3) amends an existing law that is effective only in cities and towns that vote to accept it, provided that any amendments enacted after initial local acceptance results in additional costs beyond those associated with compliance with the law initially accepted. Except for any cost associated with conducting a special election explicitly required by the law, such a subsequent amendment to a local option law shall not be deemed a local mandate if the subsequent amendment contains a specific provision for a separate vote for local acceptance.
SECTION 4. Said section 27C of chapter 29 is hereby further amended in paragraph (d) by inserting after the words 'any committee' the following:— or member.

SECTION 5. Said section 27C of chapter 29 is hereby further amended in paragraph (e) by striking out the final sentence and inserting the following:—

The superior court shall determine the amount of the deficiency, if any, and shall order that the said city or town be exempt from such general or special law, or rule or regulation of any administrative agency until the commonwealth shall reimburse such city or town the amount of said deficiency or additional costs and court costs and reasonable legal fees incurred in bringing action under this subsection, or shall repeal such exemption from local taxation; provided, that an aggrieved city or town, or any ten taxable inhabitants thereof may file with its petition for relief a motion requesting the court to grant an interim exemption from compliance pending a determination of the controversy on the merits. The superior court shall grant said interim exemption where the moving party shows a reasonable likelihood of success on the merits. A city or town which contracts or otherwise arranges for performance of an existing activity affected by a local mandate or an activity newly undertaken because of a local mandate shall be entitled to relief under this section to the same extent as a city or town which directly undertakes the activity.

The distribution of state financial assistance to any city or town for any purpose shall not be deemed to satisfy a state funding obligation under this section, unless the general count provides by general law and by a specific appropriation state assistance to assume the cost of the local mandate in question. The commonwealth may impose a direct service or cost obligation upon any city or town as a condition on the receipt of state funds if such state funds are provided by general law and by a specific appropriation identified as state assistance to those cities and towns which agree to abide by specifically stated conditions.

SECTION 6. The second paragraphs of sections 2 and 3 of chapter 30A of the General Laws, as appearing in the 1990 Official Edition, are hereby amended by inserting after clause (d) in each case the following:— and (e) in the case of a regulation which may result in the expenditure of additional money by any city, town, regional school district or educational collaborative organized pursuant to section four E of chapter forty, such notice shall be filed with the division of local mandates of the office of the state auditor, along with an estimate of the fiscal effect of the rule or regulation on said municipal and educational entities made pursuant to section five of this chapter. Said division of local mandates shall review the estimate of fiscal effect for adequacy, and forward comments, if any, to the agency, the secretary responsible for the agency, the secretary of state and the governor within twenty-one days of receiving such notice."
The amendment was adopted; and the bill (House, No. 4208, amended) was referred, under Rule 33, to the committee on Ways and Means.

The House Bill relative to holidays and Sundays (House, No. 5113) 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 Senate Bill to reaffirm the right of parents to control the moral and religious education of their children and provide for privacy protection (Senate, No. 1808, amended) was read a second time; and it was ordered to a third reading.

The Senate Bill further regulating billboards in the Commonwealth (printed as House, No. 491) 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. Bosley of North Adams.

The House Bill relative to certain corporate document filings (House, No. 826) was read a second time; and it was ordered to a third reading.

The House Bill clarifying actions relating to defective condition of premises (House, No. 1877) was read a second time.
After debate on the question on ordering the bill to a third reading, the sense of the House was taken by yeas and nays, at the request of Mr. Marini of Hanson; and on the roll call 85 members voted in the affirmative and 62 in the negative.

[See Yea and Nay No. 126 in Supplement.]
Messrs. Locke of Wellesley and Stoddart of Natick answered "Present" in response to their names.
Therefore the bill (House, No. 1877) was ordered to a third reading.

Engrossed Bills — Land Takings.
The engrossed Bill authorizing the town of West Boylston to use a certain parcel of land for park, street and school purposes (see Senate, No. 65) (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), yeas and nays No. 127.
Constitution); and on the roll call 143 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 127 in Supplement.]

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

The engrossed Bill authorizing the city of Fitchburg to convey certain park land to Fitchburg State College (see House, No. 2504, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call (Mrs. Menard of Somerset being in the Chair) 141 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 128 in Supplement.]

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

Orders of the Day.

The House Bill relative to purging certain criminal records (House, No. 4320) was read a second time.

Pending the question on ordering the bill to a third reading, Mr. Teague of Yarmouth moved that it be amended in section 2 by inserting after the word "officer", in line 41, the words "and the court"; and by adding at the end thereof the following two sections:

"SECTION 3. The clerk of the district, probate, family, and superior court shall maintain a register listing under the name of each judge all criminal convictions over which the judge has presided, in a chronological order beginning on or after January 1, 1995, to include the following information:

(A) the name of the case;
(B) the charges against the defendant;
(C) the charges of which the defendant was convicted;
(D) the sentence handed down by the judge; and
(E) the date the sentence was handed down.

SECTION 4. The register shall be a public record of the state and shall be available for inspection at the office of the clerk during regular office hours and at such other times as may be provided by law."

The amendments were adopted; and the bill (House, No. 4320, amended) was ordered to a third reading.

House bills

Relative to the appointment of a superintendent of streets by the board of selectmen of the town of Hopkinton (House, No. 4899); Establishing a code of corporate standards relative to China for companies receiving certain state funds (House, No. 4909); and
Regulating the advertising and sale of certain photographs (House, No. 4986);

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

The House Bill relative to school adjustment counselors and school social workers (House, No. 5022) 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. Teague of Yarmouth, until after disposition of the remaining matters in the Orders of the Day.

The House Bill relative to a living wage (House, No. 5128) was read a second time.

Pending the question on ordering the bill to a third reading, Messrs. Wagner of Chicopee and Murphy of Springfield moved, there being no objection, that it be amended by inserting after section 2 the following section:

"SECTION 2A. Said chapter 151 is hereby further amended by adding the following paragraph:

Notwithstanding the foregoing, if the mandated minimum wage in the commonwealth exceeds the federally mandated minimum wage employers shall have the option of paying the federally mandated minimum wage to an employee without a high school diploma or equivalent unless said employee is enrolled in a high school program leading to a diploma or the equivalent thereof in which case the higher minimum wage of the commonwealth shall be paid."

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. Wagner; and on the roll call (Mr. Serra of Boston being in the Chair) 5 members voted in the affirmative and 145 in the negative.

[See Yea and Nay No. 129 in Supplement.]

Therefore the amendment was rejected.

After debate on the question on ordering the bill to a third reading (Mrs. Menard of Somerset being in the Chair), the sense of the House was taken by yeas and nays, at the request of Mr. Voke of Boston; and on the roll call (Mr. Serra of Boston being in the Chair) 124 members voted in the affirmative and 27 in the negative.

[See Yea and Nay No. 130 in Supplement.]

Therefore the bill was ordered to a third reading.

Mr. Bosley of North Adams then moved that the rules be suspended in order that the bill might be read a third time forthwith.

After debate on the motion to suspend the rules, the sense of the House was taken by yeas and nays, at the request of Mr. Teague of Yarmouth; and on the roll call 118 members voted in the affirmative and 33 in the negative.

[See Yea and Nay No. 131 in Supplement.]

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

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

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

The bill then 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 increasing the minimum wage for certain employees (House, No. 5153), which was read. The amendment was adopted.

After debate on the question on passing the substituted bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Flaherty of Cambridge; and on the roll call 125 members voted in the affirmative and 27 in the negative.

[See Yea and Nay No. 132 in Supplement.]

Therefore the bill was passed to be engrossed. Mr. Bosley of North Adams then moved that this vote be reconsidered; and, there being no objection, the motion to reconsider was considered forthwith and it was negatived. The bill (House, No. 5153) then was sent to the Senate for concurrence.

The House Bill relative to charter school enrollment (House, No. 5129) was read a second time.

Pending the question on ordering the bill to a third reading, further consideration thereof was postponed, on motion of Mrs. Owens-Hicks of Boston, until Monday, June 26.

House bills

Relating to professional teacher status (House, No. 5130);

Relative to standby and emergency guardianship proxies (House, No. 5131); and

Directing the re-enlistment and reinstatement of Roland J. Martineau as a sergeant first class (E-7) in the Massachusetts National Guard (House, No. 5132);

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

The House report of the committee on Human Services and Elderly Affairs, ought NOT to pass, on the petition (accompanied by bill, House, No. 562) of Mary Jeanette Murray for legislation to provide suitable recognition of residents of the Commonwealth who served in the armed forces of the United States during the Persian Gulf Conflict, was considered.

Pending the question on acceptance of the report, the petition was referred to the committee on Ways and Means, on motion of Mr. Kollios of Millbury.
The engrossed Bill authorizing the city of Springfield to lease certain property (see House, No. 5071) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Appointments to Standing Committees.

The Speaker announced the appointment of Representative Sprague of Walpole to the thirty-first position on the committee on Ways and Means, to fill an existing vacancy; and

The Speaker also announced the appointment of Representative Cresta of Wakefield to the thirteenth position on the committee on Transportation, to fill an existing vacancy.

Order.

On motion of Mr. Flaherty of Cambridge, —

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

Mr. Scibelli of Springfield then moved that as a mark of respect to the memory of William C. Maiers, Clerical Assistant to the Clerk of the House from 1929 to 1946; Assistant Clerk of the House from 1946 to 1961; and Clerk of the House of Representatives from 1961 to 1968, inclusive, the House adjourn; and the motion prevailed.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-four minutes after five o'clock P.M., on motion of Mr. Flaherty of Cambridge (Mr. Serra of Boston being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.
Thursday, June 22, 1995.

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

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

Gracious God, we take this moment for a prayer to ask for guidance and direction in personal and legislative matters. In Your goodness, teach us to recognize our responsibilities to You, Our Creator, and to our constitutional obligations. Help us to build confidence in ourselves, our institutions and in our democratic system as we struggle with the challenges and opportunities of these times. May we be alert to the needs of society and the people, especially those constituents who depend upon others for their daily existence.

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

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

Resolutions.

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

Carmen H. Buell.

Resolutions (filed by Speaker Flaherty of Cambridge and Representatives Menard of Somerset and Stefanini of Framingham) honoring Representative Carmen H. Buell on her many accomplishments;

Brian Buckley.

Resolutions (filed by Mr. Bellotti of Quincy) congratulating Brian Buckley and the "Broom Classic" Golf Tournament on the occasion of its fifteenth anniversary;

John W. Raymer.

Resolutions (filed by Messrs. Bellotti of Quincy and Mariano of Quincy) congratulating Coach John W. "Jack" Raymer on the occasion of his retirement as Head Coach for Quincy High School;

Joan Wuterich.

Resolutions (filed by Ms. Brenton of Burlington) congratulating Joan Wuterich, the nineteen hundred and ninety-five — nineteen hundred and ninety-six President of Pilot International;


Resolutions (filed by Mr. Goguen of Fitchburg) honoring Reverend Thomas J. Sullivan;

Saint Theresa's Church.

Resolutions (filed by Mr. Jones of North Reading) congratulating the Church of Saint Theresa in North Reading on the occasion of its fiftieth anniversary;

Lexington Golf Club.

Resolutions (filed by Mr. Kaufman of Lexington) congratulating the Lexington Golf Club on the occasion of its one hundredth anniversary;

Harry Hilberg.

Resolutions (filed by Ms. Resor of Acton) congratulating Harry Hilberg on being chosen as the recipient of the Golden Fife Award by the town of Boxborough;
Resolutions (filed by Mrs. Simmons of Leominster) congratulating Settimio R. Firmani and Patricia R. Pothier upon being named Leominster Citizens of the Year, nineteen hundred and ninety-five;

Resolutions (filed by Mrs. Sprague of Walpole) congratulating Helen R. Biggane on the occasion of her sixty-five years of service to the Commonwealth; and

Resolutions (filed by Messrs. Toomey of Cambridge and Rogers of Norwood) on the Irish Cultural Center, Inc.;

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

Annual and Special Reports.

The annual report of the Commissioner of Banks (under Section 13 of Chapter 167 of the General Laws) containing a statement of condition of each savings bank in the Commonwealth for the calendar year 1994; and

A report of the Bureau of Special Investigations (Section 15D(6) of Chapter 22 of the General Laws) for the month of May, 1995; and

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

Severally sent to the Senate for its information.

Petitions.

Petitions severally were presented and referred as follows:

By Ms. Flavin of Easthampton, petition (accompanied by bill, House, No. 5166) of Nancy Flavin and Stanley C. Rosenberg (by vote of the town) for legislation to authorize the town of South Hadley to make payment of the costs of demolition and disposal of the fire damage to Cowan Block in said town;

By Mr. Giglio of Medford, petition (accompanied by bill, House, No. 5167) of Anthony P. Giglio, Charles E. Shannon, Vincent P. Ciampa and another (with the approval of the mayor and city council) for legislation to increase the salary of the mayor of the city of Medford; and

By Mr. Locke of Wellesley, petition (accompanied by bill, House, No. 5168) of Elizabeth D. Nichols, John A. Locke, Lucile P. Hicks and others (by vote of the town) for legislation to authorize the town of Weston to establish a department of public works;

Severally to the committee on Local Affairs.

Severally sent to the Senate for concurrence.
Mrs. Harkins of Needham presented a petition (subject to Joint Rule 12) of Lida E. Harkins, Cheryl A. Jacques, Marian Walsh and Lois G. Pines relative to the disposition of certain state property under the control of the Metropolitan District Commission in the towns of Dover and Wellesley; 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 Mrs. Harkins, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Caron of Springfield (by request), petition (subject to Joint Rule 12) of John S. Presz relative to the use of mud guards on motor vehicles.

By Ms. Flavin of Easthampton, petition (subject to Joint Rule 12) of Nancy Flavin and Stanley C. Rosenberg for legislation to authorize the Division of Capital Planning and Operations to convey certain property in the town of Hadley to William and Gary Pelissier.

By Mr. Goguen of Fitchburg, petition (subject to Joint Rule 12) of Emile J. Goguen, Stephen M. Brewer, Mary Jane Simmons, Harold M. Lane, Jr., and Robert D. Hawke relative to fire sprinkler systems.

By Mr. Kafka of Sharon (by request), petition (subject to Joint Rule 12) of Charles Heinberg for legislation to authorize the Water Resources Authority to supply access to its sewer system to certain property located in the town of Sharon.

By Ms. Kaprielian of Watertown, petition (subject to Joint Rules 12 and 9) of Rachel Kaprielian relative to the Watertown Firefighters Relief Association.

By Mrs. Menard of Somerset, petition (subject to Joint Rule 12) of Joan M. Menard for legislation to include the position of inmate transportation officer I, under the provisions of Group 4 of the contributory retirement system for public employees.

By Mrs. Parente of Milford, petition (subject to Joint Rule 12) of Marie J. Parente relative to the Division of Purchased Services.

By Mr. Petrolati of Ludlow, petition (subject to Joint Rule 12) of John D. DeBarge and others (by vote of the town) for legislation to authorize the town of Ludlow to convey certain land to the Commonwealth for use as a veterans cemetery.

By Mrs. Sprague of Walpole, petition (subject to Joint Rule 12) of Jo Ann Sprague for legislation to require law enforcement officers to request a breathalyzer or blood test at certain accident scenes.

By the same member, petition (subject to Joint Rule 12) of Jo Ann Sprague relative to workers’ compensation insurance for sole proprietors.
By Mr. Turkington of Falmouth, petition (subject to Joint Rule 12) of Eric Turkington relative to the issuance of debt obligations by regional refuse disposal districts.

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

Paper from the Senate.

A petition of Marc R. Pacheco, Carmen H. Buell, John E. McDonough, Mark C. Montigny, John A. Stefanini, Harriette L. Chandler, Thomas C. Norton and other members of the General Court for legislation to establish the health education learning partnership of Massachusetts (HELPMASS), came from the Senate referred, under suspension of Joint Rule 12, to the committee on Health Care.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1930) was referred, in concurrence, to the committee on Health Care.

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 M. Paul Iannuccillo relative to the replacement of long-term care facilities; and

Petition (accompanied by bill) of M. Paul Iannuccillo and Brian S. Dempsey relative to long-term care facilities;

Severally to the committee on Health Care.

Petition (accompanied by bill) of Vincie Kaupelis relative to the furnishing of certain false information to the Department of Public Welfare. To the committee on Human Services and Elderly Affairs.

Petition (accompanied by bill) of Marie J. Parente relative to maturities of bonds and notes issued for approved school projects. To the committee on Local Affairs.

Petition (accompanied by bill) of Robert M. Koczera, John F. Quinn, Albert Herren and Thomas C. Norton for legislation to designate the bridge located on Route 140 over Washburn Road in the town of Freetown as the Freetown Memorial VFW Post 6643 Bridge. To the committee on Transportation.

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. Finneran of Boston, for the committee on Ways and Means, that the Resolve providing for an investigation and study by a special commission relative to retirement benefits for public safety employees (House, No. 5009) ought to pass.

Under suspension of the rules, on motion of the same member, the resolve was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.
By Mr. Finneran of Boston, for the committee on Ways and Means, that the Resolve providing for an investigation and study by a special commission relative to retirement benefits for public employees (House, No. 5045) ought to pass.

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

By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, on a petition, a Bill relative to the Grafton Water District (House, No. 4724, changed in section 1 by inserting after the word “eighty-four”, in line 3, the words “as amended by chapter four hundred and forty-one of the acts of nineteen hundred and ninety”), which was read.

Under suspension of the rules, on motion of Mr. Peterson of Grafton, 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. McIntyre of New Bedford, for the committee on the Judiciary, on House Nos. 255, 275, 2050, 2777, 2986, 3129, 3582, 3942, 4160, 4340 and 4621, an 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). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. McIntyre of New Bedford, for the committee on the Judiciary, on House, Nos. 1124 and 2967, a Resolve providing for a study by a special commission relative to civil process serving throughout the Commonwealth (House, No. 1124). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Rushing of Boston, for the committee on Public Service, on House, No. 1399, a Bill allowing the Middlesex County Retirement Board to invest funds of the Middlesex County retirement system (House, No. 5155). Read; and referred, under Rule 33, to the committee on Counties on the part of the House.

By Mr. Bosley of North Adams, for the committee on Commerce and Labor, on a petition, a Bill clarifying the prevailing wage law (House, No. 1064).
By Mr. McDonough of Boston, for the committee on Insurance, on House, Nos. 36, 49, 51 and 52, a Bill to make technical corrections to the insurance statutes (House, No. 5156).

By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, on House, Nos. 122 and 125, a Bill concerning the powers of the Director of the Division of Water Pollution Control (House, No. 125).

By Mrs. Cleven of Chelmsford, for the committee on Public Service, on House, No. 4860, a Bill relative to allowing Ethel Kamien to purchase creditable service from the State Board of Retirement (House, No. 5157).

By Mr. Cahir of Bourne, for the committee on Transportation, on Hingham,—

a petition, a Bill authorizing the Department of Highways to conduct a study relative to Route 228 in the town of Hingham (House, No. 4411).

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

By Mr. Finneran of Boston, for the committee on Ways and Means, that the Bill designating Johnny Appleseed as the official folk hero of the Commonwealth (House, No. 4549) 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 relative to business organizations in the Commonwealth (House, No. 4045, changed) ought to pass with certain amendments. Placed in the Orders of the Day for the next sitting for a second reading, with the amendments pending.

By Mr. Bosley of North Adams, for the committee on Commerce and Labor, on a petition, a Bill relative to double dipping of workers' compensation and retirement benefits (House, No. 1061).

By the same member, for the same committee, on a petition, a Bill establishing the Berkshire economic development authority (House, No. 3382).

By the same member, for the same committee, on a petition, a Bill making the Massachusetts Fire Prevention Association known hereafter as the fire prevention association of Massachusetts, Inc. (House, No. 4748).

By Mr. Valianti of Marlborough, for the committee on Education, Arts and Humanities, on a petition, a Bill to clarify the alternate methods of fulfilling professional development (House, No. 3893).

By Mr. McDonough of Boston, for the committee on Insurance, on a petition, a Bill relative to the benefits paid by the Medford Police Relief Association, Incorporated (House, No. 4750).

By the same member, for the same committee, on a petition, a Bill relative to the payment of benefits by the Newburyport Police Relief Association, Inc. (House, No. 4846).
By Mr. Petrolati of Ludlow, for the committee on Local Affairs, on a petition, a Bill relative to bidding procedures in the city of Melrose (House, No. 4666) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the city of Leominster to establish certain funds (House, No. 4873) [Local Approval Received].

By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, on House, Nos. 122 and 124, a Bill to reform the Clean Water Act of the Commonwealth (House, No. 124).

By the same member, for the same committee, on House, Nos. 126 and 129, a Bill relative to the testing of agricultural product analysis (House, No. 129).

