Monday, May 1, 1995.

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

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

God, Our Creator, we begin this week by praying for guidance as we attempt to serve You and the people in our communities. Help us to keep in touch with You, Your precepts, our concerns and the concerns of the people. Inspire us to be messengers of peace and good will toward all as we try to defuse the violence, anger and mistrust which seems to exist in the minds of some. In our diverse and pluralistic society, teach us to respect the rights of all to express their views, but to turn our discussions into reasoned, dispassionate and constructive dialogues. Guide our efforts to allay the fears, disappointments and suspicions of the electorate by our rational and relevant legislative decisions.

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

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

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to increasing access to health insurance (House, No. 4928) was filed in the office of the Clerk on Friday, April 28.

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

Statement Concerning Representative Angelo of Brockton.

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 Angelo of Brockton, will not be present in the House Chamber for today's sitting due to illness. Any roll calls that he may miss today will be due entirely to the reason stated.

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

Statement of Representative Greene of Billerica.

Before proceeding to consideration of the Orders of the Day, Mr. Greene of Billerica asked unanimous consent to make a statement; and, there being no objection, he addressed the House as follows:
MR. SPEAKER: I would like to call to the attention of the House the fact that I will not be present in the House Chamber for a portion of today’s sitting due to a family medical obligation. Any roll calls that I may miss today will be due entirely to the reason stated.

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

Statement Concerning Representative Haley of Weymouth.

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 Haley of Weymouth, will not be present in the House Chamber for today’s sitting due to his hospitalization. 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.

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 Hodgkins of Lee, will not be present in the House Chamber for today’s sitting due to official business in his district. 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 McIntrye of New Bedford.

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

MR. SPEAKER: I would like to call to the attention of the House the fact that I was not present in the House Chamber for a portion of today’s sitting due to official legislative business. Any roll calls that I missed today was due entirely to the reason stated.

Mr. McIntrye 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. Goguen of Fitchburg) commemorating the one hundredth anniversary of Saint Joseph’s School in the city of Fitchburg;
Resolutions (filed by Mr. Landers of Palmer) congratulating the members of the Ware Lions Club on celebrating fifty years of distinguished service to the Ware community;

Resolutions (filed by Mr. Manning of Milton) on the occasion of the one hundredth anniversary of the death of Sister Mary Ignatius Hayes; and

Resolutions (filed by Messrs. Wagner of Chicopee, DeFilippi of West Springfield, Murphy of Springfield and Petrolati of Ludlow) congratulating Alex Vyce on the occasion of his retirement as Chicopee Comprehensive High School Boys Varsity Basketball Coach;

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. Goguen, 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. Kafka of Sharon) recognizing John M. Lazarovich and commending him for his advocacy on behalf of the United Transportation Union; and

Resolutions (filed by Mr. Naughton of Clinton) congratulating Charles M. Georgeson, Supreme President of the American Hellenic Educational Association;

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

Petition.

A petition (accompanied by bill, House, No. 4927) of Anthony M. Scibelli, Robert T. Markel (mayor) and other members of the General Court (with the approval of the mayor and city council) for legislation to authorize the city of Springfield to exempt the leasing of city owned property at the Chicopee River Technology Park from the competitive bidding laws, was referred to the committee on State Administration. Sent to the Senate for concurrence.

Papers from the Senate.

A report of the committee on Public Service, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3447) of Geoffrey D. Hall and Robert A. Durand for legislation to increase public employees' retirement allowances for veterans, and recommending that the same be referred to the Senate committee on Ways and Means,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, insomuch as relates to the discharge of the committee.
Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 1876) of Edward J. Clancy, Jr., for legislation to authorize the Registrar of Motor Vehicles to revoke the driver's license of a person convicted of trafficking in controlled substances. To the committee on Criminal Justice.

Petition (accompanied by bill, Senate, No. 1877) of Edward J. Clancy, Jr., for legislation to authorize the teachers' retirement board to credit Marguerite E. Callahan for her service as a teacher in a non-public school. To the committee on Public Service.