By the same member, for the same committee, on House, Nos. 126 and 131, a Bill relative to coholdership of agricultural preservation restrictions by nonprofits (House, No. 131).

By the same member, for the same committee, on a petition, a Bill relative to the use of certain firearms during the hunting season (House, No. 1348).

By the same member, for the same committee, on a petition, a Bill increasing the review period for certain projects upon written request of a municipality (House, No. 1349).

By the same member, for the same committee, on a petition, a Bill to amend various statutes pertaining to landowner liability (House, No. 2794).

By the same member, for the same committee, on a petition, a Bill relative to the treatment of animals (House, No. 3009).

By the same member, for the same committee, on a petition, a Bill requiring marinas, yacht clubs and boat yards to make certain reports to harbormasters (House, No. 3015).

By the same member, for the same committee, on a petition, a Bill further protecting the welfare of animals (House, No. 3388, changed by striking out section 7).

By the same member, for the same committee, on a petition, a Bill amending the Marine Fish and Fisheries Law (House, No. 3410).

By the same member, for the same committee, on a petition, a Bill regulating the release of a certain number of balloons into the environment (House, No. 4510).

By Ms. Resor of Acton, for the same committee, on a petition, a Bill authorizing guaranteed deposit funds and design review fees paid to conservation commissions and increasing the penalty for violation of commission regulations (House, No. 3400).

By Mr. Rushing of Boston, for the committee on Public Service, on House, Nos. 803 and 813, a Bill further regulating unilateral changes in public employee collective bargaining agreements (House, No. 813).

By the same member, for the same committee, on a petition, a Bill further regulating investment income and regular interest (House, No. 1603, changed by inserting after the following: “(6)”, in line 1, the following: “(b)”)

By the same member, for the same committee, on a petition, a Bill relative to police officers, firefighters and emergency medical attendants in the town of Cummington (House, No. 4978) [Local Approval Received].

By the same member, for the same committee, on House, No. 1577, a Bill to clarify investment reporting for retirement boards (House, No. 5169).

By the same member, for the same committee, on House, No. 4008, a Bill further regulating certain deferred compensation (House, No. 5170).

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

By Mr. Haley of Weymouth, for the committee on Criminal Justice, ought NOT to pass, on the petition (accompanied by bill, House, No. 1666) of J. Michael Ruane relative to the penalty for malicious breaking of glass.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1671) of J. Michael Ruane for legislation to increase the penalties for breaking glass in buildings.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3869) of James T. Brett relative to staffing at rapid transit stations by the Massachusetts Bay Transportation Authority.

By Mr. Fagan of Taunton, for the same committee, ought NOT to pass, on a message from His Excellency the Governor recommending legislation relative to reinstating the death penalty in the Commonwealth (accompanied by bill, House, No. 4716).

By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, ought NOT to pass, on the petition (accompanied by bill, House, No. 800) of Albert Herren relative to staffing levels and working conditions of social workers in the Department of Social Services.

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. 2072) of Paul R. Haley relative to the rates charged for sewer services in cities and towns by the Water Resources Authority.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3979) of John F. Quinn for legislation to increase the penalty for the negligent operation of motorboats and vessels.

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

Orders of the Day.

House bills
Providing for the appointment of a building inspector for the city of Brockton (House, No. 1549);
Authorizing the town of Berkley to use a portion of the Berkley common land for library purposes (House, No. 4670) (its title having been changed by the committee on Bills in the Third Reading);

Exempting the position of local inspector in the town of Billerica from the provisions of the civil service law (House, No. 4685) (its title having been changed by the committee on Bills in the Third Reading);

Relative to a certain retired firefighter of the city of Lowell (House, No. 4831);

Relative to the funding schedule for the retirement system of the city of Haverhill (House No. 4878);

Designating a certain bridge in the city of Lawrence as the Santo S. Nicolosi Bridge (House, No. 4886);

Designating a certain road in the city of Lawrence as Commonwealth Drive (House, No. 4887);

Relative to the appointment of a superintendent of streets by the board of selectmen of the town of Hopkinton (House, No. 4899);

Designating a certain bridge as the Korean War Veterans Memorial Bridge (House, No. 5004);

Validating the results of a certain special election held within the town of Dudley on April eleventh, nineteen hundred and ninety-five (printed in House, No. 5005, amended); and

Authorizing the town of Wilmington to release a certain easement (House, No. 5055);

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 further extending the time for which certain land in Norfolk County may be used as a temporary minimum security alternative correction center (House, No. 4910), 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. Sullivan of Braintree moved that it be amended by adding at the end thereof the following section:

“SECTION 2. This act shall take effect upon its passage.”.

The amendment was adopted; and the bill (House, No. 4910, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. Straus of Mattapoisett,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o’clock A.M.
THURSDAY, JUNE 22, 1995.

Mr. Cohen of Newton being in the Chair, — at three minutes before twelve o'clock noon, on motion of Mrs. Lewis of Bridgewater, 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:

Lord God, we pause for this moment of prayer to seek guidance in legislative and personal matters, to recognize our dependence upon You, Our Creator, and to reflect on Your presence in our lives. We are also pausing to thank You for the material and spiritual gifts which we enjoy each day. Teach us to respect the dignity of all people, to listen to the political and social views of constituents, and to learn from the experiences of our predecessors. Grant us the moral courage to respect Your precepts, to respond conscientiously to our responsibilities, and to address the needs and reasonable expectations of the people. Let Your peace fill our hearts and minds as we strive to resolve our political and philosophical challenges through peaceful and rational discussions and decisions.

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

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

Statement of Representative Bellotti of Quincy.

During consideration of the Orders of the Day, Mr. Bellotti of Quincy 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 portion of today's sitting due to official business in another part of the State House. Any roll calls that I may have missed was due entirely to the reason stated.

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

Statement of Representative Demakis of Boston.

During consideration of the Orders of the Day, Mr. Demakis 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 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.

Mr. Demakis then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.
Statement Concerning Representative Rushing of Boston.

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 Rushing of Boston, is unable to be present in the House Chamber due to official business outside the Commonwealth. Any roll calls that he 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.

Resolutions.

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

Resolutions (filed by Mr. DiPaola of Malden) congratulating the Malden Rotary Club on the occasion of its seventy-fifth anniversary;
Resolutions (filed by Mr. Kennedy of Brockton) congratulating Lorraine Maloney on the occasion of her retirement;
Resolutions (filed by Mr. Miceli of Wilmington) honoring the Tewksbury Army World War II Veterans;
Resolutions (filed by Mr. Miceli of Wilmington) honoring the Tewksbury Army Air Corps World War II Veterans;
Resolutions (filed by Mr. Miceli of Wilmington) honoring the Tewksbury Coast Guard World War II Veterans;
Resolutions (filed by Mr. Miceli of Wilmington) honoring the Tewksbury Marine Corps World War II Veterans;
Resolutions (filed by Mr. Miceli of Wilmington) honoring the Tewksbury Merchant Marine World War II Veterans; and
Resolutions (filed by Mr. Miceli of Wilmington) honoring the Tewksbury Navy World War II Veterans;

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

Papers from the Senate.

The engrossed Bill relative to certain special elections (see House, No. 5144) came from the Senate with an amendment striking out all after the enacting clause and inserting in place thereof the following:

"SECTION 1. Notwithstanding the provisions of section ten or section twenty-eight of chapter fifty-three of the General Laws or any other general or special law to the contrary, the primary election preceding the special state election to fill the vacancy in the office of representative in the general court for the eleventh Plymouth district to be held in the year nineteen hundred and ninety-five shall be
Wage withholdings,—improper expenditures.

Boston and Brockton,—special elections.

held on September twelfth and the primary election preceding the special state election to fill the vacancy in the office of representative in the general court for the tenth Suffolk district to be held in the year nineteen hundred and ninety-five shall be held on September nineteenth.

SECTION 2. This act shall take effect upon its passage.”.

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

A petition of Marc R. Pacheco for legislation to clarify employer sanctions for improper expenditure of withholdings or deductions from wages, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Commerce and Labor.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1934) was referred, in concurrence, to the committee on Commerce and Labor.

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 John J. Binienda and William J. Glodis, Jr., for legislation to require photographic records of persons leasing motor vehicles. To the committee on Public Safety.

Petition (accompanied by bill) of Edward A. LeLacheur for legislation to authorize the Division of Capital Planning and Operations to grant easements over certain parcels of land located in the city of Lowell. To the committee on State Administration.

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

Mr. Serra of Boston, for the committees on Rules of the two branches, acting concurrently, to whom was referred 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), reports, in part, asking to be discharged from further consideration of the petition (accompanied by resolve, House, No. 4699) of Robert M. Koczera and Mark C. Montigny for an investigation by a special commission (including members of the General Court) relative to school bus safety,— and recommending that the same be recommitted to the committee on Public Safety. 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 petition (accompanied by bill, Senate, No. 128) of James P. Jajuga, Paul E. Caron and James M. Barry for legislation to prohibit special state police officers for a hospital or educational institution from being appointed as deputy sheriff;

Of the petition (accompanied by bill, Senate, No. 134) of John D. O'Brien and Stephen Roche for legislation relative to the vaccination of dogs and cats against rabies;

Of the petition (accompanied by bill, Senate, No. 148) of Robert D. Wetmore for legislation relative to the mandatory sterilization of shelter animals;

Of the petition (accompanied by bill, Senate, No. 149) of John D. O'Brien, Richard R. Tisei, Gary M. Coon, James P. Jajuga, Donna F. Cuomo, Matthew J. Amorello, Lucile P. Hicks and Brian M. Cresta for legislation to abolish county administration and transfer certain services to the Commonwealth;

Of the petition (accompanied by bill, House, No. 296) of Kevin Poirier for legislation to provide for the election of county commissioners;

Of the petition (accompanied by bill, House, No. 503) of William J. McManus II for legislation to transfer land owned by the county of Worcester to the town of West Boylston;

Of the petition (accompanied by bill, House, No. 1078) of Thomas P. Kennedy and another relative to the budgets of sheriffs in various counties of the Commonwealth;

Of the petition (accompanied by bill, House, No. 2521) of Edward J. Kennedy and Steven C. Panagiotakos that county commissioners be responsible for the security of county buildings;

Of the petition (accompanied by bill, House, No. 3679) of Carmen H. Buell and other members of the General Court relative to the charter of Franklin County;

Of the petition (accompanied by bill, House, No. 4250) of Paul C. Casey and others relative to the identification and registration of dogs;

Of the petition (accompanied by bill, House, No. 4251) of Anthony M. Scibelli for legislation to establish the Hampden County economic development authority;

Of the petition (accompanied by bill, House, No. 4580) of Edward J. Kennedy for legislation to transfer the responsibility of county corrections to the Commonwealth and to further regulate the functions and responsibilities of counties; and

Of the petition (accompanied by bill, House, No. 4735) of Dave Dunham for legislation to provide for enterprise funds for counties;

And recommending that the same severally be referred to the committee on Counties on the part of the House.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence in the discharge of the committee.
By 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. 5023) of Mary Jeanette Murray and Robert L. Hedlund for legislation to include a certain parcel of land located in the town of Hingham in the sewer system of the town of Weymouth,— and recommending that the same be referred to the committee on Local Affairs;

Of the petition (accompanied by bill, House, No. 3677) of Daniel J. Valianti for legislation to further regulate the sale of automotive paint products,— and recommending that the same be referred to the committee on Public Safety; and

Of the petition (accompanied by bill, Senate, No. 1886) of Mark C. Montigny for legislation relative to certain health benefits for environmental police officers,— 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. Severally sent to the Senate for concurrence.

By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, on Senate, Nos. 607, 614 and 664 and House, Nos. 331 and 4696, a Resolve creating a special commission relative to veterans benefits (House, No. 5171).

By the same member, for the same committee, on House, No. 1450, a Resolve creating a special commission relative to improving the Commonwealth’s state supplemental payment program (House, No. 5172).

By the same member, for the same committee, on House, Nos. 2027 and 2029, a Resolve creating a special commission to study and investigate the commonwealth’s involuntary commitment laws for persons with mental illness (House, No. 5173).

By the same member, for the same committee, on House, No. 2034, a Resolve creating a special commission to study and investigate the Commonwealth’s purchase-of-service system as relates to contacted services with human service providers (House, No. 5174).

By the same member, for the same committee, on House, No. 4614, a 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).

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

By Mr. Haley of Weymouth, for the committee on Criminal Justice, on House, No. 3090, a Bill relative to the punishment for first and second degree murder (House, No. 5176).

By Ms. Buell of Greenfield, for the committee on Health Care, on House, Nos. 1312 and 1693, a Bill relative to charge control (House, No. 1693, changed in section 7 by striking out, in line 3, the word “nineteen” and inserting in place thereof the word “eighteen”).
MONDAY, JUNE 26, 1995.

By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, on Senate, No. 663 and House, Nos. 1523 and 2035, a Bill establishing an executive office of veterans affairs and benefits (House, No. 1523).

By the same member, for the same committee, on a petition, a Bill relative to adult day health providers (House, No. 3728).

By the same member, for the same committee, on a petition, a Bill relative to fund raising for the blind (House, No. 4468).

By the same member, for the same committee, on a petition, a Bill further regulating Medicaid eligibility (House, No. 4476).

By the same member, for the same committee, on a petition, a Bill creating study of long term care financing in the Commonwealth (House, No. 4695, changed by inserting after the word “contribution”, in line 14, the words “provide a single fee schedule for private pay and Medicaid”).

By the same member, for the same committee, on a petition, a Bill further regulating veterans’ burial benefits (House, No. 4697).

By the same member, for the same committee, on Senate, No. 649 and House, Nos. 2751 and 3736, a Bill increasing the amount of money allowed for certain burial expenses (House, No. 5177).

By the same member, for the same committee, on House, No. 915, a Resolve creating a special commission to study and investigate regulations concerning municipal recreational agencies (House, No. 5178).

By the same member, for the same committee, on House, Nos. 1998 and 4480, a Bill relative to assisting grandparents who care for non-custodial children (House, No. 5179).

By Mr. McIntyre of New Bedford, for the committee on the Judiciary, on House, Nos. 772, 1135 and 2605, a Bill relative to fees charged by certain state officials (House, No. 772).

By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, on the recommendation of the the Low-level Radioactive Waste Management Board, a Bill relative to the Low-Level Radioactive Waste Management Fund (House, No. 185).

By the same member, for the same committee, on a petition, a Bill authorizing the Department of Environmental Protection to undertake a study relative to the recycling of soil contaminated by petroleum (House, No. 779).

By the same member, for the same committee, on a petition, a Bill providing for the rehabilitation and restoration of Orchard Park in the city of Boston (House, No. 3012) [Cost: $1,000,000.00].

By the same member, for the same committee, on a petition, a Bill regarding the North River (House, No. 3016).

By the same member, for the same committee, on a petition, a Bill relative to health risk assessments at hazardous waste sites (House, No. 3017).

By the same member, for the same committee, on a petition, a Bill relative to the disposition of certain environmental enforcement monies (House, No. 3387) [Cost: $7,000,000.00].
Dams,— reconstruction.

Mosquitoes,— improving swamp land.

Abandoned vessels.

Fishing licenses,— transfer.

Deferred compensation.

By the same member, for the same committee, on a petition, a Bill relative to the registration, inspection, construction and reconstruction of dams (House, No. 3419).

By the same member, for the same committee, on a petition, a Bill providing for the public health by managing mosquitoes in the Commonwealth (House, No. 3978).

By the same member, for the same committee, a Bill relative to abandoned vessels (House, No. 4350).

By the same member, for the same committee, on a petition, a Bill relative to the transfer of certain fishing licenses (House, No. 4511).

By Mr. Rushing of Boston, for the committee on Public Service, on House, No. 3804, a Bill further regulating the deferred compensation program for public employees and the procurement of goods and services by the Commonwealth’s Constitutional officers (House, No. 5180).

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

By Ms. Buell of Greenfield, for the committee on Health Care, on Senate, No. 502 and House, Nos. 719, 1305, 1306 and 3908, a Bill to increase public access to data concerning physicians and create a clinical quality improvement unit at the Board of Registration in Medicine (House, No. 5181). Read; and referred, under Rule 33B, to the committee on Science and Technology.

Tewksbury,— land.

Technology systems,— upgrading.

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 Tewksbury (House, No. 3292) ought to pass with an amendment substituting therefor a bill with the same title.

By the same member, for the same committee, that the Bill relative to providing for capital outlays for the acquisition and upgrading of certain major information technology systems (House, No. 5111) 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:

Regulating state contracts with companies doing business with or in Burma (Myanmar) (House, No. 2833); and

Providing for an exemption to the sales tax (House, No. 3835);

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

By Mr. Finneran of Boston, for the committee on Ways and Means, that the Resolve relative to the operation of steam boilers (House, No. 4790) ought to pass. Placed in the Orders of the Day for the next sitting for a second reading.
By Mr. Haley of Weymouth, for the committee on Criminal Justice, on a petition, a Bill relative to the crime of stalking (House, No. 1803, changed by striking out, in line 4, the word "Whereas" and inserting in place thereof the word "Whoever").

By the same member, for the same committee, on a petition, a Bill relative to the theft of telecommunications services (House, No. 2527, changed in section 2 by striking out, in line 11, the words "three years" and inserting in place thereof the words "two and one-half years").

By the same member, for the same committee, on a petition, a Bill providing for the protection of justices of commonwealth (House, No. 2900).

By the same member, for the same committee, on Senate, Nos. 164 and 214 and House, Nos. 1264, 2528, 2534, 3093, 3493, 4079 and 4252, a Bill relative to the sentencing of delinquent juveniles (House, No. 4252) [Representative Fagan of Taunton dissenting].

By the same member, for the same committee, on Senate, No. 165, a Bill relative to certain crimes committed for the purpose of intimidation (House, No. 5191).

By the same member, for the same committee, on House, No. 1806, a Bill increasing the penalties for failure to stop when being pursued by a police officer (House, No. 5192).

By Mrs. Owens-Hicks of Boston, for the committee on Education, Arts and Humanities, on a petition, a Bill relative to cardiopulmonary resuscitation and the Heimlich maneuver (House, No. 4988).

By Mr. Glodis of Worcester, for the committee on Election Laws, on a petition, a Bill relative to preliminary elections in the city of Holyoke (House, No. 5068) [Local Approval Received].

By Ms. Buell of Greenfield, for the committee on Health Care, on a petition, a Bill providing for the words "tobacco use" to be placed on death certificates (House, No. 4989).

By the same member, for the same committee, on House, No. 1100, a Bill providing patient access to incident reports (House, No. 5193).

By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, on a petition, a Bill forbidding the transportation by highway of certain waste materials (House, No. 2233).

By Mr. Finneran of Boston, for the committee on Ways and Means, on House, No. 4895, a Bill continuing certain accounts supporting capital projects (House, No. 5194).

By the same member, for the same committee, to whom was referred the Bill relative to the revitalization and development of the Commonwealth's seaports and the improvement of freight access within the Commonwealth (House, No. 5127) reports, in part, a bill with the same title (House, No. 5195) [Bond Issue: $292,260,000.00].

Stalking, penalty.
Telecommunications services, theft.
Judges, protection.
Juvenile delinquents, sentencing.
Intimidation, crime of.
Police pursuit, penalties.
Public schools, CPR instruction.
Holyoke, preliminary elections.
Death certificates, tobacco use.
Incident reports, patient access.
Sludge, transportation.
Capital projects, accounts.
Seaports, develop.
By the same member, for the same committee, to whom was referred the Bill providing for an environmental enhancement and protection program for the Commonwealth (House, No. 5143), reports, in part, a bill with the same title (House, No. 5196) [Bond Issue: $469,610,000.00].

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

Engrossed Bill.

The engrossed Bill relative to certain special elections (see House, No. 5144, 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.

Orders of the Day.

House bills

Further regulating uniform procurement practices for certain real property (House, No. 2283, changed) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the suspension of certain labor laws in an emergency (House, No. 4930);

Providing for drug free public housing zones (House, No. 4947) (its title having been changed by the committee on Bills in the Third Reading);

Relative to professional teacher status (House, No. 5130) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to standby and emergency guardianship proxies (House, No. 5131);

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 absentee ballots for residents of nursing homes (House, No. 1493) was read a third time.

The committee on Bills in the Third Reading reported recommending that the bill be amended by substitution of a Bill relative to absentee voting by residents of nursing homes (House, No. 5188), 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 relative to school adjustment counselors and school social workers (House, No. 5022) was ordered to a third reading.

Under suspension of the rules, on motion of Ms. Jehlen of Somerville, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time forthwith; and it was passed to be engrossed, its title having been changed by said
committee to read: An Act relative to school adjustment counselors and school social workers. Sent to the Senate for concurrence.

House bills
Relative to charter school enrollment (House, No. 5129); and
Designating Johnny Appleseed as the official folk hero of the Commonwealth (House, No. 4549);
Severally were ordered to a third reading.

House bills
Relative to the testing of agricultural product analysis (House, No. 129);
Relative to coholdership of agricultural preservation restrictions by nonprofits (House, No. 131);
Relative to the use of certain firearms during the hunting season (House, No. 1348);
Increasing the review period for certain projects upon written request of a municipality (House, No. 1349);
Further regulating investment income and regular interest (House, No. 1603, changed);
To amend various statutes pertaining to landowner liability (House, No. 2794);
Establishing the Berkshire economic development authority (House, No. 3382);
Further protecting the welfare of animals (House, No. 3388, changed);
Amending the Marine Fish and Fisheries Law (House, No. 3410);
To clarify the alternate methods of fulfilling professional development (House, No. 3893);
Relative to bidding procedures in the city of Melrose (House, No. 4666);
Making the Massachusetts Fire Prevention Association known hereafter as the Fire Prevention Association of Massachusetts, Inc. (House, No. 4748);
Relative to the benefits paid by the Medford Police Relief Association, Incorporated (House, No. 4750);
Relative to the payment of benefits by the Newburyport Police Relief Association, Inc. (House, No. 4846);
Authorizing the city of Leominster to establish certain funds (House, No. 4873);
Relative to police officers, firefighters and emergency medical attendants in the town of Cummington (House, No. 4978);
To clarify investment reporting for retirement boards (House, No. 5169); and
Further regulating certain deferred compensation (House, No. 5170);
Severally were read a second time; and they were ordered to a third reading.
House reports

Of the committee on Criminal Justice, ought NOT to pass, on the petition (accompanied by bill, House, No. 1666) of J. Michael Ruane relative to the penalty for malicious breaking of glass;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1671) of J. Michael Ruane for legislation to increase the penalties for breaking glass in buildings; and

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3869) of James T. Brett relative to staffing at rapid transit stations by the Massachusetts Bay Transportation Authority;

Of the committee on Human Services and Elderly Affairs, ought NOT to pass, on the petition (accompanied by bill, House, No. 800) of Albert Herren relative to staffing levels and working conditions of social workers in the Department of Social Services; and

Of the committee on Natural Resources and Agriculture, ought NOT to pass, on the petition (accompanied by bill, House, No. 2072) of Paul R. Haley relative to the rates charged for sewer services in cities and towns by the Water Resources Authority; and

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3979) of John F. Quinn for legislation to increase the penalty for the negligent operation of motorboats and vessels;

Severally were accepted.

Bulk transfers.

The House Bill repealing certain laws on bulk transfers (House, No. 280) (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 striking out section 5 and inserting in place thereof the following section:

"SECTION 5. The provisions of article 6 of chapter 106 and section 9 - 111 of said chapter 106 of the General Laws shall apply to all bulk transfers that occurred prior to the effective date of this act."

The amendment was adopted; and the bill (House, No. 280, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Business organizations.

The House Bill relative to business organizations in the Commonwealth (House, No. 4045, changed) was read a second time.

Pending the question on adoption of the amendments previously recommended by the committee on Ways and Means,— that the bill be amended in section 1 by striking out subsection 64 (inserted by change), in lines 1397 to 1413, inclusive, and inserting in place thereof the following subsection:

"Section 64. Notwithstanding the provisions of any general or special law to the contrary, a limited liability company formed under
this chapter or qualified to do business in the commonwealth as a foreign limited liability company shall be classified for purposes of taxation by the commonwealth in the same manner as it is classified for federal income tax purposes. For purposes of taxation by the commonwealth, a member or assignee of a member of a limited liability company formed under this chapter or qualified to do business in the commonwealth as a foreign limited liability company shall have the same status as such member or assignee of a member has for federal income tax purposes.

in section 9 by striking out, in lines 8 and 9, the words “, from negligence, wrongful acts, errors or omissions” and inserting in place thereof the word “arising”, by striking out, in lines 14, 15 and 16, the words “the joint and several liability of partner for debts and obligations of the partnership arising from any cause other than those specified in paragraph (2)(c)”, by striking out, in line 18, the following: “(d)” and inserting in place thereof the following: “(c)”, and by adding at the end thereof the following paragraph:

“(4) Notwithstanding paragraphs (2) and (3), the personal liability of a partner in a limited liability partnership engaged in the rendering of professional services shall not be less than the personal liability of a shareholder of a professional corporation organized under chapter one hundred and fifty-six A engaged in the rendering of the same professional services.”; and in section 15 by striking out, in line 2, the word “three” and inserting in place thereof the word “four”, by striking out, in line 25, the words “and obligations of the” and inserting in place thereof the words “obligations and liabilities of or chargeable to the”, by striking out, in lines 26 and 27, the words “from negligence, wrongful acts, errors or omissions”, by striking out, in lines 65 to 68, inclusive, the words “the kinds of negligence, wrongful acts, errors and omissions for which liability is limited by section fifteen of this chapter and which insures the partnership and its partners” and inserting in place thereof the words “negligence, wrongful acts, errors and omissions and that insures the partnership and its partners”, by striking out, in lines 81, 82 and 83, the words “the kinds of negligence, wrongful acts, errors and omissions for which liability is limited by section fifteen of this chapter” and inserting in place thereof the words “negligence, wrongful acts, errors and omissions”, by inserting after the word “name”, in line 118, the words “or such other similar words or abbreviation as may be required or authorized by the laws of the state where the partnership is registered”, and by adding at the end thereof the following subsection:

“Section 48. Notwithstanding the provisions of any general or special law to the contrary, a registered limited liability partnership and a foreign registered limited liability partnership shall be classified for purposes of taxation by the commonwealth in the same manner as it is classified for federal income tax purposes. For purposes of taxation by the commonwealth, a partner or an assignee of a partner in a registered limited liability partnership or foreign registered limited liability partnership shall have the same status as such
Business organizations.

Mr. Bosley of North Adams moved that the recommended amendments be amended in section 1 by striking out subsection 64 contained in lines 1398 to 1408, inclusive (as printed and as changed), and inserting in place thereof the following subsection:

"Section 64. (a) Notwithstanding any other provisions of the general or special laws to the contrary, and except as provided in paragraph (b) of this section, a limited liability company formed under this chapter or qualified to do business in the commonwealth as a foreign limited liability company shall be classified for purposes of taxation by the commonwealth in the same manner as it is classified for federal income tax purposes. For purposes of taxation by the commonwealth, a member or assignee of a member of a limited liability company formed under this chapter or qualified to do business in the commonwealth as a foreign limited liability company shall have the same status as such member or assignee of a member has for federal income tax purposes.

(b) Solely for the purpose of determining the application of the personal property tax exemption under chapter fifty-nine, section five, clause Sixteen, limited liability company shall be classified as a 'corporation' notwithstanding its classification in paragraph (a), above." The further amendment was adopted.

The amendments previously recommended by the committee on Ways and Means, as amended, then also were adopted; and the bill (House, No. 4045, changed and amended) was ordered to a third reading.

The House report of the committee on Criminal Justice, ought NOT to pass, on the message from His Excellency the Governor recommending legislation relative to reinstituting the death penalty in the Commonwealth (accompanied by bill, House, No. 4716) was considered.

Pending the question on acceptance of the report, further consideration thereof was postponed, on motion of Mr. Haley of Weymouth, until Wednesday, June 28, and specially assigned to the hour of eleven o'clock A.M.

At twenty-nine minutes after eleven o'clock A.M., on motion of Mr. Fagan of Taunton, the House recessed until the hour of two o'clock P.M.; and at seven minutes after two o'clock the House was called to order.

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

Mrs. Menard of Somerset moved that the Clerk be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of item 0320-0004 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).

Mr. Teague of Yarmouth thereupon raised a point of order that the motion of the lady from Somerset was improperly before the House for the reason that House Rule 12 requires that “The Clerk shall prepare a Calendar on which shall appear any question on passage of a bill or resolve notwithstanding the objections of His Excellency the Governor.”, and that no such Calendar had been prepared.

The Speaker stated that because the motion of the lady from Somerset pertained to a disapproval by the Governor of an “item” contained within the General Appropriation, and not a “bill or resolve” as outlined in House Rule 12, the point of order was NOT well taken.

Mr. Teague thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. Peters of Charlton.

The question “Shall the decision of the Chair stand as the judgment of the House?”, then was sustained.

The motion of Mrs. Menard then prevailed.

Item 0320-0004 (Supreme Judicial Court clerks) was considered as follows:

"Supreme Judicial Court.

0320-0004 For a reserve for an increase in the salaries of the clerk of the commonwealth, the Suffolk county clerk, and the assistant clerks of the supreme judicial court pursuant to chapter two hundred and twenty-one of the General Laws as amended by this act 64,798".

The question on passing item 0320-0004 (contained in section 2), notwithstanding said objections, was determined by yea and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 146 members voted in the affirmative and 6 in the negative.

[See Yea and Nay No. 133 in Supplement.]

[Mr. Decas of Wareham answered "Present" in response to his name.]

Therefore item 0320-0004 (contained in section 2) was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. DiMasi 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 item 0322-0004 in section 2 (for message, see House, No. 5187) of the engrossed Bill making appropriations for the fiscal year nineteen hundred and
General Appropriation Bill,—
section 2, item 0322-0004.

Appeals Court clerks, item 0322-0004, yea and nay No. 134.

General Appropriation Bill,—
section 2, item 0330-4200.

ninetysix 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 0322-0004 (Appeals Court clerks) was considered as follows:

"Appeals Court.

0322-0004 For a reserve for an increase in the salaries of the clerk, first assistant clerk and assistant clerks of the appeals court pursuant to chapter two hundred and eleven A of the General Laws as amended by this act ............................................ 56,325".

After debate (Mr. Cohen of Newton being in the Chair) the question on passing item 0322-0004 (contained in section 2), notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call (the Speaker having returned to the Chair) 127 members voted in the affirmative and 22 in the negative.

[See Yea and Nay No. 134 in Supplement.]

[Mr. Decas of Wareham answered "Present" in response to his name.]

Therefore item 0322-0004 (contained in section 2) was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. DiMasi 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 item 0330-4200 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 0330-4200 (Trial Court clerks) was considered as follows:

"Trial Court.

0330-4200 For a reserve for an increase in the salaries of court clerk/magistrates, registers of probate, first assistant registers of probate, assistant registers of probate, first assistant clerk/magistrates, assistant clerk/magistrates, recorders, and deputy recorders pursuant to chapters one hundred and eighty-five, one hundred and eighty-five C, two hundred and seventeen, two hundred and eighteen and two hundred and twenty-one of the
General Laws, as amended by this act provided, that the chief justice for administration and management shall submit to the house and senate committees on ways and means a report detailing by line item for each instance of an adjusted salary, the name, position title, and salary as of June first, nineteen hundred and ninety-five, adjusted salary as of July first, nineteen hundred and ninety-five, adjusted salary as of January first, nineteen hundred and ninety-six, and the allocation of funds from this item to the appropriate item of appropriation in accordance with the purpose designated herein; provided further, that no amount appropriated herein shall be transferred or allocated from this item to any other item of appropriation for any purpose other than that designated herein ... 4,805,840".

The question on passing item 0330-4200 (contained in section 2), notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 139 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 135 in Supplement.]

[Mr. Decas of Wareham answered “Present” in response to his name.]

Therefore item 0330-4200 (contained in section 2) was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Scaccia 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 159 (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 159 (Land Court Recorder) was considered as follows:

“SECTION 159. Section 14 of chapter 185 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 paragraph:

The salary of the recorder of the land court department shall be seventy-five and forty-seven hundredths percent of the salary of the chief justice of said department and shall be paid, subject to appropriation, by the commonwealth. The salary of the deputy recorder of said 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 salaries of assistant clerks of said department shall be seventy-seven percent of said recorder’s salary and shall be paid, subject to appropriation, by the commonwealth. The salaries of the chief title examiner and title examiners of said department shall be paid by the commonwealth in accordance with the job classification and pay plan established, subject to appropriation, by the chief justice for administration and management.”.

The question on passing section 159, 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 135 members voted in the affirmative and 12 in the negative.

[See Yea and Nay No. 136 in Supplement.]

[Mr. Decas of Wareham answered “Present” in response to his name.] Therefore section 159 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. Scaccia 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 160 (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 160 (Housing Court clerks) was considered as follows:

“SECTION 160. Section 9A of chapter 185C of the General Laws, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:

The salaries of the clerks of the housing court department appointed under the provisions of section nine shall be seventy-five and forty-seven hundredths percent of the salary of the chief justice of said department and shall be paid, subject to appropriation, by the commonwealth. The salaries of the first assistant clerks in said department shall be eighty-three and one-half percent of the salary of the clerks of said court and shall be paid, subject to appropriation, by the commonwealth. The salaries of assistant clerks in said department appointed under the provisions of section eleven shall be seventy-seven percent of said clerk’s salary and shall be paid, subject to appropriation, by the commonwealth.”.

The question on passing section 160, 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 137 members voted in the affirmative and 12 in the negative.

[See Yea and Nay No. 137 in Supplement.]
Mr. Decas of Wareham answered "Present" in response to his name.

Therefore section 160 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. Scaccia 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 176 (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 176 (Appeals Court clerks) was considered as follows:

"SECTION 176. Chapter 211A of the General Laws is hereby amended by striking out section 6, as appearing in the 1992 Official Edition, and inserting in place thereof the following section:—

Section 6. The justices of the appeals court shall appoint the clerk of the appeals court for a term of five years from the date of his appointment, and may remove him. Said justices may appoint a first assistant clerk and three assistant clerks of said court for terms of three years from the dates of their respective appointments, and may remove them. Said clerk, first assistant clerk and assistant clerks shall devote their entire time during ordinary business hours to their respective duties and shall not, directly or indirectly, engage in the practice of law.

The salary of the clerk of the appeals court shall be seventy-nine and nine-tenths percent of the salary of the chief justice of said court and shall be paid, subject to appropriation, by the commonwealth. The salary of the first assistant clerk in said court shall be ninety-three and thirty-seven hundredths percent of the salary of the clerk of said court and shall be paid, subject to appropriation, by the commonwealth. The salaries of the assistant clerks in said court shall be eighty-six and one-tenth percent of the salary of said clerk and shall be paid, subject to appropriation, by the commonwealth."

The question on passing section 176, 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 142 members voted in the affirmative and 12 in the negative.

[See Yea and Nay No. 138 in Supplement.]

Mr. Decas of Wareham answered "Present" in response to his name.

Therefore section 176 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. Scaccia 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 184 (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 184 (Probate and Family Court registers) was considered as follows:

"SECTION 184. Section 35A of chapter 217 of the General Laws, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

The salaries of the registers of the probate and family court department shall be seventy-five and forty-seven hundredths percent of the salary of the chief justice of said department and shall be paid, subject to appropriation, by the commonwealth."

The question on passing section 184, 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 143 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 139 in Supplement.]

[Mr. Decas of Wareham answered "Present" in response to his name.]

Therefore section 184 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. Scaccia 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 185 (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 185 (Probate and Family Court assistant registers) was considered as follows:

"SECTION 185. Section 35B of said chapter 217, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

The salaries of first assistant registers of the probate and family court department shall be eighty-three and one-half percent of the salary of the registers of said department pursuant to section thirty-five A and shall be paid, subject to appropriation, by the commonwealth. The salaries of assistant registers of said department shall be
seventy-seven percent of the salary of the registers of said department pursuant to section thirty-five A and shall be paid, subject to appropriation, by the commonwealth."

The question on passing section 185, 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 the Constitution; and on the roll call 144 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 140 in Supplement.]

[Mr. Decas of Wareham answered "Present" in response to his name.]

Therefore section 185 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. Lynch 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 189 (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 189 (Boston Municipal Court clerks) was considered as follows:

"SECTION 189. The first paragraph of section 53 of said chapter 218, as appearing in the 1992 Official Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following two sentences: — The salaries of the clerks shall be seventy-five and forty-seven hundredths percent of the salary of the chief justice of the department, and shall be paid, subject to appropriation, by the commonwealth. The salaries of the assistant clerks shall be seventy-seven percent of the salary of the clerks, and shall be paid, subject to appropriation, by the commonwealth."

The question on passing section 189, notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 144 members voted in the affirmative and 13 in the negative.

[See Yea and Nay No. 141 in Supplement.]

[Mr. Decas of Wareham answered "Present" in response to his name.]

Therefore section 189 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. Lynch 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 192 (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 192 (Juvenile Court clerks) was considered as follows:

"SECTION 192. Section 58 of said chapter 218 is hereby further amended by striking out the fifth paragraph, as appearing in said section 7 of said chapter 12, and inserting in place thereof the following paragraph:—

The salaries of the clerks in the juvenile court department shall be seventy-five and forty-seven hundredths percent of the salary of the chief justice of said department and shall be paid, subject to appropriation, by the commonwealth. The salaries of the first assistant clerks in said department and the salary of the assistant clerk in charge of the appeals session shall be eighty-three and one-half percent of the salary of the clerks of said court and shall be paid, subject to appropriation, by the commonwealth. The salaries of the assistant clerks in said department shall be seventy-seven percent of the salary of said clerks and shall be paid, subject to appropriation, by the commonwealth."

The question on passing section 192, notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 144 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 142 in Supplement.]

[Mr. Decas of Wareham answered "Present" in response to his name.]

Therefore section 192 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. Lynch 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 193 (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 193 (Boston Municipal Court clerks) was considered as follows:
"SECTION 193. Said chapter 218 is hereby further amended by striking out section 75B, as appearing in the 1992 Official Edition, and inserting in place thereof the following section:—

Section 75B. The salaries of the first assistant clerks of the municipal court of the city of Boston and the first assistant clerk designated in charge of twelve man jury sessions of said court for criminal business shall be equal to eighty-three and one-half percent of the salary of the clerks of said court as provided for in section fifty-three.”.

The question on passing section 193, 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 142 members voted in the affirmative and 12 in the negative.

[See Yea and Nay No. 143 in Supplement.]

[Mr. Decas of Wareham answered "Present" in response to his name.]

Therefore section 193 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. Fagan of Taunton 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 194 (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 194 (District Court clerks) was considered as follows:

“SECTION 194. Subsection (2) of section 79 of said chapter 218, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

The salaries of the clerks of the district court division shall be seventy-five and forty-seven hundredths percent of the salary of the chief justice of the trial court and shall be paid, subject to appropriation, by the commonwealth.”.

The question on passing section 194, 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 6 in the negative.

[See Yea and Nay No. 144 in Supplement.]

[Mr. Decas of Wareham answered "Present" in response to his name.]

Therefore section 194 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. Fagan of Taunton and Toomey of Cambridge 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 195 (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 195 (District Court assistant clerks) was considered as follows:

"SECTION 195. Section 80 of said chapter 218, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

The salaries of the first assistant clerks of the district court divisions as designated pursuant to section ten shall be eighty-three and one-half percent of the salaries of the clerks of said divisions as provided for in section seventy-nine and shall be paid, subject to appropriation, by the commonwealth. The salaries of the assistant clerks of the district court divisions shall be seventy-seven percent of the salaries of the clerks of said divisions as provided for in section seventy-nine, and shall be paid, subject to appropriation, by the commonwealth.">

The question on passing section 195, 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 5 in the negative.

[See Yea and Nay No. 145 in Supplement.]

[Mr. Decas of Wareham answered "Present" in response to his name.]

Therefore section 195 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. McIntyre of New Bedford 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 197 (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 197 (Supreme Judicial Court clerks) was considered as follows:

"SECTION 197. The first paragraph of section 93 of chapter 221 of the General Laws, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following
two sentences:— The salary of the clerk of the supreme judicial court for the commonwealth shall be eighty-one and fifty-seven hundredths percent of the salary of the chief justice of the supreme judicial court and shall be paid, subject to appropriation, by the commonwealth. The salary of the assistant clerks of the supreme judicial court for the commonwealth shall be seventy-eight and twenty-seven hundredths percent of the salary of said clerks and shall be paid, subject to appropriation, by the commonwealth.”.

The question on passing section 197, notwithstanding said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 144 members voted in the affirmative and 11 in the negative.

[See Yea and Nay No. 146 in Supplement.]

[Mr. Decas of Wareham answered “Present” in response to his name.]

Therefore section 197 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Brett of Boston moved that the 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 198 (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 198 (Supreme Judicial Court for Suffolk County clerks) was considered as follows:

“SECTION 198. Section 94 of said chapter 221, as so appearing, is hereby amended by striking out the first paragraph, under the caption ‘Supreme Judicial Court for Suffolk County’, and inserting in place thereof the following paragraph:—

The salary of the clerk of the supreme judicial court for Suffolk county shall be eighty-one and fifty-seven hundredths percent of the salary of the chief justice of the supreme judicial court and shall be paid, subject to appropriation, by the commonwealth. The salary of the assistant clerks of the supreme judicial court for Suffolk county shall be seventy-eight and one twenty-seven hundredths percent of the salary of said clerk and shall be paid, subject to appropriation, by the commonwealth.”.