Reports of Committees.

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

Petition (accompanied by bill) of Daniel E. Bosley for legislation to authorize the Commissioner of Labor and Industries to suspend certain child labor laws in an emergency or conditions of hardship. To the committee on Commerce and Labor.

Petition (accompanied by bill) of Thomas S. Cahir and Edward B. Teague III relative to the office of treasurer of Barnstable County. To the committee on Counties.

Petition (accompanied by bill) of Paul E. Caron relative to the issuance of voter identification cards. To the committee on Election Laws.

Petition (accompanied by bill) of Anthony Capoccia relative to the custody of children in divorce proceedings. To the committee on the Judiciary.

Petition (accompanied by bill) of Alan G. Blaum and another for legislation to authorize the Commissioner of Public Safety to appoint certain federal police officers as special state police officers; and

Petition (accompanied by bill) of Douglas W. Petersen for legislation to require the Registrar of Motor Vehicles to keep confidential the social security numbers of licensed motor vehicle operators;

Severally to the committee on Public Safety.

Petition (accompanied by bill) of Peter J. Larkin for legislation to authorize the Department of Social Services to establish a sick leave bank for Robin Wright, an employee of said department. To the committee on Public Service.

Petition (accompanied by bill) of William F. Stanley (mayor), David F. Gately and others (with the approval of the mayor and city council) for legislation to authorize the city of Waltham to grant easements over certain park and recreational land in said city to the Water Resources Authority. To the committee on State Administration.

Under suspension of Rule 42, on motion of Mr. Larkin of Pittsfield, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.
By Mrs. Menard of Somerset, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Evelyn G. Chesky and other members of the General Court relative to the offense of leaving children without certain supervision. Under suspension of Rule 42, on motion of Ms. Chesky of Holyoke, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, on Senate, Nos. 621, 627, 630, 631, 632, 634, 638, 641, 642, 643, 644, 645, 647, 655, 659, 660, 669, 682, 706, 707, 708, 710, 711, 713 and 714 and House, Nos. 212, 231, 327, 328, 329, 912, 1525, 1699, 1703, 2016, 2017, 2197, 2376, 2378, 2584, 2587, 2588, 3119, 3359, 3555, 3556, 3738, 3740, 3741 and 3742, 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 changes in the welfare system of the Commonwealth (House, No. 4921). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Ms. Buell of Greenfield, for the committee on Health Care, on House, Nos. 186 and 189, a Bill relative to state, county and municipal hospitals (House, No. 189).

By the same member, for the same committee, on a petition, a Bill relative to state, county and municipal hospitals (House, No. 3111).

By Mr. Rushing of Boston, for the committee on Public Service, on a petition, a Bill to clarify early retirement procedure for retirement board employees (House, No. 2466).

By the same member, for the same committee, on House, Nos. 1026 and 3813, a Bill relative to payments to surviving spouses (House, No. 4922).

Severally read; and referred, under Rule 33, to the committee on Counties on the part of the House.

By Mrs. Owens-Hicks of Boston, for the committee on Education, Arts and Humanities, on a petition, a Bill authorizing matching funds to assist high school students with on the job training in the school-to-work system (House, No. 4260) [Cost: $5,000,000.00].

By the same member, for the same committee, on a petition, a Bill relative to preliminary local contribution (House, No. 4656).

By the same member, for the same committee, on House, Nos. 92 and 93, a Bill making changes to the parent information center (House, No. 4923).

By Ms. Buell of Greenfield, for the committee on Health Care, on a petition, a Bill relative to the sale of inhalants (House, No. 4288).

By Mrs. Harkins of Needham, for the committee on Housing and Urban Development, on a petition, a Bill broadening the activities of a housing authority (printed as Senate, No. 568).
By the same member, for the same committee, on House, Nos. 739, 910, 1990, 2741 and 4295, a Bill to address the respiratory needs of persons living in elderly housing developments (House, No. 1990).