The question on passing section 198, 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 143 members voted in the affirmative and 11 in the negative.

[See Yea and Nay No. 147 in Supplement.]
[Mr. Decas of Wareham answered “Present” in response to his name.]

Therefore section 198 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. McManus 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 199 (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 199 (Superior Court clerks) was considered as follows:

"SECTION 199. Section 94 of said chapter 221, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:—

The salaries of the clerks in the superior court shall be seventy-five and forty-seven hundredths percent of the salary of the chief justice of said department and shall be paid, subject to appropriation, by the commonwealth. The salaries of the first assistant clerks of the superior court division shall be eighty-three and one-half percent of the salaries of said clerks and shall be paid, subject to appropriation, by the commonwealth. The salaries of the assistant clerks in said department shall be seventy-seven percent of the salary of said clerks and shall be paid, subject to appropriation, by the commonwealth.”.

The question on passing section 199, 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 143 members voted in the affirmative and 11 in the negative.

[See Yea and Nay No. 148 in Supplement.]

[Mr. Decas of Wareham answered “Present” in response to his name.]

Therefore section 199 was passed, notwithstanding the objections of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Cohen of Newton moved that the Clerk be directed to place before the House so much of the message from His Excellency the Governor as relates to his disapproval of part of item 4000-0300 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 4000-0300, which had been disapproved (in part), was considered as follows:

**EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.**

*Division of Medical Assistance.*

State Appropriation

4000-0300 For the administration of the division; provided, that in consultation with the rate setting commission, the division shall not approve any increase in existing medicaid provider rates without taking all measures possible under title XIX of the social security act to ensure that rates of payment to providers do not exceed such rates as are necessary to meet only those costs which must be incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that expenditures for the purposes of each item appropriated to the division by this act shall be accounted for according to such purpose on the Massachusetts management, accounting and reporting system not more than ten days after such expenditures have been made by the medicaid management information system; provided further, that the division shall not make expenditures that are not federally reimbursable, except as specifically authorized herein, or unless made for cost containment efforts the purposes and amounts of which have been submitted to the house and senate committees on ways and means thirty days prior to making such expenditures; provided further, that the 1115 research and demonstration waiver, MassHealth, so-called, shall not be implemented without prior legislative approval; provided further, that no funds shall be expended for MassHealth implementation from this item or any other item until funds are appropriated therefor; provided however, that not more than two hundred thousand dollars may be expended for necessary development costs associated with said demonstration waiver; provided further, that the division shall not extend or expand any categories of assistance under title XIX of the social security act, or under the authority of any waiver granted by the secretary of health and human services beyond those in effect as of July first, nineteen hundred and ninety-five; provided further, that the division may continue to recover prior year provider advances, provider overpayments, and final rate settlements and current year provider overpayments through the
medicaid management information system, and that such recoveries shall be deemed expenditure refunds, so-called; provided further, that the division shall report quarterly to the house and senate committees on ways and means the amounts of said expenditure refunds credited to each item of appropriation; provided further, that, unless otherwise expressly authorized by law, the division shall deposit all federal funds received in the General Fund; provided further, that the division shall report quarterly to the house and senate committees on ways and means the amount of hand generated payments, so-called, to providers by item of appropriation from which said payments were made; provided further, that the division shall develop by July first, nineteen hundred and ninety-six an automated prepayment system for the reimbursement of personal assistance services which may include a voucher system, direct payments, or use of an intermediary; provided further, that said system shall respond flexibly to the needs of recipients of such services; and provided further, that until said system is in operation, the division shall reimburse all providers of personal assistance services according to the prepayment system used to reimburse independent living centers for the provision of personal assistance services 32,830,615.

The Governor disapproved wording in said item as follows:—

"; provided further, that the division shall develop by July first, nineteen hundred and ninety-six an automated prepayment system for the reimbursement of personal assistance services which may include a voucher system, direct payments, or use of an intermediary; provided further, that said system shall respond flexibly to the needs of recipients of such services; and provided further, that until said system is in operation, the division shall reimburse all providers of personal assistance services according to the prepayment system used to reimburse independent living centers for the provision of personal assistance services”.

The question on passing item 4000-0300 (contained in section 2), notwithstanding said disapproval, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 149 in Supplement.]

Therefore item 4000-0300 (contained in section 2) was passed, notwithstanding the disapproval of His Excellency of parts of said item (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.
Mr. McDonough 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 130 (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 130 (Division of Medical Assistance resource allowance) was considered as follows:

"SECTION 130. Section 21A of chapter 118E of the General Laws, inserted by section 117 of chapter 60 of the acts of 1994, is hereby amended by adding the following subsection:

(c) In making determinations under this section, the division shall revise the community spouse resource allowance to permit the community spouse to retain a larger share of the combined spousal resources if the income of the community spouse, without reference to the income of the institutionalized spouse, falls below the minimum monthly maintenance needs allowance of the community spouse. Either spouse shall have the right to request a fair hearing at which, if it is shown that the income of the community spouse, without reference to the income of the institutionalized spouse, is less than the minimum monthly maintenance needs allowance of the community spouse, the referee shall revise the community spouse resource allowance to a level sufficient to generate the shortfall in income. The division shall calculate interest income on the investment of the community spouse resource allowance at the rate reported in the Bank Rate Monitor Index on the date of the hearing."

The question on passing section 130, 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 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 150 in Supplement.]

Therefore section 130 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. Peters of Charlton 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 204 (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 204 (Turnpike property local assessments) was considered as follows:

"SECTION 204. Section 13 of chapter 354 of the acts of 1952 is hereby amended by adding the following paragraph:—

Real property of the authority, if leased, used, or occupied in connection with a business conducted for profit, shall at the discretion of the municipality, for the privilege of such lease, use or occupancy, be valued, classified, assessed and taxed annually as of January first to the lessee, user or occupant in the same manner and to the same extent as if such lessee, user or occupant were the owner thereof in fee. No tax assessed under this section shall be a lien upon the real estate to which it is assessed; nor shall any tax be enforced by any sale or taking of such real estate; but the interest of any lessee therein may be sold or taken by the collector of the town in which the real estate lies for the nonpayment of such taxes in the manner provided by law for the sale or taking of real estate for nonpayment of annual taxes. Such collector shall have for the collection of taxes under this section all other remedies provided by chapter sixty of the General Laws for the collection of annual taxes upon real estate."

The question on passing section 204, 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 6 in the negative.

[See Yea and Nay No. 151 in Supplement.]

Therefore section 204 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 DiPaola of Malden 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 282 (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 282 (Division of Medical Assistance — ten day bed hold) was considered as follows:

"SECTION 282. The division of medical assistance shall pay to reserve the bed in a nursing facility of any medical assistance recipient who is a nursing facility resident who has been transferred to an inpatient hospital for up to ten consecutive days and shall pay for temporary absences for recipients in nursing facilities and units for up to a total of fifteen days per calendar year when the recipient is absent from the facility for nonmedical reasons.".
The question on passing section 282, 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 156 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 152 in Supplement.]

Therefore section 282 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. Kolios of Millbury and DiPaola of Malden 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 283 (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 283 (Division of Medical Assistance-score three provision) was considered as follows:

"SECTION 283. The division of medical assistance shall not make the regulations, criteria and standards for determining admission to and continued stay in a nursing facility more restrictive than those regulations, criteria and standards in effect on January first, nineteen hundred and ninety-five."

The question on passing section 283, 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 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 153 in Supplement.]

Therefore section 283 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 Flaherty of Cambridge, Hodgkins of Lee, Brett of Boston and Story of Amherst 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 7100-0200 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.
General Appropriation Bill,—
section 2,
item 7100-0200.

Item 7100-0200, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7100-0200 For the operation of the university of Massachusetts, provided, that, notwithstanding any provision of general or special law to the contrary, the board of trustees shall develop an allocation plan for the amount appropriated herein and shall notify the house and senate committees on ways and means of said plan within forty-five days of the passage of this act; provided, that the board of trustees in conjunction with the state health education center at the university of Massachusetts medical center shall maintain learning contracts for students admitted on or after the fall of nineteen hundred and seventy-eight which shall include provisions for 'payback' service or monetary payback to the commonwealth for a period after said students have fulfilled all internship and residency requirements; provided further, that not less than seven hundred ninety-five thousand six hundred and nineteen dollars be expended for the purposes of the area health education centers program, also known as 'AHEC'; and provided further, that not less than one hundred thirty-six thousand dollars be expended for the purpose of the Paul E. Tsongas industrial historical center at the university of Massachusetts at Lowell; provided further, that of the sum appropriated herein, not less than one hundred fifty thousand dollars be expended for a college preparation program at the university of Massachusetts at Lowell; provided further, that not less than sixty-nine thousand five hundred and sixty-six dollars be expended for the center for rural Massachusetts..."
at Amherst; provided further, that not less than five hundred forty-nine thousand dollars be expended for the Massachusetts institute for social and economic research at Amherst to manage the United States census data and provide population estimates and projections; provided further, that four hundred nineteen thousand three hundred and seventy-five dollars be expended for the purposes of the William Joiner center; provided further, that not less than two hundred sixty-two thousand two hundred and eighty-seven dollars be expended for the purposes of the Mauricio Gaston institute of Latino community development and public policy; provided further, that not less than two hundred ninety-nine thousand two hundred and eighty-four dollars be expended for the purposes of research and analytical studies at the Monroe Trotter institute; provided further, that not less than two hundred thousand dollars be expended for the purposes of the institute for Asian-American studies; provided further, that not less than seventy-five thousand dollars shall be expended on an artificial reef program; including, but not limited to, the creation of a model program to enhance and rehabilitate marine habitats at the university of Massachusetts at Dartmouth; provided further, the university of Massachusetts at Dartmouth shall enter into a cooperative agreement with the Division of Fisheries and Wildlife within the Department of Fisheries, Wildlife and Law Enforcement for said division to administer said program; provided further, that not less than five hundred seventy-four thousand and thirty dollars be expended for the expense of a gerontology institute; provided further, that of the amount appropriated herein, not less than one hundred fifty-six thousand six hundred and sixty-three dollars be expended for the endowment of a chair named in honor of the late Frank Manning; provided further, that not less than forty-two thousand dollars shall be obligated for a position within the Boston office of the Massachusetts institute of social and economic research for the evaluation of the Commonwealth’s eligibility for federal grant programs and for the application for, and acquisition of, any grants made under such programs, and for the marketing and sale of publications and services, to public and private entities, provided by said institute; provided further, that not less than six hundred thirty-seven thousand and ten dollars be expended for the physical education department at the university of Massachusetts at Boston; provided further, that of the sum appropriated herein, not less than
nine hundred sixty-eight thousand seven hundred twenty-five dollars shall be expended for the county cooperative extension to be conducted by the university of Massachusetts at Amherst for the Berkshire, Bristol, Franklin, Hampden, Hampshire, Suffolk, Essex, Dukes/Nantucket, Middlesex, Worcester, Plymouth and Norfolk county cooperative extension services; provided further, that the cooperative extension shall not close any existing cooperative extension office in any county and shall file a report with the clerk of the senate and the clerk of the house of representatives within ninety days of the passage of this act detailing the plan for maintenance of statewide delivery of services; provided further, that not less than thirty-five thousand dollars be expended for the continuing education program in Attleborough operated by the university of Massachusetts at Dartmouth; provided further, that not less than three hundred forty-three thousand one hundred and thirty-eight dollars be expended for the cranberry experiment station; provided further, that a board of oversight shall be responsible for the purposes of said station; provided further, that not less than three hundred thousand dollars be expended for the John W. McCormack Institute; provided further, that not less than one hundred seventy-nine thousand six hundred and thirty-five dollars be expended for the Center for Women in Politics and Public Policy at the John W. McCormack Institute of Public Affairs; provided further, that two hundred thousand dollars shall be obligated for the university of Massachusetts economic project, so-called; provided further, that not less than one million, five hundred thousand dollars be expended for the emerging technology centers, pursuant to sections thirty-eight through forty-two, inclusive, of chapter seventy-five of the General Laws; provided further, that not less than three hundred eighty thousand dollars be obligated for the start-up costs associated with the center of marine environmental science electronic technology and fisheries at the university of Massachusetts at Dartmouth, including a study and model program for artificial reef construction and fisheries development; provided further, that fifty thousand dollars shall be obligated for rural development councils; and provided further, that the board of trustees may require said institutions to provide communication accessibility for the deaf and hard of hearing where necessary ..............................................

[The Governor reduced the item to $336,016,272.]
After debate the question on passing item 7100-0200 (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 142 members voted in the affirmative and 13 in the negative.

[See Yea and Nay No. 154 in Supplement.]

Therefore item 7100-0200 (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 Fagan of Taunton and Canavan of Brockton moved that the Clerk be directed to place before the House so much of the message from His Excellency the Governor as relates to his reduction of item 7109-0100 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 7109-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7109-0100 For Bridgewater state college ........................................ 21,690,771".

[The Governor reduced the item to $21,094,502.]

The question on passing item 7109-0100 (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 10 in the negative.

[See Yea and Nay No. 155 in Supplement.]

Therefore item 7109-0100 (contained in section 2) was passed, notwithstanding the reduction of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Goguen of Fitchburg 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 7110-0100 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 7110-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7110-0100 For Fitchburg state college ........................................ 18,389,491."

[The Governor reduced the item to $17,886,650.]

The question on passing item 7110-0100 (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 10 in the negative.

[See Yea and Nay No. 156 in Supplement.]

Therefore item 7110-0100 (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 Gray of Framingham and Stefanini of Framingham 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 7112-0100 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 7112-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7112-0100 For Framingham state college; provided, that of the amount appropriated herein, no less than four hundred thousand dollars shall be expended for the Christa McAuliffe center; and provided further, that of the amount appropriated herein no less than ten thousand dollars shall be expended for global education ........................................ 15,317,452."

[The Governor reduced the item to $14,898,133.]

The question on passing item 7112-0100 (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 10 in the negative.

[See Yea and Nay No. 157 in Supplement.]
Therefore item 7112-0100 (contained in section 2) was passed, notwithstanding the reduction of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Bosley of North Adams moved that the Clerk be directed to place before the House so much of the message from His Excellency the Governor as relates to his reduction of item 7113-0100 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 7113-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7113-0100 For North Adams state college .................................. 10,123,095".

[The Governor reduced the item to $9,849,564.]

The question on passing item 7113-0100 (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 143 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 158 in Supplement.]

Therefore item 7113-0100 (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. Ruane of Salem, Petersen of Marblehead, Slattery of Peabody and Cahill of Beverly 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 7114-0100 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 7114-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7114-0100 For Salem state college ........................................ 22,764,447".

[The Governor reduced the item to $22,139,350.]
The question on passing item 7114-0100 (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 144 members voted in the affirmative and 11 in the negative.

[See Yea and Nay No. 159 in Supplement.]

Therefore item 7114-0100 (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 Keenan of Blandford and Hahn of Westfield 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 7115-0100 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 7115-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7115-0100  For Westfield state college ...................................... 14,465,051".

[The Governor reduced the item to $14,070,825.]

The question on passing item 7115-0100 (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 144 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 160 in Supplement.]

Therefore item 7115-0100 (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 Glodis of Worcester, Binienda of Worcester, McManus of Worcester, Pedone of Worcester and Chandler of Worcester moved that the Clerk be directed to place before the House so much of message from His Excellency the Governor as relates to his reduction of item 7116-0100 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 7116-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7116-0100 For Worcester state college .................................. 14,877,326".

[The Governor reduced the item to $14,472,053.]

The question on passing item 7116-0100 (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 144 members voted in the affirmative and 8 in the negative.

[See Yea and Nay No. 161 in Supplement.]

Therefore item 7116-0100 (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. Fitzgerald of Boston and Businger of Brookline 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 7117-0100 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 7117-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7117-0100 For Worcester state college .................................. 9,415,176".

[The Governor reduced the item to $9,159,932.]

The question on passing item 7117-0100 (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 10 in the negative.

[See Yea and Nay No. 162 in Supplement.]

Therefore item 7117-0100 (contained in section 2) was passed, notwithstanding the reduction of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.
Mr. Cahir of Bourne 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 7118-0100 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 7118-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7118-0100 For the Massachusetts maritime academy................. 8,411,209".

[The Governor reduced the item to $8,185,854.]

The question on passing item 7118-0100 (contained in section 2), notwithstanding said reduction, was determined by yeas and nays, as required by Chapter I, Section I, Article II of 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 10 in the negative.

[See Yea and Nay No. 163 in Supplement.]

Therefore item 7118-0100 (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. Larkin of Pittsfield and Hodgkins of Lee 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 7502-0100 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 7502-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7502-0100 For Berkshire community college......................... 6,849,451".

[The Governor reduced the item to $6,669,918.]

The question on passing item 7502-0100 (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 10 in the negative.

[See Yea and Nay No. 164 in Supplement.]
Therefore item 7502-0100 (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. Correia of Fall River and Travis of Rehoboth 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 7503-0100 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 7503-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7503-0100 For Bristol community college; provided that sixty thousand dollars shall be expended for the purpose tracking, monitoring, evaluating, and reporting on individuals who are enrolled at Bristol community college while receiving public assistance; and provided further, that said tracking, monitoring, evaluating, and reporting shall include administrative and computer assistance in order to enable communication with the department of transitional assistance regarding these individuals ........................ 9,063,016".

[The Governor reduced the item to $8,738,651.]

The question on passing item 7503-0100 (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 144 members voted in the affirmative and 11 in the negative.

[See Yea and Nay No. 165 in Supplement.]

Therefore item 7503-0100 (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 Mr. Lane of Holden asked unanimous consent 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 present in the House Chamber and voted in the affirmative. Nevertheless I now find that due to an error in the electronic voting machine, I was recorded as having voted in the negative. Had the voting machine been in proper working order, I would have been recorded in the affirmative.

Mr. Lane then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.
Mr. Klimm of Barnstable 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 7504-0100 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 7504-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7504-0100 For Cape Cod community college .......................... 7,068,229".

[The Governor reduced the item to $6,897,898.]

The question on passing item 7504-0100 (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 10 in the negative.

[See Yea and Nay No. 166 in Supplement.]

Therefore item 7504-0100 (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 Buell of Greenfield and Kulik of Worthington 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 7505-0100 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 7505-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7505-0100 For Greenfield community college; provided, that no less than one hundred and ninety-five thousand dollars shall be obligated for the heritage bank building acquired by the Greenfield community college foundation .......................... 6,182,510".

[The Governor reduced the item to $6,023,216.]
The question on passing item 7505-0100 (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 10 in the negative.

[See Yea and Nay No. 167 in Supplement.]

Therefore item 7505-0100 (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.

Ms. Chesky of Holyoke 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 7506-0100 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 7506-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7506-0100 For Holyoke community college ..................... 10,730,029".

[The Governor reduced the item to $10,315,216.]

The question on passing item 7506-0100 (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 10 in the negative.

[See Yea and Nay No. 168 in Supplement.]

Therefore item 7506-0100 (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 Garry of Dracut and Golden of Lowell 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 7507-0100 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.

Greenfield Community College, item 7505-0100, passed,— yea and nay No. 167.

General Appropriation Bill,— section 2, item 7506-0100.

Holyoke Community College, item 7506-0100, passed,— yea and nay No. 168.

General Appropriation Bill,— section 2, item 7507-0100.
Item 7507-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7507-0100 For Massachusetts Bay community college............... 7,980,014".

[The Governor reduced the item to $7,768,885.]

The question on passing item 7507-0100 (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 144 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 169 in Supplement.]

Therefore item 7507-0100 (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 Kennedy of Brockton and Canavan of Brockton moved that the Clerk be directed to place before the House so much of the message from His Excellency the Governor as relates to his reduction of item 7508-0100 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 7508-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7508-0100 For Massasoit community college....................... 13,833,596".

[The Governor reduced the item to $13,467,127.]

The question on passing item 7508-0100 (contained in section 2), notwithstanding said reduction, was determined by yeas and nays, as required by Chapter 1, Section I, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 144 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 170 in Supplement.]

[Mr. Travis of Rehoboth answered "Present" in response to his name.]

Therefore item 7508-0100 (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 Brewer of Barre, Goguen of Fitchburg, Simmons of Leominster 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 7509-0100 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 7509-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7509-0100 For Mount Wachusett community college, provided, that one hundred thousand dollars shall be expended for the operation of the Vietnam Memorial Community Fitness and Wellness Center at Mount Wachusett Community College ........................................ 6,980,586".

[The Governor reduced the item to $6,607,591.]

The question on passing item 7509-0100 (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 144 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 171 in Supplement.]

[Mr. Travis of Rehoboth answered "Present" in response to his name.]

Therefore item 7509-0100 (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 Dempsey of Haverhill, Iannuccillo of Lawrence and Stanley of Merrimac 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 7510-0100 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 fund requirements and for certain permanent improvements (see House, No. 5100); and the motion prevailed.

Item 7510-0100, which had been reduced, was considered as follows:
Higher Education Coordinating Council.

7510-0100 For Northern Essex community college ............................. 11,723,584.

[The Governor reduced the item to $11,414,227.]

The question on passing item 7510-0100 (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 146 members voted in the affirmative and 9 in the negative.

[See Yea and Nay No. 172 in Supplement.]

Therefore item 7510-0100 (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 Ruane of Salem and other members of the House 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 7511-0100 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 7511-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7511-0100 For North Shore community college ............................. 13,792,524.

[The Governor reduced the item to $13,432,443.]

The question on passing item 7511-0100 (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 146 members voted in the affirmative and 9 in the negative.

[See Yea and Nay No. 173 in Supplement.]

Therefore item 7511-0100 (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 Glodis of Worcester, Binienda of Worcester, Parente of Milford, Chandler of Worcester, McManus of Worcester and Pedone 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 reduction of item 7512-0100 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 apartments, 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 7512-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7512-0100 For Quinsigamond community college ..................... 8,674,766".

[The Governor reduced the item to $8,409,205.]

The question on passing item 7512-0100 (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 146 members voted in the affirmative and 9 in the negative.

[See Yea and Nay No. 174 in Supplement.]

Therefore item 7512-0100 (contained in section 2) was passed, notwithstanding the reduction of His Excellency (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Scibelli of Springfield 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 7514-0100 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 7514-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council.

7514-0100 For Springfield Technical community college .......... 15,398,264".

[The Governor reduced the item to $14,993,639.]

The question on passing item 7514-0100 (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 10 in the negative.

[See Yea and Nay No. 175 in Supplement.]
Therefore item 7514-0100 (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. Hall of Westford, Greene of Billerica and Miceli of Wilmington 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 7516-0100 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 7516-0100, which had been reduced, was considered as follows:

"Higher Education Coordinating Council."

7516-0100 For Middlesex community college ................. 12,018,319."

[The Governor reduced the item to $11,699,792.]

The question on passing item 7516-0100 (contained in section 2), notwithstanding said reduction, was determined by yea and nays, as required by Chapter I, Section 1, Article II of the Constitution, and Section 5 of Article LXIII of the Amendments to the Constitution; and on the roll call 146 members voted in the affirmative and 9 in the negative.

[See Yea and Nay No. 176 in Supplement.]

Therefore item 7516-0100 (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. Voke of Boston and Connolly of Everett 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 7518-0100 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 7518-0100, which had been reduced, was considered as follows:
Higher Education Coordinating Council.

7518-0100 For Bunker Hill community college; provided, that one hundred and two thousand dollars shall be obligated for the life focus center ........................ 11,082,254.

[The Governor reduced the item to $10,635,419.]

The question on passing item 7518-0100 (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 14 in the negative.

[See Yea and Nay No. 177 in Supplement.]

Therefore item 7518-0100 (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 Mr. Larkin of Pittsfield 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 present in the House Chamber and voted in the affirmative. I now find that due to a malfunction in the system I was recorded as having voted in the negative when it was my full intention to have been recorded in the affirmative.

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

Mr. Fennell of Lynn then moved that when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.; and the motion prevailed.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-nine 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.
Tuesday, June 27, 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:

Gracious God, we believe in You and in Your personal concern for our material and spiritual well-being. We also place our trust in You and in Your ways which we often find difficult to understand or to accept. In Your goodness, help us to remain faithful to You and to our personal and constitutional responsibilities. Inspire us to be fair and just in crafting legislation so that the people and the common good will be well-served. Teach us to appeal to the good will, the good intentions, and the good sense of constituents as we build communities which are free of violence, prejudice and mistrust of neighbors and our institutions.

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

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

Message from the Governor.

A message from His Excellency the Governor submitting recommendations for making appropriations for the fiscal year nineteen hundred and ninety-five to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5200) was filed in the office of the Clerk on Monday, June 26.

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

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 unable to be present in the House Chamber for a portion of yesterday’s sitting due to official business in another part of the State House, and therefore was not recorded on the question on passing section 159 of the General Appropriation Bill notwithstanding the objections of His Excellency the Governor. If I had been present when the vote was taken I would have voted in the affirmative. The roll call 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.
TUESDAY, JUNE 27, 1995.

Resolutions.

Resolutions (filed with the Clerk by Mr. Lepper of Attleboro) congratulating Paul A. Spera, Commander-in-Chief of the Veterans of Foreign Wars of the United States, 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. Lepper, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Resolutions (filed with the Clerk by Mr. Kennedy of Brockton) congratulating Cecelia Rose "Sis" (Sheehan) Clark on the occasion of her seventy-fifth birthday, 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. Kennedy, 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 this day by Mr. Angelo of Saugus) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:


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

Paper from the Senate.

A report of the committee on Human Services and Elderly Affairs, asking to be discharged from further consideration of the petition (accompanying bill, House, No. 4710) of Edward M. Lambert, Jr., relative to tenant selection procedures for federal housing programs administered by the Department of Community Affairs, 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.
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 Rachel Kaprielian and Cheryl A. Jacques for legislation to increase the penalty for possession of a firearm within one thousand feet of a school. To the committee on Criminal Justice.

Petition (accompanied by bill) of John D. DeBarge and others (by vote of the town) for legislation to authorize the town of Ludlow to convey certain land to the Commonwealth for use as a veterans cemetery. To the committee on Local Affairs.

Petition (accompanied by bill) of John C. Klimm for legislation to establish the Massachusetts Bay ocean sanctuary. To the committee on Natural Resources and Agriculture.

Petition (accompanied by bill) of Robert Kraus for legislation to authorize the Division of Capital Planning and Operations to convey a certain parcel of land in the town of Halifax to said town for road improvements to Aldana Road; and

Petition (accompanied by bill) of Nancy Flavin and Stanley C. Rosenberg for legislation to authorize the Division of Capital Planning and Operations to convey certain property in the town of Hadley to William and Gary Pelissier;

Severally to the committee on State Administration.

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

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

Petition (accompanied by bill) of Robert S. Hargraves and Daniel P. Leahy (by vote of the town) relative to the Groton Country Club Authority; and

Petition (accompanied by bill) of Daniel E. Bosley and Paul Kujawski for legislation to designate the athletic complex at the North Adams State College as the Joseph Zavattaro Athletic Complex; Severally to the committee on State Administration.

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

By Mr. Finneran of Boston, for the committee on Ways and Means, that the Bill further regulating billboards in the Commonwealth (printed as House, No. 491) ought NOT to pass.
Under suspension of Rule 42, on motion of Mr. Bosley of North Adams, the bill was considered forthwith; and it was rejected, as had been recommended by the committee on Ways and Means. Mr. Bosley then moved that this vote be reconsidered; and, there being no objection, the motion to reconsider was considered forthwith and it was negatived.

Mr. Serra of Boston, for the committees on Rules of the two branches, acting concurrently, to whom was referred 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) reports, in part, asking to be discharged from further consideration of the 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,— and recommending that the same be recommitted to the committee on Banks and Banking. Under Rule 42, the report was considered forthwith; and it was accepted.

Ms. Buell of Greenfield, for the committee on Health Care, on Senate, Nos. 533 and 727 and House, Nos. 1314, 2180 and 4824, an 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).

By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, on Senate, No. 623 and House, Nos. 2377, 2583, 4299 and 4698, an 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).

By the same member, for the same committee, on House, No. 3920, an 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).

By the same member, for the same committee, on House, No. 4131, an 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).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.
By Mr. Turkington of Falmouth, for the committee on Counties on the part of the House, that the Bill concerning expanded insurance coverage (House, No. 2650, changed) ought to pass with an amendment by inserting after the word "therefore", in line 11, the words "provided, however, that such a contribution may be made pursuant to a collective bargaining agreement". Referred, under Rule 33, to the committee on Ways and Means, with the amendment recommended by the committee on Counties on the part of the House pending.

By Mr. Caron of Springfield, for the committee on Public Safety, on House, No. 2507, 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) [Bond Issue: $778,000,000.00]. Read; and referred, under Rule 33, to the committee on Counties on the part of the House.

By Mr. Bosley of North Adams, for the committee on Commerce and Labor, on a petition, a Bill relative to the sale of certain commodity investment products (House, No. 675).

By Mr. Turkington of Falmouth, for the committee on Counties, on a petition, a Bill authorizing the Norfolk County Commissioners to convey certain land (House, No. 4044).

The same member, for the same committee, on a petition, House, No. 1481, reports, in part, a Bill relative to the closure of Barnstable County Hospital (House, No. 5203) [Cost: $7,329,310.00].

By Ms. Buell of Greenfield, for the committee on Health Care, on House, Nos. 36 and 86, a Bill to allow for the temporary licensing of physicians to serve at recreational camps (House, No. 86).

By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, on Senate, No. 720 and House, Nos. 2021 and 3357, a Bill relative to veterans' benefits (House, No. 2021).

By the same member, for the same committee, on House, No. 4134, relative to liability insurance for day care facilities (House, No. 5204).

By the same member, for the same committee, on House, No. 4417, a Bill providing for the prevention of welfare fraud by vendors (House, No. 5205).

By Mr. McIntyre of New Bedford, for the committee on the Judiciary, on House, Nos. 1147 and 4681, a Bill relative to the confiscation of drug related money, property and assets (House, No. 4681).

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

Emergency Measure.

The engrossed Bill authorizing the suspension of certain labor laws in an emergency (see House, No. 4930), 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 14
to 0. Sent to the Senate for concurrence.

Engrossed Bills.

The engrossed Bill validating the results of a certain special
election held within the town of Dudley on April eleventh, nineteen
hundred and ninety-five (see House bill printed in House, No. 5005,
amended) (which originated in the House), having been certified by
the Clerk to be rightly and truly prepared for final passage, was
passed to be enacted (more than two-thirds of the members having
agreed to pass the same); and it was signed by the Speaker and sent
to the Senate.

Engrossed bills
Authorizing the town of Tewksbury to accept certain streets (see
House, No. 367);
Authorizing the town of Tisbury to reimburse certain tax
payments (see House, No. 2067);
Designating a certain parking lot in the town as Salisbury as the
James H. Hunt, Sr. Parking Lot (see House, No. 2105);
Relative to the Grafton Water District (see House, No. 4724);
Relative to the financing of a golf course by the town of
Acushnet (see House, No. 4900, changed and amended);
Relative to a certain contract of the town of Westport (see House,
No. 4901); and
Exempting certain contracts of the town of Southwick from the
competitive bid law (see House, No. 4920);
(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
Relative to smoking in self-service laundries (House, No. 320);
Relative to administrative judges and administrative law judges
under the Workers’ Compensation Act (House, No. 1065) (its title
having been changed by the committee on Bills in the Third
Reading);
Prohibiting the public distribution of free smoking or tobacco
products for commercial purposes (House, No. 1957) (its title
having been changed by the committee on Bills in the Third
Reading);
Relative to the penalties for illegally smoking aboard public
transportation (House, No. 3350) (its title having been changed by
the committee on Bills in the Third Reading);
Establishing a liability insurance fund for the water department of the city of Springfield (House, No. 4506);
Relative to bidding procedures in the city of Melrose (House, No. 4666);
Relative to the Chestnut Hill historic district in the city of Newton (House, No. 4787) (its title having been changed by the committee on Bills in the Third Reading);
Validating certain actions of the zoning board of appeals of the town of Lee (printed in House, No. 4796) (its title having been changed by the committee on Bills in the Third Reading);
Authorizing the county commissioners of the county of Dukes County to borrow money to renovate a certain courthouse (House, No. 4841) (its title having been changed by the committee on Bills in the Third Reading);
Establishing a code of corporate standards relative to China for companies receiving certain state funds (House, No. 4909);
Authorizing the city of Westfield to convey certain land (House, No. 4919); and
Further regulating the public records law with respect to electronic data (House, No. 5031);
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 establishing a sick leave bank for Patricia Mangiatordi, an employee of the Department of Mental Retardation (House, No. 2645) was read a third time.
The committee on Bills in the Third Reading reported recommending that the bill be amended by inserting before the enacting clause the following emergency preamble:
"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately establish a sick leave bank for a certain employee of the department of mental retardation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."
The amendment was adopted; and the bill (House, No. 2645, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the Webster board of health (House, No. 4872) was read a third time.
The committee on Bills in the Third Reading reported recommending that the bill be amended by substitution of a Bill relative to the board of health of the town of Webster (House, No. 5207), 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 relative to preliminary elections in the city of Holyoke (House, No. 5068) was read a second time; and it was ordered to a third reading.
Subsequently, under suspension of the rules, on motion of Ms. Chesky of Holyoke, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to holidays and Sundays (House, No. 5113) was ordered to a third reading.

House bills
Relative to the crime of stalking (House, No. 1803, changed);
Relative to the theft of telecommunications services (House, No. 2527, changed);
Providing for an exemption to the sales tax (House, No. 3835);
Severally were read a second time; and they were ordered to a third reading.

The House Bill further regulating real estate abatements for the elderly (House, No. 4550, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Brett of Boston moved that it be amended by striking out section 2 (previously inserted by amendment) and inserting in place thereof the following section:

"SECTION 2. Said chapter 59 is hereby further amended by striking out section 58, as appearing in the 1994 Official Edition, and inserting in place thereof the following section:

Section 59. In any city or town that accepts the provisions of this section, on all property taxes assessed in a city or town and collected by a city or town tax collector, discounts for the early and full payment thereof shall be three percent if the taxpayer pays the entire tax bill for the fiscal year in which said tax is due by November first or within thirty days if the bill for such tax was mailed later than October first.

In any city or town that accepts the provisions of this section and that has adopted the provisions of section fifty-seven C, the discount for early and full payment of the tax bill shall be three percent if the taxpayer pays the entire tax bill for the fiscal year in which said tax is due, notwithstanding any provisions of said section fifty-seven C, by August first within thirty days if the tax bill was mailed later than July first. In the event it is determined at the end of a fiscal year that a taxpayer, who has exercised this option, has overpaid his tax for said fiscal year, the tax bill for the next fiscal year for said taxpayer shall be reduced by the amount that was determined to have been overpaid in the previous fiscal year."

The amendment was adopted; and the bill (House, No. 4550, amended) was passed to be engrossed. Sent to the Senate for concurrence.
The House Bill to reform the Clean Water Act of the Commonwealth (House, No. 124) was read a second time.

Pending the question on ordering the bill to a third reading, Mr. Teague of Yarmouth moved that it be amended in section 2 by inserting after the word "or", in line 6, the word "substantial"; and by striking out, in line 9, the words "or likely to cause to contribute,"

The amendments were adopted; and the bill (House, No. 124, amended) was ordered to a third reading.

At twenty minutes after eleven o'clock A.M., on motion of Mr. Dempsey of Haverhill, 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), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

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

The House Bill relative to subdivision control (House, No. 4175) (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. Petrolati of Ludlow, until after disposition of the remaining matters in the Orders of the Day.

The House Bill relative to the salaries of the members of the Boston Licensing Board (House, No. 4662) was considered.

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

The House Bill to protect the health of minors (House, No. 2565) was considered.

Pending the question on adoption of 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,— and the main question on ordering the bill to a third reading, further consideration thereof was postponed, on further motion of Mr. DeFilippi, until Monday, July 10.

House bills

Further regulating unilateral changes in public employee collective bargaining agreements (House, No. 813);
Relative to double dipping of workers’ compensation and retirement benefits (House, No. 1061);
Relative to the treatment of animals (House, No. 3009);
Requiring marinas, yacht clubs and boat yards to make certain reports to harbormasters (House, No. 3015);
Authorizing guaranteed deposit funds and design review fees paid to conservation commissions and increasing the penalty for violation of commission regulations (House, No. 3400); and
Regulating the release of a certain number of balloons into the environment (House, No. 4510);
Severally were read a second time; and they were ordered to a third reading.

The House Bill forbidding the transportation by highway of certain waste materials (House, No. 2233) was read a second time.
Pending the question on ordering the bill to a third reading, further consideration thereof was postponed, on motion of Mrs. Gray of Framingham, until after disposition of the remaining matters in the Orders of the Day.

The House Bill regulating state contracts with companies doing business with or in Burma (Myanmar) (House, No. 2833) 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. Hodgkins of Lee, until after disposition of the remaining matters in the Orders of the Day.

The House Bill providing for the protection of justices of the Commonwealth (House, No. 2900) 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. Haley of Weymouth, until after disposition of the remaining matters in the Orders of the Day.

The House Bill authorizing the Division of Capital Planning and Operations to convey a certain parcel of land to the town of Tewksbury (House, No. 3292) 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. 5189),— was adopted.
The substituted bill then was ordered to a third reading.

The House Bill relative to the sentencing of delinquent juveniles (House, No. 4252) 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. Haley of Weymouth, until after disposition of the remaining matters in the Orders of the Day.
Subsequently, there being no objection, the bill was considered further.

Pending the question on ordering the bill to a third reading, Messrs. Brett of Boston and Teague of Yarmouth moved, there being no objection, that it be amended by adding at the end thereof the following paragraph:

"Upon the second or subsequent violation of Chapter 269, Sec. 10(a), (c) or (h), the Commissioner of Youth Services must place such child in the custody of a facility supported by the Commonwealth for the care, custody and training of such delinquent child for not less than one year, and said period of time shall not be reduced or suspended."

The amendment was adopted; and the bill (House, No. 4252, amended) was ordered to a third reading.

The House Bill relative to cardiopulmonary resuscitation and the Heimlich maneuver (House, No. 4988) was read a second time.

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

Subsequently, there being no objection, the bill was considered further; and it was ordered to a third reading.

The House Bill providing for the words "tobacco use" to be placed on death certificates (House, No. 4989) was read a second time; and it was ordered to a third reading.

The House Bill relative to providing for capital outlays for the acquisition and upgrading of certain major information technology systems (House, No. 5111) 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. 5190),— was adopted.

The substituted bill then was ordered to a third reading.

Subsequently, 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; and it was passed to be engrossed. The bill (House, No. 5190) then was sent to the Senate for concurrence.

The House Bill relative to certain crimes committed for the purpose of intimidation (House, No. 5191) was read a second time; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Cohen of Newton, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.
The House Bill increasing the penalties for failure to stop when being pursued by a police officer (House, No. 5192) 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. Haley of Weymouth, until after disposition of the remaining matters in the Orders of the Day.

The House Bill providing patient access to incident reports (House, No. 5193) was read a second time; and it was ordered to a third reading.

The House Bill continuing certain accounts supporting capital projects (House, No. 5194) was read a second time; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Finneran of Boston, the bill was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the revitalization and development of the Commonwealth's seaports and the improvement of freight access within the Commonwealth (House, No. 5195) was read a second time.

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

"SECTION 8. The Massachusetts water resources authority is hereby authorized and directed to undertake a study of the public health need for and the economic benefits of the metrowest water supply tunnel project which will provide transmission redundancy for the existing hultman aqueduct. The hultman aqueduct carries about 85% of the mwra's water supply into the greater Boston area, and there is currently no adequate backup to the hultman aqueduct, which is leaking in at least 24 known locations. A serious leak or failure in the hultman aqueduct requiring emergency shutdown would have far-reaching public health and safety consequences as well as massive environmental and economic ramifications.

The scope of the study shall include, but not be limited to, methods to obtain state financial assistance for the project, recognizing that the metrowest water supply tunnel project's public health and economic benefits extend far beyond the ratepayer base within the mwra customer communities.

The Massachusetts water resources authority shall file said study report with the clerks of the senate and house of representatives not later than September thirtieth, nineteen hundred and ninety-five."

The amendment was adopted.

Mr. Straus of Mattapoisett then moved that the bill be amended in section 2, in item 2000-0950, by inserting after the word "in", in line 18, the words "the port of". The amendment was adopted.
Mr. Ruane of Salem then moved that the bill be amended in section 2 by adding at the end of item 2100-0953 the words "and provided further, that of the amount authorized herein not more than eighteen million five hundred thousand dollars shall be expended for the dredging, expansion and development of the Salem Port, including the dredging of an additional deep water basin, the construction of a public port facility, the development of increased shipping capacity and the construction of a 'Sea Rail Link'."

The amendment was adopted.

Mr. Hynes of Marshfield then moved that the bill be amended in section 2, in item 2000-0951, by striking out, in line 7, the word "thirty" and inserting in place thereof the word "twenty"; and the amendment was adopted.

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

"SECTION 9. The director of the division of waterways within the department of environmental management is hereby authorized and directed to dredge the Winthrop Harbor area in the town of Winthrop."

The amendment was adopted.

There being no objection,—Messrs. DeLeo, Serra of Boston and Reinstein of Revere moved that the bill be amended by adding at the end thereof the following section:

"SECTION 10. The director of the division of waterways within the department of environmental management is hereby authorized and directed to dredge Belle Isle Creek from and including the area adjacent to the Belle Isle bridge in the town of Winthrop to and including the area adjacent to the Beachmont Yacht Club and the Veterans of Foreign Wars Post in the city of Revere.".

The amendment was adopted; and the bill (House, No. 5195, amended) was ordered to a third reading.

The House Bill providing for an environmental enhancement and protection program for the Commonwealth (House, No. 5196) was read a second time.

After remarks on the question on ordering the bill to a third reading, Ms. Khan of Newton moved that the bill be amended by adding at the end thereof the following section:

"SECTION 43. Notwithstanding the provisions of any general or special law to the contrary, the Metropolitan District Commission is authorized and directed to prepare detailed plans and file an application to the Executive Office of Transportation and Construction for transportation enhancement funds made available to the Commonwealth under the Federal Intermodal Surface Transportation Efficiency Act (ISTEA) for the conversion of the Stone Barn adjacent to Route 9 in the Hemlock Gorge Reservation to a visitor's center/office/storage space for the Reservation in accordance with the concept plans prepared for the Friends of Hemlock Gorge with funding from the National Trust For Historic Preservation.".

The amendment was adopted.
Ms. Khan then moved that the bill be amended by adding at the end thereof the following section:

"SECTION 44. Notwithstanding any general or special law to the contrary, the Metropolitan District Commission is authorized to take the necessary steps to acquire vacant parcels adjacent to the Hemlock Gorge Reservation to prevent further encroachment of incompatible uses on the Reservation, subject to review and report by the Inspector General, and report to the General Court; and provided further that such acquisition shall be subject to appropriation."

The amendment was adopted.

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

"SECTION 45. At the cessation of operation of the Northeast Correctional Center farm, the land currently used by the farm, composed of 122.7 acres in the Town of Acton and 209.8 acres in the Town of Concord shall be transferred from the Department of Corrections to the division of fisheries and wildlife. The fields shall continue to be used for farming under lease. Other uses currently under agreement with the communities shall be continued."

The amendment was adopted.

Mr. Manning of Milton then moved that the bill be amended by inserting after section 19 the following section:

"SECTION 19A. Section 8 of chapter 44 of the General Laws, as appearing in the 1994 Official Edition, is hereby amended by striking out clause (24) and inserting in place thereof the following new clause:

(24) For the purpose of closing out a landfill area, opening a new landfill area, or making improvements to an existing landfill area, twenty-five years; provided, however, that no indebtedness shall be incurred hereunder until plans relating to the project shall have been submitted to the department of environmental protection and the approval of said department has been granted therefor."

The amendment was adopted.

There being no objection,— Representatives Rogers of Norwood and Harkins of Needham moved that the bill be amended by adding at the end thereof the following section:

"SECTION 46. Paragraph (b) of section 1 of chapter 30B of the General Laws, as appearing in the 1992 Official Edition, is hereby amended by inserting after clause (31) the following clause:

(32) a contract for the acquisition of land to preserve open space."

The amendment was adopted.

There being no objection,— Representatives Dempsey of Haverhill and Stanley of Merrimac moved that the bill be amended in section 2 by adding at the end of item 2000-8952 the words "; and provided further that not less than two million five hundred thousand dollars shall be allocated for the acquisition and development of land adjacent to the Merrimack river in the city of Haverhill for conservation and recreational uses."

The amendment was adopted.
Mr. Verga of Gloucester then moved that the bill be amended by inserting after the word "processors", in line 17, the words "; provided, further, that the commissioner of the department of environmental management or his designee shall serve on the council in an advisory, non-voting capacity"; and the amendment was adopted.

Ms. Gardner of Holliston then moved that the bill be amended in section 2 by adding at the end of item 2120-8952 the words "; and provided, further, that the department is authorized and directed to expend funds for the acquisition and development of the Conroy property, so-called, in the town of Hopkinton for recreational and conservation purposes.

The amendment was adopted.

Mrs. Gray of Framingham then moved that the bill be amended in section 2, in item 2150-9953, by inserting after the word "Watershed," in line 5, the words "provided, further, that Gleason Pond and Norton Pond in the town of Framingham be made a priority pursuant to the provisions of this item;". The amendment was adopted.

The same member then moved that the bill be amended in section 2 by inserting after item 2000-8956 the following item:

"2000-9952 For the development of local, regional, and state comprehensive land use plans and land management capabilities, for the implementation of components of the statewide comprehensive outdoor recreation plan, and to facilitate coordination of the various land acquisition and development programs under the jurisdiction of the executive office of environmental affairs; provided, that not more than four million dollars may be allocated to state programs and activities and not more than twelve million dollars may be available for grants or contractual agreements for comprehensive land use plans for cities and towns, the remainder not to exceed four million dollars to be made available to regional planning agencies to coordinate local comprehensive land use planning and to develop regional policy plans 20,000,000".

The amendment was adopted.

Mrs. Menard of Somerset being in the Chair,— Mrs. Gray then moved that the bill be amended in section 2 by inserting after item 2000-8956 the following item:

"2000-8958 For the establishment and implementation of the Paul Keough environmental education grant program. The secretary shall establish guidelines for the use of and the competitive application for such funds. Eligible applicants shall include any municipality or agency thereof, any elementary or secondary educational institution, a special purpose district, a land bank, or a private, charitable, nonprofit environmental or land conservation organization qualifying under
section 501(c)(3) of the Internal Revenue Code and chapter 180 of the General Laws or which has similar attributes thereto. Awards shall be granted in response to those applications that demonstrate a clear educational benefit to the citizens of the commonwealth. Preference shall be given to grant applications that: 1) provide at least ten percent of the cost of the program proposed in the application, including in-kind services; 2) target underserved populations; 3) complement, extend, or coordinate with existing or proposed environmental education programs, and 4) have open space protection, land and water conservation, or environmental stewardship as a focus. The secretary shall develop procedures to ensure an equitable distribution of grant awards with respect to the size and type of program funded and the population served.

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 47. Section 19 of Chapter 564 of the Acts of 1987 is hereby amended by inserting after the word "otherwise" the words "or for other land in the immediate vicinity of land fronting salt-water which would serve to protect and enhance such land.".

The amendment was adopted.

Mr. Angelo of Saugus then moved that the bill be amended in section 2 by adding at the end of item 2000-8952 the words "; and provided further, that not less than one hundred and twenty thousand dollars shall be expended for the planning, acquisition, development, construction, and maintenance of an inter-generational park on lands adjacent to the new Senior Center and the Veteran’s School in the Town of Saugus". The amendment was adopted.

Mr. Teague of Yarmouth then moved that the bill be amended in section 2 by adding at the end of item 2000-8953 the words "; provided that the secretary of the executive office of administration and finance is authorized to allocate not less than twenty-five million dollars to the executive office of environmental affairs, through its department of environmental management, to be expended for purchasing development rights along river corridors within the commonwealth. Priority shall be given to connect segmented portions along rivers which are lands already protected by the commonwealth or covered by the Watershed Act or a Scenic River Protective Order, lands which already have riverfront protection bylaws in place, or are held in a private trust for the purpose of preservation. Upon fulfilling this priority, any remaining funds shall be expended for purchasing development rights along rivers where this is currently little or no environmental protection."; and by striking out, in said item, the figures "10,000,000" and inserting in place thereof the figures "35,000,000".

The amendments were adopted.
The same member then moved that the bill be amended by adding at the end thereof the following two sections:

"SECTION 48. Upon the issuance of bonds authorized by this act, and in addition to any amounts issued pursuant to section twenty-three, in any fiscal year an amount not less than fifteen percent of the total amount issued shall be allocated for the purpose of landfill capping and closure costs of any municipal or district landfill which is classified as a significant threat to public health, safety or the environment pursuant to section 147 of chapter 110 of the Acts of 1994.

SECTION 49. Amounts made available pursuant to section 1 shall be in addition to the amount appropriated in item 2260-9883 of section 22 and item 2260-9884 of section 23 of chapter 584 of the Acts of 1987, as most recently amended by sections 400 and 401 of chapter 177 of the Acts of 1990."

The amendment was adopted.

Mr. Hodgkins of Lee then moved that the bill be amended in section 2 by adding at the end of item 2120-8952, as amended, the words "; and provided, further that not less than one million dollars be expended for a design plan, acquisition of appropriate parcels of land and construction of a bikeway along the Housatonic River from the City of Pittsfield south to the Town of Sheffield'.

The amendment was adopted.

The same member then moved that the bill be amended in section 2 by adding at the end of item 2120-8952, as amended, the words "; provided, further that not less than one hundred thousand dollars be expended to conduct a comprehensive study of the available outdoor recreational opportunities at October Mountain State Forest'.

The amendment was adopted.

Mr. Hynes of Marshfield then moved that the bill be amended in section 2 by inserting after item 2000-8958 (inserted by amendment) the following item:

"2000-9950 For the purposes of water resources monitoring, the secretary may establish a coastwide monitoring program, for which a sum of not more than seven million five hundred thousand dollars may be allocated. Said program shall conduct activities that include, but are not limited to: 1) the review, study, and analysis of results of the coastal monitoring activities of the commonwealth of Massachusetts pursuant to existing laws; 2) a continuing review of the condition of the marine environment, effectiveness of protective measures, or research programs conducted by or for the commonwealth; 3) the development of a specific list of marine monitoring priorities with monitoring activities of greatest interest to policy makers and the public; and 4) the development of recommendations, where possible, on strategies for the protection of fisheries and other resource-based
The amendment was adopted.

Mrs. Gomes of Harwich then moved that the bill be amended in section 2 by adding at the end of item 2000-8951 the words "; provided that, notwithstanding any general or special law to the contrary, not less than six hundred thousand dollars shall be allocated to reimburse the town of Harwich for land acquired under Article 22 of the May 1988 Town Meeting Warrant, such land known as Olivers Pond; provided further that upon payments of six hundred thousand dollars said town shall transfer title to the commonwealth".

The amendment was adopted.

There being no objection,— Representatives Kafka of Sharon, Stoddart of Natick and Gray of Framingham moved that the bill be amended in section 35 by striking out, in line 11, the word "fifteen" and inserting in place thereof the word "sixteen"; by striking out, in line 14, the word "seven" and inserting in place thereof the word "eight"; and by striking out, in lines 19 and 20, the words "one of whom shall be a member of a professional recreation association or organization active in the commonwealth" and inserting in place thereof the following: "two of whom shall be members of the Massachusetts Recreation & Parks Association".

The amendments were adopted.

There being no objection,— Messrs. Finneran of Boston and Cousins of Newburyport moved that the bill be amended by inserting after section 28 the following two sections:

"SECTION 28A. The first paragraph of section 44 of said chapter 85 is hereby amended by inserting at the end thereof the following new sentence:— Under no circumstances shall any lease entered into pursuant to this section be for a period of greater than five years.

SECTION 28B. The fourth paragraph of said section 44 of said chapter 85 is hereby amended by inserting at the end thereof the following words:— , the Coach House and Carriage Garage at Bradley Palmer State Park, the Farm Complex at Maudslay State Park, Gilder House complex at Jug End, the Weeks House at Myles Standish State Forest, and the Baker Chocolate Factory Company Administration Building at Lower Mills in the city of Boston."

The amendment was adopted.
There being no objection,— Representatives Iannuccillo of Lawrence, Coon of Andover and Cuomo of North Andover moved that the bill be amended in section 2 by adding at the end of item 2120-8952, as amended, the words “; provided further, that said department is hereby authorized and directed to expend not more than five hundred thousand dollars to upgrade, renovate and repair, as may be necessary, the Den Rock Park, located in the city of Lawrence; and provided further, that no funds may be expended from said item for said Den Rock Park prior to the submission to and approval by said department of a capital renovation plan”.

The amendment was adopted.

There being no objection,— Representatives Finneran of Boston and Hyland of Foxborough moved that the bill be amended in section 2 by striking out item 2260-9954; and inserting before item 2300-8950 the following item:

"2300-0951 For the restoration and other environmental improvements to the Neponset River watershed, including the construction of an ecological restoration center on the upper Neponset river .................. 5,000,000”

The amendments were adopted.

Mr. Finneran of Boston then moved that the bill be amended in section 2, in item 2440-8950, by striking out, in lines 5 to 13, inclusive, the words “provided, that not more than one million dollars shall be expended in the form of a matching grant for the acquisition of Hancock Woods in the city of Boston, provided further, that said funds for Hancock Woods shall only be available for expenditure within two years of passage of this act; and provided further, that if said funds are not expended within two years, said funds will be available to the commission for expenditure pursuant to the provisions of this item”; and by inserting after section 25 the following section:

“SECTION 25A. Section 32 of said chapter 564 of the acts of 1987 is hereby amended by inserting after the second sentence the following sentence:— The metropolitan district commission is hereby authorized and directed to acquire the property known as the Hancock Woods in the West Roxbury section of the city of Boston, said parcel being described in a deed recorded in book 536 at page 159 at the Suffolk county registry of deeds.”.

The amendments were adopted.

Ms. Stanley of Merrimac then moved that the bill be amended in section 2 by adding at the end of item 2000-8951 the words “; provided further, that not more than six hundred twenty-five thousand dollars shall be expended for the acquisition and associated costs of a parcel of land known as Nun’s Hill in the town of Groveland; provided further that said town of Groveland shall be required to continue its current acquisition activities and fund all acquisition costs of said Nun’s Hill parcel; and provided further, that said department may enter into a contractual agreement for the operation and maintenance of said Nun’s Hill parcel within the town of Groveland”.

The amendment was adopted.
Mr. Miceli of Wilmington then moved that the bill be amended in section 2 by adding at the end of item 2000-8952 the following: “; provided further that not less than three hundred thousand dollars shall be allocated for conservation, recreation and infrastructure improvements to the parcel of land in Wilmington known as the North Wilmington Town Forest Recreation Area consisting of 153.73 acres, restricted for conservation and recreation use only”.

The amendment was adopted.

Mr. Straus of Mattapoisett then moved that the bill be amended in section 2 by adding at the end of item 2120-8952, as amended, the words “; provided further, that not more than three hundred thousand dollars shall be expended for the design, acquisition, and construction of a bikeway on the Penn Central railbed in the towns of Marion, Mattapoisett, and Fairhaven, such funds may be matched with available local or federal monies”.

The amendment was adopted.

There being no objection,— Representatives Cabral of New Bedford, McIntyre of New Bedford, Koczera of New Bedford, Quinn of Dartmouth, Straus of Mattapoisett and Gray of Framingham moved that the bill be amended by adding at the end thereof the following section:

“SECTION 50. Chapter five hundred sixty-four of the acts of nineteen hundred and eighty-seven is hereby amended by striking section four and by inserting in place thereof the following section:

Section 4. The Secretary of Environmental Affairs is hereby authorized to expend a sum not to exceed three million five hundred thousand dollars for grants to cities and towns for the following purposes: (a) to establish a fisheries marketing council and to initiate a comprehensive marketing program for underutilized species caught by Massachusetts commercial fishermen; provided, however, that not less than one million dollars shall be expended for this purpose; provided further, that not less than six hundred thousand dollars be expended for the purpose of providing a state match to obtain one million nine hundred thousand dollars in matching grants from the Economic Development Agency’s Northeast Fisheries Initiative to be administered with the agreement of the Department of Fisheries, Wildlife, and Environmental Law Enforcement and the Massachusetts Office of Business Development; (b) for the support of two small incubator facilities targeted to the commercial seafood industry to be located at sites within the commonwealth; provided, however, that not less than one million dollars shall be expended for this purpose; (c) for the creation and start up of an aquaculture program at the New Bedford Regional Vocational High School; provided, however, that not more than fifty thousand dollars shall be expended for this purpose; (d) for the creation of a public display auction to be located in the City of New Bedford; provided, however, that not less than five hundred fifty thousand dollars shall be expended for said purpose; (e) for the development of a center for maritime safety to study maritime safety
issues affecting commonwealth seaports to be administered by the University of Massachusetts Dartmouth, provided, however, that that not less than two hundred and fifty thousand dollars shall be expended for said purpose. The amount hereby appropriated shall be in addition to any funds previously appropriated for purposes (a), (b), (c), (d) and (e).”

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 two sections:

“SECTION 51. Section two of chapter sixty of the acts of nineteen hundred and ninety-four is hereby amended by inserting the following item:

Executive Office of Economic Affairs.

Industrial Services Program.

9000-0000 For the purpose of supporting a vessel conversion program for the Massachusetts commercial fishing fleet ........................................ 5,000,000.

SECTION 52. There is hereby established within the Massachusetts industrial services program, established pursuant to section four of chapter two hundred eight of the acts of nineteen hundred and eighty-four, a commercial fishing vessel conversion loan fund, hereinafter referred to in this section as the ‘conversion fund’. It shall be the objective of the conversion fund to provide a portion of the capital necessary to allow commercial fishing vessels licensed by the commonwealth to convert from present ground fishing capabilities to more inclusive fish harvesting technologies. Any commercial vessel licensed by the commonwealth and owned by a Massachusetts resident, corporation, or partnership may apply to the industrial services program for a conversion loan subject to the following conditions:

(a) The maximum loan provided by the conversion fund for any single vessel shall not exceed one hundred thousand dollars;

(b) Each conversion fund loan shall make its best effort to match the dollar amount from another financing source, the amount of which may be determined by the industrial services program, with the conversion fund giving priority to loan applications that have received local community or industry funds as a source of matching loan or grant funds;

(c) The conversion fund loan shall be subject to such terms and conditions as may be approved from time to time by the industrial services program, including, but not limited to, any rules and regulations promulgated to effectuate the purposes of this section.”.

The amendment was adopted.

Mr. Brewer of Barre then moved that the bill be amended by adding at the end thereof the following section:
“SECTION 53. Notwithstanding the provisions of section four of chapter seven of the General Laws, the Metropolitan District Commission and the Department of Environmental Management are hereby exempted from the provisions of administrative bulletin 93-1 section IVA, provided that the terms of this section shall expire on June thirtieth, nineteen hundred and ninety-six.”

The amendment was adopted.

Mr. Guerriero of Melrose then moved that the bill be amended in section 2 by adding at the end of item 2150-9953 the following: “; provided that of said amount authorized herein a sum of not less than five hundred thousand dollars be expended for the purpose of dredging, clean-up and other improvements to Ell Pond in the city of Melrose as recommended by the Ell Pond Master Plan and Swains Pond in said city”.

The amendment was adopted.

There being no objection, Messrs. Cohen of Newton and Honan of Boston moved that the bill be amended by inserting after section 1 the following section:

“SECTION 1A.
Division of Capital Planning and Operations.

1102-1200 The division of capital planning and operations is hereby authorized and directed to complete a study of the chestnut hill reservoir reservation including the adjacent pumping stations and waterworks located on Beacon Street at the borders of the cities of Boston and Newton and the town of Brookline and the adjacent parkway for the purpose of creating a comprehensive plan for preserving and upgrading this area including its future uses for recreation, museum display, and environmental preservation of open space. The division shall report the results of said study to the house and senate committees on ways and means no later than December thirty-first, nineteen hundred and ninety-five .......................................................... 200,000”.

The amendment was adopted.

There being no objection,— Messrs. Casey of Winchester and Guerriero of Melrose moved that the bill be amended in section 2 by adding at the end of item 2420-8950 the words “; provided, that, of said amount authorized herein, a sum of not less than one hundred thousand dollars be expended for the purpose of providing greater accessibility to Spot Pond in Stoneham for recreational purposes, including, but not limited to public recreation facilities”.

The amendment was adopted.

There being no objection,— The same members moved that the bill be amended in section 2 by adding at the end of item 2420-8951 the words “; provided, that, of said amount authorized herein, a sum of not less than twenty-five thousand dollars be expended for the ecological maintenance of upper Mystic Lake in Winchester”.

The amendment was adopted.
There being no objection,— Messrs. Casey of Winchester and Guerriero of Melrose moved that the bill be amended in section 2 by adding at the end of item 2000-8952 the words "; provided, that, of said amount authorized herein, a sum of not less than fifty thousand dollars be expended for the implementation of the Stoneham Railroad Land Use masterplan".

The amendment was adopted.

There being no objection,— Messrs. Kulik of Worthington and Bosley of North Adams moved that the bill be amended in section 2 by striking out item 2530-9950 and inserting in place thereof the following item:

"2530-9950 For the purpose of developing and implementing farm viability plans to enhance the economic and environmental viability of farms, and to provide for shorter term land covenants, and for undertaking feasibility studies to look at markets for agricultural products to assist in agricultural business enhancement and transitions ................................................. 5,000,000".

The amendment was adopted.

Mr. Kulik then moved that the bill be amended in section 2 by adding at the end of item 2120-8952 the words "; provided further that priority consideration shall be given to protecting land along the Connecticut River that provides multiple resource management benefits including, but not limited to, agricultural land protection and river corridor protection".

The amendment was adopted.

Mr. Klimm of Barnstable then moved that the bill be amended in section 24 by adding at the end thereof the words "; provided further, that no more than two hundred and twenty thousand dollars of the monies authorized in this section shall be expended for the study, design, acquisition, construction and implementation of a waterfront park known as the Hyannis Walkway to the Sea".

The amendment was adopted.

Mr. Broadhurst of Methuen then moved that the bill be amended in section 2 by adding at the end of item 2120-8952 the following: "; provided further that not more than five hundred thousand dollars shall be expended for the acquisition of a certain parcel of land totaling 3.84 acres located along the Merrimack river in the town of Methuen".

The amendment was adopted.

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

"SECTION 54. Section 2 of Chapter 564 of the Acts of 1987 is hereby amended by inserting at the end of 2120-8881, 2120-8844, 2120-9801, the language:— ; provided that not less than $7,100,000 be provided for the preparation of plans, acquisition of land, development, furnishings and equipment, and associated costs in connection with the Urban Heritage State Park Programs in the Roxbury district of the city of Boston, including, but not limited to the
Dillaway-Thomas House, so-called, the Nawn Factory, the Eustis Street Burying Ground, and the Eustis Street Firehouse, so-called.”.

The amendment was adopted.

Mr. Toomey of Cambridge then moved that the bill be amended in section 3 by inserting after item 3722-0100 the following item:

"3722-0200 For providing that not more than one hundred and fifty thousand dollars shall be expended for the renovation and upgrade of facilities at Silva Park in the city of Cambridge; provided further, that not more than one hundred and fifty thousand dollars shall be expended for the renovation and upgrade of facilities at the Hurley Park in the city of Cambridge; provided further, that not more than two million dollars shall be expended for the renovation and upgrade of facilities of Donnolley Field in the city of Cambridge

2,800,000".

The amendment was adopted.

There being no objection,— Messrs. Kelly of Dalton, Larkin of Pittsfield and Hodgkins of Lee moved that the bill be amended in section 2, in item 2150-9953, by inserting after the word “districts”, in line 10, the words “and the Berkshire County Conservation District”; by inserting after the word “communities”, in line 13, the words “and the city of Pittsfield and Berkshire County communities”; and by inserting after the word “Springfield”, in line 15, the words “and the city of Pittsfield”. The amendments were adopted.

There being no objection,— Messrs. Correia of Fall River, Herren of Fall River and Lambert of Fall River moved that the bill be amended in section 2 by inserting after item 2200-8959 the following item:

"2250-9959 For the updating and implementation of the the LDR Fall River Waterfront Study of developmental potential; provided, that said study shall be submitted to the house and senate committees on ways and means no later than December thirty-first, nineteen hundred and ninety-five, provided further, that the findings of said study shall not be implemented prior to the approval of the house and senate committees on ways and means

18,000,000".

The amendment was adopted.

Ms. Sprague of Walpole then moved that the bill be amended in section 2 by adding at the end of item 2120-8954 the words "; provided that, notwithstanding any general or special law to the contrary, not less than three hundred and fifty thousand dollars shall be allocated for infrastructure improvements to the dam known as Red Dam in Wrentham”.

The amendment was adopted.
Ms. Kaprielian of Watertown then moved that the bill be amended in section 2 by adding at the end of item 2150-9953 the following: "provided that not less than $200,000 be expended for dredging 5 to 10 acres at the Charles River section at North Beacon Street and Charles River Road, Watertown"; and the amendment was adopted.

Mr. Marini of Hanson then moved that the bill be amended in section 2 by adding at the end of item 2120-8954 the words "provided that, notwithstanding any general or special law to the contrary, not less than fifty thousand dollars shall be allocated for infrastructure improvements and Dam repairs for the dam on Factory Pond, said pond and dam on the Hanson-Hanover boundary lines". The amendment was adopted.

Mr. Vallee of Franklin then moved that the bill be amended in section 2 by adding at the end of item 2000-8951 the words "provided, that not more than two hundred thousand dollars shall be allocated for the acquisition of the Sherman property, so-called, consisting of approximately forty-five acres in the town of Franklin; and provided further, that the department may enter into a contractual agreement for the operation and maintenance of said Sherman property". The amendment was adopted.

Ms. Evans of Wayland then moved that the bill be amended in section 2 by adding at the end of item 2120-8954 the following: "provided further that not more than $150,000 be expended for the repair of the Lake Cochituate State Park dam". The amendment was adopted.

There being no objection,—Messrs. Fennell of Lynn and McGee of Lynn moved that the bill be amended in section 38 by inserting after the words "New Bedford", in lines 6 and 7, the words "one Representative from Lynn"; and (Mr. Voke of Boston being in the Chair) the amendment was adopted.

Ms. Flavin of Easthampton then moved that the bill be amended in section 2 by adding at the end of item 2120-8954 the following: "provided that not more than $100,000 shall be expended for repairs to broken cement and falling boulders at the Manhan Dam in Easthampton". The amendment was adopted.

There being no objection,—Representatives Gardner of Holliston and Hynes of Marshfield moved that the bill be amended in section 39 by inserting after the word "investigate", in line 9, the words "state revolving funds, including interest loan programs for water and sewer projects,". The amendment was adopted.

Mr. Cahill of Beverly then moved that the bill be amended in section 25 by inserting after the word "Westford;", in line 39, the words "provided, that the department is hereby authorized and directed to expend not more than two million seven hundred thousand dollars to acquire two parcels of land consisting of fifty-five and seven-tenths acres adjacent to the Wenham lake commonly referred to as the Burnham land trust, and twenty-four acres of land adjacent to the Longham reservoir in the city of Beverly and the town of Wenham.
commonly referred to as the Johnson tree farm; provided further, that the title to said lands in the city of Beverly and the town of Wenham acquired with funds authorized herein shall be the property of the commonwealth; and provided further, that said department may enter into contractual agreements for the operation and maintenance of said properties with the city of Beverly and the town of Wenham;”.

The amendment was adopted.

There being no objection,— Representatives Gray of Framingham, Kafka of Sharon and Stoddart of Natick moved that the bill be amended in section 16 by striking out, in lines 27 and 28, the words “one member shall have experience in passive recreational activities” and inserting in place thereof the words “one of whom shall be a municipal recreation department director or administrator”.

The amendment was adopted.

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

“SECTION 55. The first paragraph of section 12 of chapter 564 of the acts of 1987 is hereby amended by adding at the end thereof the following sentence:— The department of environmental management is hereby authorized and directed to provide from funds authorized in this section not more than one million four hundred thousand dollars for the acquisition of land located in the city of Beverly, commonly referred to as the Abdo property; provided, that the title to said lands acquired with funds authorized herein shall be the property of the commonwealth; and provided further, that said department may enter into a contractual agreement for the operation and maintenance of said Abdo property with the city of Beverly.”.

The amendment was adopted.

Ms. Khan of Newton then moved that the bill be amended in section 2, in item 2150-9953, as amended, by inserting before the word “for”, in line 11, the words “and the metropolitan district commission”; and the amendment was adopted.

After debate, Ms. Kaprielian of Watertown, Khan of Newton, Mandile of Waltham and Cohen of Newton moved, there being no objection, that the bill be amended in section 2 by adding at the end of item 2000-8952 the words “; and provided further that not less than one million dollars shall be allocated for conservation, recreation and infrastructure improvements to the parcel of land in Newton known as Allison Park”.

The amendment was adopted. Ms. Kaprielian then moved that this vote be reconsidered; and the motion to reconsider was negatived.

Mr. Keenan of Blandford then moved that the bill be amended in section 2 by adding at the end of item 2120-8952 the words “; and provided further, that not more than three million dollars shall be expended for the construction of a bicycle path in the town of Southwick”.

The amendment was adopted.
Mr. Finneran of Boston then moved that the bill be amended in section 39 by striking out the sentence contained in lines 1 to 8, inclusive, and inserting in place thereof the following sentence: "There is hereby established a commission consisting of fourteen members of the house of representatives who shall be appointed by the Speaker, seven of whom shall be from the house ways and means committee, including the ranking minority member and one other minority member of said committee and seven of whom shall be from the house committee on natural resources and agriculture including the ranking minority member and one other minority member of said committee."

The amendment was adopted.

The bill (House, No. 5196, amended) then was ordered to a third reading.

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

Pending the question on passing the bill, as amended, to be engrossed, Mr. Nagle of Northampton moved that the bill be amended in section 2 by adding at the end of item 2120-8952 the words "; provided further, that the department is authorized and directed to expend not more than six hundred thousand dollars for the design and construction of a depressed crossing of the B&M Railroad tracks by the Norwatuck Rail Trail located in Northampton."

The amendment was adopted.

There being no objection,— Representatives Rogers of Norwood and Harkins of Needham moved that the bill be amended by adding at the end thereof the following section:

"SECTION 56. Section 39 of Chapter 85 of the Acts of 1994 is hereby amended by striking out the words:— 'town of Medfield' and inserting in place thereof the following:— commonwealth. Said section is further amended by adding at the end thereof the following new sentence:— Such costs shall not be borne by the town of Medfield."

The amendment was adopted.

There being no objection,— Messrs. DiPaola of Malden, Connolly of Everett, Giglio of Medford and Reinstein of Revere moved that the bill be amended by adding at the end thereof the following section:

"SECTION 57. Section 1. The Metropolitan District Commission, hereinafter called the Commission, is hereby authorized and directed to construct the extension of the Malden/Medford Line Brook Culvert to the west bank of the Malden River, improve the channel configuration, including the shores and banks of the Malden River and other projects and works as may be required to improve the quality of the water therein, and improve, protect and restore the natural environment of the river. The Commission may make application for federal assistance in the construction of any project authorized by this act and any federal funds to be received shall be credited to the Metropolitan District Commission funds and be used to pay debt service costs incurred as authorized by this act.
Section 2. The Commission, for the purpose of this act, may, on behalf of the Commonwealth, take eminent domain under Chapter seventy-nine of the General Laws, or acquire by purchase or otherwise any lands, waters, water rights, watercourses, rights of way, easements, or other property or interest in property, and shall have all the rights, powers and duties and be subject to the limitations of Section thirty-two of Chapter ninety-two of the General Laws; provided, however, that cities and towns in the area or areas within which construction may occur shall grant to the Commission the right to enter upon any public land and to construct such facilities as may be necessary without recourse to damages therefor. The Commission, however, shall, as provided in Section thirty-two, heed all reasonable requests of officials of said cities and towns to restore such public property to its present conditions as far as is practicable.

Section 3. To meet the expenditures necessary in carrying out the provisions of this act, the State Treasurer shall, upon request of the Governor, issue and sell at public or private sale bonds of the Commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the Governor from time to time but not exceeding, in the aggregate, the sum of $3,000,000.00. Such bonds shall be designated on the face, Malden River Quality Loan Act of 1993, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the Governor may recommend to the general court pursuant to section three of article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final years shall be as nearly equal as in the opinion of the State Treasurer, it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the State Treasurer, with the approval of the Governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof than the entire issue not later than June thirteenth, two thousand and six."

The amendment was adopted.

Mr. Haley of Weymouth then moved that the bill be amended in section 2 by adding at the end of item 2120-8952 the words "; and provided further, that not less than one hundred thousand dollars shall be expended for planning, construction, maintenance and upkeep of walkways and other facilities at the Webb State Park in Weymouth"; and the amendment was 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 Mr. Hynes of Marshfield; and on the roll call (the Speaker being in the Chair) 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 178 in Supplement.]

Therefore the bill was passed to be engrossed. Mrs. Gray of Framingham moved that this vote be reconsidered; and, there being no objection, the motion to reconsider was considered forthwith and
it was negatived. The bill (House, No. 5206, printed as amended) then was sent to the Senate for concurrence.

The House Resolve relative to the operation of steam boilers (House, No. 4790) was read a second time; and it was ordered to a third reading.

Recess.

At thirteen minutes after four o'clock P.M., Tuesday, June 27, on motion of Mr. Serra of Boston (the Speaker being in the Chair), the House recessed until the hour of eleven o'clock A.M. on Wednesday, June 28; and at that time the House as called to order with the Speaker in the Chair.

Wednesday, June 28, 1995 (at 11:00 o'clock A.M.).

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

Gracious God, we depend upon Your gift of wisdom to accept Your precepts, to read the signs of the times accurately and to use prudently the talents which You have given to us for our benefit. Guide us as we struggle to legislate fairly and to address the complex emotional and diverse social, political and philosophical issues of the day. Grant us the good sense to hear and to respect the political opinions and experiences of constituents as we evaluate legislative proposals. In our pluralistic and diverse society, let us disagree on issues and principles so that rational dialogues will continue to benefit the people and society. Bestow upon us the courage to remain faithful to our own principles and values and religious convictions.

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

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

Memorial Service for the Late Representative Louis F. Angelo of Brockton.

The Speaker being in the Chair,— at the hour of one o'clock P.M., the House met in a Memorial Service for the late Representative Louis F. Angelo of Brockton.

Mr. Voke of Boston thereupon took the Chair and admitted to the Speaker's Gallery a delegation, under escort of the Sergeant-at-Arms, consisting of family members and close friends of the late Representative Angelo.

The Reverend Robert F. Quinn, C.S.P., Chaplain of the House, then led the House in prayer, as follows:
God of Faithfulness, in our sorrow we turn our minds and hearts to You for consolation. Hear our prayers for our departed brother, Representative Lou Angelo, whom You have called home to his eternal reward. During his life You bestowed upon him Your personal love and tender care. In response he shared with others that love and concern which You bestowed upon him. May we learn from his personal example and commitment to public service to remember our origins and to have a genuine concern for others, particularly people who are in need of help and assistance.

Grant Lou the fullness of joy and happiness now that he has been freed from the sufferings of his last days on earth. May he rest in eternal peace and may his loved ones be comforted during these trying days. Amen.

Representatives Lewis of Dedham, Canavan of Brockton and Kennedy of Brockton, and Speaker Flaherty of Cambridge severally asked unanimous consent to make certain statements relative to the late Mr. Angelo; and each member, in turn, addressed the House, praising Mr. Angelo for his many accomplishments in both his private and public life.

At the request of the Chair (Mr. Voke of Boston), the members, guests and employees stood in a moment of silent prayer to the memory of the late Mr. Angelo.

The Chair (Mr. Voke) and Speaker Flaherty then led the members, guests and employees in singing God Bless America.

At twenty-eight minutes before two o’clock P.M., the Memorial Service dissolved.

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 a portion of yesterday’s sitting due to official business in another part of the State House. If I had been present for the taking of Yea and Nay No. 178, on the question on passing to be engrossed the House Bill providing for an environmental enhancement and protection program for the Commonwealth (House, No. 5206), I would have voted in the affirmative. The roll call that I missed yesterday 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.

Resolutions.

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

Resolutions (filed by Mr. Voke of Boston) honoring the liberty ship John W. Brown upon her visit to Boston; and

Congress, veterans' benefits.

Resolutions (filed by Mr. Connolly of Everett and other members of the House) memorializing the Congress of the United States to retain veterans benefits at their present level of funding;

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

Guest of the House.

During consideration of the Orders of the Day, the Chair (Mr. Voke of Boston) declared a recess subject to the call of the Chair, there being no objection; and introduced Mr. John McClay. Mr. McClay, who previous to an accident sustained while jogging in 1985, competed in the sport of body building and has won thirteen titles including Mr. Massachusetts in 1981, and placed fourth in the 1982 Mr. America contest. After years of rehabilitation, he is once again competing in his sport and in March of this year won the NPC National Wheelchair Body Building contest. The Chair presented Mr. McClay with Citations of the House of Representatives and congratulated him on his outstanding achievements. He was the guest of Mrs. Harkins of Needham.

Orders.

The following order (filed this day by Speaker Flaherty of Cambridge) 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 Tenth Suffolk District shall designate Tuesday, November 7, 1995 as the time ordered by the House of Representatives for said election.

Mr. Voke of Boston, for the committee on Rules, then reported that the order ought to be adopted. Under suspension of Rule 42, on motion of Mr. Voke, the order was considered forthwith; and it was adopted.

The following order (filed this day by Speaker Flaherty of Cambridge) 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 Eleventh Plymouth District shall designate Tuesday, November 7, 1995 as the time ordered by the House of Representatives for said election.

Mr. Voke of Boston, for the committee on Rules, then reported that the order ought to be adopted. Under suspension of Rule 42, on motion of Mr. Kennedy of Brockton, the order was considered forthwith; and it was adopted.
Petition.

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.

Papers from the Senate.

The House Bill relative to state political committees (House, No. 4572) 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 of chapter 52 of the General Laws, as appearing in the 1994 Official Edition, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

The members of the state committee elected at the presidential primaries shall, within ten days after the thirtieth day next following their election, meet and organize for the purpose of choosing a secretary and such other officers, other than a chairman and treasurer, as they may decide to elect; provided, however, that such members shall, within ten days after the November general election at which a president is elected, meet and choose a chairman and treasurer. Notwithstanding the provisions of any other general or special law to the contrary, a chairman and treasurer shall serve in their respective positions until their successors have been chosen; provided, however, that in the event any such chairman ceases to be a member, the committee shall choose a temporary chairman who shall serve until a permanent chairman is chosen following the November general election as aforesaid. Such committee may, at any time after its organization, add to its membership."

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

The House Bill further extending the time for which certain land in Norfolk County may be used as a temporary minimum security alternative correction center (House, No. 4910, amended) came from the Senate passed to be engrossed, in concurrence, with the following amendments:

Striking out section 2 (inserted by amendment by the House); and inserting before the enacting clause the following emergency preamble:

Executive agents—registration.

State political committees.

Norfolk County—minimum security correction center.
"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately extend the time for which certain land in Norfolk county may be used as a temporary minimum security alternative correction center, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.").

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

A Bill relative to the purchase of oil and fuel supplies for municipal light departments (Senate, No. 410, changed by striking out, in line 5, the word "ninety-nine" and inserting in place thereof the word "ninety-seven") (on a petition), passed to be engrossed by the Senate, was read.

Under suspension of the rules, on motion of Mr. Angelo of Saugus, the bill was read a second and a third time forthwith.

The committee on Bills in the Third Reading reported recommending that the bill be amended by adding at the end thereof the following section:

"SECTION 2. This act shall take effect as of July first, nineteen hundred and ninety-five."); and by inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize purchases of oil and other fuel supplies without bids, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.").

The amendments were adopted; and the bill, as amended, was passed to be engrossed, in concurrence, its title having been changed by said committee to read: An Act authorizing certain municipal light companies to purchase oil and other fuel supplies without bids. The bill (Senate, No. 410, changed and amended) then was sent to the Senate for concurrence in the amendments adopted by the House.

A Bill further regulating medical malpractice insurance (Senate, No. 1832, amended by adding at the end thereof the following section:

"SECTION 3. Section 9 of chapter 330 of the acts of 1994, is hereby amended by striking out section 6 and inserting in place thereof the following section:

Section 6. Upon the approval of the commissioner, the medical professional mutual insurance company, may for any purposes, including, but not limited to the fixing of separate percentages of dividends under section eighty of chapter one hundred and seventy-five, consider the business of each category of health care provider as a separate line of business; provided, however, that the doctor of dental science category of insured shall continue to be treated as a
separate line of business by the medical professional mutual insurance company to the extent required by chapter ninety-two of the acts of nineteen hundred and ninety-one, and, as promptly as possible after the effective date of this act, any excess surplus of the association as determined by the commissioner attributable to the doctor of dental science category of business as of the effective date of the conversion shall be paid as a dividend by the mutual company for the benefit of the association’s doctor of dental science policyholders entitled thereto. Any person in the doctor of dental science category of insureds who was insured by the association at the time of the conversion may elect to continue to be insured by the mutual company by specifically assigning in writing this first dividend to be paid after the effective date of this act back to the mutual company.

Commencing in nineteen hundred and ninety-six, all excess surplus as determined by the commissioner, allocable to the doctor of dental science category of insureds as of December thirty-first, shall be paid annually, on or about July first of the following year, as a dividend to those persons, firms and entities entitled thereto, pursuant to the methodology established and employed by the association for the payment of dividends to its doctor of dental science policyholders prior to the date of the conversion. No portion of such excess surplus as determined by the commissioner shall be used or allocated for any other purpose or purposes and upon the payment of such dividend, there shall be no excess surplus allocable to the doctor of dental science category of insureds. The medical professional mutual insurance company shall annually notify each person, firm or entity entitled to such dividend of the amount of such dividend to which he, she or it is entitled. For the purposes of this section, ‘excess surplus’ shall mean any surplus allocable to the association’s doctor of dental science category of insureds beyond an amount determined by the commissioner to be reasonably necessary as a margin against adverse development.”), passed to be engrossed by the Senate, was read.

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

Reports of Committees.

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

Petition (accompanied by bill) of Anthony P. Giglio for legislation to authorize the Personnel Administrator to certify Christopher R. Kenney for appointment as a police officer in the Commonwealth. To the committee on Public Service.
Petition (accompanied by bill) of Anthony P. Giglio and another for legislation to exempt certain property from personal property taxation. To the committee on Taxation.

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

By Mr. Angelo of Saugus, for the committee on Government Regulations, on a petition, a Bill further regulating the sale of alcoholic beverages in the town of Greenfield (House, No. 4661), which was read [Local Approval Received].

Under suspension of the rules, on motion of Ms. Buell of Greenfield, 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. Angelo of Saugus, for the committee on Government Regulations, on a petition, a Bill authorizing the town of Greenfield to issue an additional license for the sale of wine and malt beverages to be drunk on the premises (House No. 4753), which was read [Local Approval Received].

Under suspension of the rules, on motion of Ms. Buell of Greenfield, 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. Angelo of Saugus, for the committee on Government Regulations, on a petition, a Bill authorizing the city of Greenfield to issue an additional license for the sale of wine and malt beverages (House, No. 4918), which was read [Local Approval Received].

Under suspension of the rules, on motion of Ms. Buell of Greenfield, 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. Petrolati of Ludlow, for the committee on Local Affairs, on a petition, a Bill relative to the Lowell arena commission (House, No. 5109, changed in section 12 by inserting after the word "Manager", in line 37, the words "not more than one million nine hundred thousand dollars", and by inserting after the figures "1995", in line 42, the words "; provided, however, that no funds shall be paid to the project manager of Gilbane Building Company until the city auditor has determined that the work provided has been completed in a workmanlike manner and that the charges for such work are reasonable"), which was read [Local Approval Received].
Under suspension of Rule 41, on motion of Mr. LeLacheur of Lowell, the bill was read a second time forthwith; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Golden of Lowell, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Mr. Panagiotakos of Lowell moved that this vote be reconsidered; and, there being no objection, the motion to reconsider was considered forthwith and it was negatived. The bill (House, No. 5109, changed) then was sent to the Senate for concurrence.

By Mr. Bosley of North Adams, for the committee on Commerce and Labor, on Senate, Nos. 32, 34, 36, 37, 41, 42, 43, 55, 56, 57, 58, 61, 62, 64, 67, 71, 72, 76, 78, 84, 85, 86, 91, 96, 100, 104, 106, 107, 110, 111, 113 and 114 and House, Nos. 36, 60, 63, 64, 174, 177, 180, 201, 203, 293, 294, 315, 492, 495, 677, 681, 870, 873, 874, 1058, 1063, 1066, 1069, 1070, 1071, 1072, 1256, 1476, 1480, 1793, 1795, 1962, 1963, 1964, 2323, 2324, 2332, 2508, 2511, 2514, 2519, 2698, 2700, 2703, 2885, 2891, 2892, 2895, 3083, 3084, 3089, 3303, 3304, 3307, 3308, 3310, 3485, 3486, 3487, 3676, 3863, 3864, 4054, 4063, 4064, 4068, 4069, 4242, 4243, 4244, 4422, 4576, 4579 and 4881, an 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). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

**Engrossed Bill.**

The engrossed Bill authorizing the suspension of certain labor laws in an emergency (see House, No. 4930) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

**Reconsideration.**

Mr. Marzilli of Arlington moved that the vote be reconsidered by which the House, on Monday last, postponed until Monday, July 10, the House Bill to protect the health of minors (House, No. 2565); and the motion to reconsider prevailed.

On the recurring question, the motion to postpone until Monday, July 10 was negatived.

Pending the recurring question on adoption of 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,— and the main question on ordering the bill to a third reading, further consideration thereof was again postponed, on further motion of Mr. Marzilli, until after disposition of the remaining matters in the Orders of the Day.
Orders of the Day.

House bills
Designating a certain portion of park and reservation land in the city of Boston as the Kathleen A. MacNiven Memorial Park (House, No. 3917) (its title having been changed by the committee on Bills in the Third Reading);
Providing for recall elections in the town of Southampton (House, No. 4599);
Relative to the administration of the West Barnstable Fire District (House, No. 4850);
Establishing the Amherst economic development and industrial corporation (House, No. 4897);
Providing for the confidentiality of certain medical records (House, No. 4915) (its title having been changed by the committee on Bills in the Third Reading); and
Relative to the charter of the town of Barnstable (House, No. 4940) (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 reinstatement of Roland J. Martineau as a sergeant first class in the Massachusetts National Guard (House, No. 5132) (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, it was referred by the Speaker, under Rule 33, to the committee on Ways and Means.

The House Bill relative to speed limits on certain city and town ways (House, No. 5124) (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, Mrs. Paulsen of Belmont moved that it be amended in section 2 (as printed) by striking out, in line 4, the word “foregoing” and inserting in place thereof the words “first, second, third, and fifth sentences of the preceding paragraph”.
The amendment was adopted; and the bill (House, No. 5124, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to business organizations in the Commonwealth (House, No. 4045, changed and amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.
Pending the question on passing the bill to be engrossed, Mr. McDonough of Boston moved that it be amended by inserting after section 1 (as printed) the following section:

"SECTION 15A. Chapter 175 of the General Laws is hereby amended by inserting after section 66E the following section:—

Section 66F. A domestic life company may invest in or otherwise acquire and hold a limited liability company interest in any limited liability company formed pursuant to the General Laws or pursuant to the laws of any state or of the United States.

No limited liability company interest shall be acquired under this section if the cost thereof would exceed two percent of the assets of such domestic life company nor if such cost, plus the book value on the date of such acquisition of all limited liability company interests held under this section would exceed ten percent of such assets."

The amendment was adopted; and the bill (House, No. 4045, changed and amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House report of the committee on Criminal Justice, ought NOT to pass, on a message from His Excellency the Governor recommending legislation relative to reinstituting the death penalty in the Commonwealth (accompanied by bill, House No. 4716) was considered.

Pending the question on acceptance of the report, Mr. Teague of Yarmouth moved that it be amended by substitution of the Bill reinstituting the death penalty in the Commonwealth (House, No. 4716), which was read.

After debate on the question on adoption of the amendment (Mr. Serra of Boston being in the Chair), Mr. Larkin of Pittsfield asked for a count of the House to ascertain if a quorum was present. The Chair, 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 (the Speaker being in the Chair) 145 members were recorded as being in attendance.

[See Yea and Nay No. 179 in Supplement.]

Therefore a quorum was present.

At the hour of one o’clock P.M. (Wednesday, June 28), the Speaker declared a recess subject to the call of the Chair, there being no objection; and at twenty-eight minutes before two o’clock the House was called to order with Mr. Voke of Boston in the Chair.

The House thereupon, on motion of Mr. Flaherty of Cambridge, took a further recess until five minutes before two o’clock; and at that time the House was called to order with the Speaker in the Chair.

Mr. Ruane of Salem thereupon asked for a count of the House to ascertain if a quorum was present. The Speaker, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.
Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 135 members were recorded as being in attendance.

[See Yea and Nay No. 180 in Supplement.]

Therefore a quorum was present.

After further debate (Mr. Serra of Boston being in the Chair), Mr. Mandile of Waltham asked for a count of the House to ascertain if a quorum was present. The Chair, 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 148 members were recorded as being in attendance.

[See Yea and Nay No. 181 in Supplement.]

Therefore a quorum was present.

After further debate on the question on adoption of the amendment (Mr. Voke of Boston being in the Chair), the sense of the House was taken by yeas and nays, at the request of Mrs. Parente of Milford; and on the roll call 73 members voted in the affirmative and 83 in the negative.

[See Yea and Nay No. 182 in Supplement.]

Therefore the amendment was rejected; and the report was accepted. Mr. Flaherty of Cambridge then moved that this vote be reconsidered; and, there being no objection, the motion to reconsider was considered forthwith and it was negatived. The report then was sent to the Senate for concurrence.

The House Bill relative to the sentencing of delinquent juveniles (House, No. 4252), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Brett of Boston; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the Division of Capital Planning and Operations to convey a certain parcel of land to the town of Tewksbury (House, No. 5189), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Miceli of Wilmington; and it was passed to be engrossed. The same member then moved that this vote be reconsidered; and, there being no objection, the motion to reconsider was considered forthwith and it was negatived. The bill then was sent to the Senate for concurrence.

The House Bill providing for an exemption to the sales tax (House, No. 3835), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Ms. Buell of Greenfield. Pending the question on passing the bill to be engrossed, Mr. Brett of Boston moved that it be amended in section 1 by
inserting after the word “qualified”, in line 9, the first time it appears, the word “public”.

The amendment was adopted; and the bill (House, No. 3835, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the revitalization and development of the Commonwealth’s seaports and improvements of freight access within the Commonwealth (House, No. 5195, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Cahir of Bourne.

Pending the question on passing the bill to be engrossed, Messrs. Connolly of Everett, Voke of Boston, Reinstein of Revere, DiPaola of Malden, Ciampa of Somerville and Giglio of Medford moved, there being no objection, that the bill be amended by adding at the end thereof the following section:

"SECTION 10. That a comprehensive study in conjunction with the M.D.C. be made of the Mystic River, Malden River and Mystic Lakes relative to the development for such activities as recreational and commercial use at a cost not to exceed $75,000."

The amendment was adopted.

Mr. Ciampa of Somerville then moved that the bill be amended in section 2 by inserting after item 2300-0950 the following item:

"Metropolitan District Commission.

2440-9952 For the additional rehabilitation of the Amelia Earhart Dam in the cities of Everett and Somerville, including but not limited to, the replacement of gaskets and other related appurtenances ................................................................. 100,000"

The amendment was adopted.

Mr. Cahir of Bourne then moved that the bill be amended in section 2 by inserting after item 2000-0957 the following item:

"2000-0958 For the implementation of the Center for Port Planning and Management through the Urban Harbor’s Institute at the University of Massachusetts/Boston to provide technical assistance to municipalities, state agencies, and port related planning, management and operation activities, maintain port databases, conduct research, establish training programs and provide for the annual state of the commonwealth’s port report to the seaport advisory council .......... 500,000"

The amendment was adopted.

Mr. Brett of Boston then moved that the bill be amended in section 2 by inserting after item 2440-9952 the following item:

"2444-8960 For the preparation of studies and plans, engineering services, construction, draining, rehabilitation, and restoration of the historic site known as the Quincy Quarries under the care,
custody and control of the metropolitan district
commission ... 1,000,000".

The amendment was adopted.
The bill, as amended, was passed to be engrossed. Mr. Flaherty of Cambridge moved that this vote be reconsidered; and, there being no objection, the motion to reconsider was considered forthwith and it was negatived. The bill (House, No. 5219, printed as amended) then was sent to the Senate for concurrence.

Recess.

At twenty-three minutes after six o'clock P.M. (Wednesday, June 28), on motion of Mr. Casey of Winchester (the Speaker being in the Chair), the House recessed until a quarter before seven o'clock P.M.; and at one minute after the seven o'clock the House was called to order with Mr. McDonough of Boston in the Chair.

Engrossed Bill.
The engrossed Bill relative to state political committees (see House, No. 4572, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Order.

On motion of Mr. Flaherty of Cambridge,—

Ordered, That when the House adjourns today, it adjourn to meet on Friday next at eleven o'clock A.M.; when the House adjourns on Friday, it adjourn to meet on Wednesday (July 5) at eleven o'clock A.M.; when the House adjourns on Wednesday, it adjourn to meet on Thursday (July 6) at eleven o'clock A.M.; when the House adjourns on Thursday, it adjourn to meet on the following Monday (July 10) 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 Friday, June 30, Wednesday, July 5 and Thursday, July 6.

Mr. Flaherty of Cambridge 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 three minutes after seven o'clock P.M. (Wednesday, June 28) (Mr. McDonough of Boston being in the Chair), the House adjourned, to meet on Friday next at eleven o'clock A.M., in an Informal Session.
Friday, June 30, 1995.

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, Independence Day provides us with a special occasion for celebration and reflection. The holiday is a time to celebrate the beauty of summer and to enjoy the blessings which are part of our heritage. The day also reminds us of the dedication to personal freedom of many men and women throughout the past 200 years of our history, each of us to optimize the countless opportunities for self-input which this country offers to us, and to use our personal freedom to achieve the goals and destiny for which we have been created by you.

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

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

Messages from the Governor.

A message from His Excellency the Governor recommending legislation relative to establishing the civil justice reform act of nineteen hundred and ninety-five (House, No. 5232) was filed in the office of the Clerk on Wednesday, June 28.

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

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating certain actions of the annual town meeting held in the town of Plympton on May seventeenth, nineteen hundred and ninety-five (House, No. 5231) was filed in the office of the Clerk during the preceding day.

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

Resolutions.

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

Pledge of allegiance.

Civil justice reform act.

Plympton,—validation of acts.
Resolutions (filed by Mr. Bosley of North Adams) honoring Michael G. Catrambone;

Resolutions (filed by Mr. Kennedy of Brockton) congratulating Margaret Mary (Sheehan) Cunnane on the occasion of her eighty-fifth birthday;

Resolutions (filed by Mr. Marini of Hanson) congratulating James V. Morgan, Jr., on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mr. Naughton of Clinton) congratulating Reverend Andre N. Remillard on twenty-five years of dedicated service to the Diocese of Worcester;

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

Special Reports.

Reports

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the Suffolk County House of Correction located in the city of Boston;

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the Suffolk County Jail located in the city of Boston;

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the Essex County Correctional Alternative Center located in the city of Lawrence;

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the Bristol County Jail, Ash Street Facility located in the city of New Bedford;

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

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

Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its findings and recommendations as a result of an inspection of the Plymouth County Correctional Facility located in the town of Plymouth;
Of the Department of Public Health (under Section 20 of Chapter 111 of the General Laws) of its finding and recommendations as a result of an inspection of the Massachusetts Correctional Institution Minimum Security Facility located in the town of Shirley; and

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

Severally sent to the Senate for its information.

An interim report of the Department of Social Services (under House order No. 5069 of 1995) relative to the foster care program administered by said department, was placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Locke of Wellesley, petition (accompanied by bill, House, No. 5220) of Barbara C. Shanahan, Cheryl A. Jacques, Lois G. Pines, John A. Locke and others (by vote of the town) relative to the chief financial officer of the town of Wellesley;

By Mr. Nagle of Northampton, petition (accompanied by bill, House, No. 5221) of William P. Nagle, Jr., and Stanley C. Rosenberg (by vote of the town) for legislation to authorize the city of Northampton to convey a certain parcel of land to the Valley Community Development Corporation; and

By Ms. Teagan of Plymouth, petition (accompanied by bill, House, No. 5222) of Linda C. Teagan (by vote of the town) for legislation to authorize the town of Plymouth to borrow funds and make loans to certain homeowners in said town;

Severally to the committee on Local Affairs.

By Mr. Locke of Wellesley, petition (accompanied by bill, House, No. 5223) of John A. Locke, Lucile P. Hicks and others (by vote of the town) for legislation to authorize the town of Weston to convey certain parcels of conservation land to Wolfgang Klietmann and others. To the committee on State Administration.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Cahir of Bourne, petition (subject to Joint Rule 12) of Thomas S. Cahir and Henri S. Rauschenbach relative to the taxation of certain non-profit corporations.

By Mr. Galvin of Canton, petition (subject to Joint Rule 12) of William C. Galvin for legislation to authorize credit for nonpublic school service for certain members of the state retirement system.

By Mr. Lane of Holden, petition (subject to Joint Rule 12) 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.

By Mr. Quinn of Dartmouth, petition (subject to Joint Rule 12) of John F. Quinn and Mark C. Montigny (by vote of the town) for leg-
islation to authorize the town of Dartmouth to classify the position of harbor master in said town under Group 4 of the contributory retirement system.

By Mr. Stoddart of Natick, petition (subject to Joint Rule 12) of Douglas W. Stoddart for legislation to require laundries and dry cleaning establishments to accept the return of wire hangers issued by such establishments.

By Mr. Turkington of Falmouth, petition (subject to Joint Rule 12) of Eric Turkington relative to the budget of the Up-Island Regional School District of Martha’s Vineyard.

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

Papers from the Senate.

The House Bill continuing certain accounts supporting capital projects (House, No. 5194) came from the Senate passed to be engrossed, in concurrence, with the following amendments:

In section 2C inserting after item number “2440-9872” the following item number: “2440-9886”; inserting after item number “2441-8840” the following item number: “2441-9886”; inserting after item number “7505-7891” the following item number: “7505-8843”; and inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to facilitate the immediate issuance of bonds and notes to carry out the purposes of various acts passed during the regular annual legislative session of the year nineteen hundred and ninety-five, 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. Angelo of Saugus, the amendments were considered forthwith; and they were adopted, in concurrence.

A petition of Matthew J. Amorello for legislation relative to the Wilkinsonville Water District, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Local Affairs.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1950) was referred, in concurrence, to the committee on Local Affairs.

Reports of Committees.

By Mr. Flaherty of Cambridge, for the committee on Rules, on a petition, a Bill relative to the registration and activities of executive agents (House, No. 5209), which was read.

Under suspension of the rules, on motion of Mr. Glodis of Worcester, 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. Petrolati of Ludlow, for the committee on Local Affairs, on a petition, a Bill relative to the salary of the mayor of the city of Medford (House, No. 5167), which was read [Local Approval Received].

Under suspension of Rule 41, on motion of Mr. Giglio of Medford, 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. Ciampa of Somerville, 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.

By Mr. DiMasi of Boston, for the committee on Banks and Banking, on Senate, No. 9, a Bill relative to deposit account disclosures by banks and credit unions (House, No. 5224).

By Ms. Buell of Greenfield, for the committee on Health Care, on House, No. 2168, a Bill to eliminate co-payments for prescription drugs (House, No. 5225).

By Mrs. Harkins of Needham, for the committee on Housing and Urban Development, on Senate, No. 596, a Bill further defining the jurisdiction of a housing authority (House, No. 5226).

By the same member, for the same committee, on House, No. 2184, a Resolve providing for an investigation and study of public bidding and procurement laws to determine impact on state-funded housing (House, No. 5227).

By Mr. McIntyre of New Bedford, for the committee on the Judiciary, on Senate, No. 864 and House, No. 1139, a Bill to provide additional tools to law enforcement (House, No. 1139, changed by striking out sections 10, 11, 12, 13, 14, 15 and 16).

By the same member, for the same committee, on House, No. 1726, a Bill to establish an office of community corrections (House, No. 5228).

By the same member, for the same committee, on House, No. 5117, a Bill relative to technical changes to the reporting dates for the Massachusetts Sentencing Commission (House, No. 5229).

By Ms. Resor of Acton, for the committee on Natural Resources and Agriculture, on House, No. 2237, a Bill regulating consumer information labeling (House, No. 5230).

By Mr. Hodgkins of Lee, for the committee on State Administration, on a petition, a Bill relative to the disposition of certain state owned property in the towns of Dover and Wellesley (House, No. 5163).

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

Emergency Measures.

The engrossed Bill authorizing certain municipal light companies to purchase oil and other fuel supplies without bids (see Senate, Municipal Light departments,—
No. 410, 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 6 to 0. Sent to the Senate for concurrence.

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

The engrossed Bill further extending the time for which certain land in Norfolk County may be used as a temporary minimum security alternative correction center (see House, No. 4910, 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 6 to 0. Sent to the Senate for concurrence.

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

The engrossed Bill further regulating medical malpractice insurance (Senate, No. 1832, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

The House Bill relative to police officers, firefighters and emergency medical attendants in the town of Cummington (House, No. 4978), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Angelo of Saugus being in the Chair, — the engrossed Bill continuing certain accounts supporting capital projects (see House, No. 5194, 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 LXVIII (as amended by Article LXVII) of the Amendments
to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

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

The engrossed Bill relative to the registration and activities of executive agents (see House, No. 5209), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

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

Engrossed Bill.

Mr. DiPaola of Malden being in the Chair,— the engrossed Bill relative to the salary of the mayor of the city of Medford (see House, No. 5167) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

At ten minutes after twelve o’clock noon, on motion of Mr. Flaherty of Cambridge (Mr. DiPaola of Malden being in the Chair), the House adjourned, to meet on Wednesday next at the hour of eleven o’clock A.M., in an Informal Session.