By the same member, for the same committee, on a petition, a Bill relative to the use of Metropolitan District Commission Recreational Facilities (House, No. 2183).

By Mr. Caron of Springfield, for the committee on Public Safety, on House, Nos. 391 and 4525, a Bill relative to motor vehicle registration fee rebates (House, No. 391).

By the same member, for the same committee, on Senate, No. 1253 and House, No. 958, a Bill relative to antique motor cars (House, No. 958).

By the same member, for the same committee, on a petition, a Bill relative to the Registry of Motor Vehicles (House, No. 2078).

By the same member, for the same committee, on Senate, No. 1212 and House, Nos. 2624, 3786 and 4362, a Bill relative to handicap plates (House, No. 2624).

By Mr. Rushing of Boston, for the committee on Public Service, on a petition, a Bill relative to appeals by public employees seeking disability pensions (House, No. 821).

By the same member, for the same committee, on House, No. 4712, a Bill relative to public safety employees line of duty death benefit (House, No. 4924).

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

Proposals for Legislative Amendments to the Constitution.

Mr. Mclntyre of New Bedford, for the committee on the Judiciary, on the petition (accompanied by proposal, Senate, No. 816) of Matthew J. Amorello for a legislative amendment to the Constitution relative to limiting the annual sessions of the General Court to a period of six months,— reported (in accordance with a provision of Joint Rule 23) recommending that the amendment proposed by said petition, ought NOT to pass.

The same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 827) of Frederick E. Berry, Katherine Tennitom, Joseph B. Mclntyre, L. Scott Harshbarger, Attorney General, and other members of the General Court for a legislative amendment to the Constitution relative to the rights of crime victims,— reported (in accordance with a provision of Joint Rule 23) recommending that the amendment proposed by said petition, ought NOT to pass.

The same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 845) of Edward J. Clancy, Jr., for a legislative amendment to the Constitution providing for the limiting of the legislative session to seven months,— reported (in accordance with a provision of Joint Rule 23) recommending that the amendment proposed by said petition, ought NOT to pass.

The same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 849) of Michael C. Creedon for a legislative amendment to the Constitution to limit the length of the
legislative session,— reported (in accordance with a provision of Joint Rule 23) recommending that the amendment proposed by said petition, ought NOT to pass.

The same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 942) of Daniel P. Leahy for a legislative amendment to the Constitution to limit the annual session of the General Court to a period of six months,— reported (in accordance with a provision of Joint Rule 23) recommending that the amendment proposed by said petition, ought NOT to pass.

The same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 980) of Lois G. Pines, David B. Cohen, Nancy H. Evans, Patricia D. Jehlen, Kay Khan and other members of the General Court for a legislative amendment to the Constitution to protect the right to choose,— reported (in accordance with a provision of Joint Rule 23) recommending that the amendment proposed by said petition, ought NOT to pass.

The same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 1003) of Jane M. Swift, Walter A. DeFilippi, Mary Jeanette Murray, Kevin Poirier and other members of the General Court for a legislative amendment to the Constitution to limit annual sessions of the General Court to a period of seven months,— reported (in accordance with a provision of Joint Rule 23) recommending that the amendment proposed by said petition, ought NOT to pass.

The same member, for the same committee, on the petition (accompanied by proposal, House, No. 347) of Charles F. Schuck for a legislative amendment to the Constitution relative to the election of certain justices by the people of the Commonwealth,— reported (in accordance with a provision of Joint Rule 23) recommending that the amendment proposed by said petition, ought NOT to pass.

The same member, for the same committee, on the petition (accompanied by proposal, House, No. 2387) of Gary M. Coon relative to the election of judges,— reported (in accordance with a provision of Joint Rule 23) recommending that the amendment proposed by said petition, ought NOT to pass.

The same member, for the same committee, on the petition (accompanied by proposal, House, No. 3562) of Nancy H. Evans, Richard R. Tisei, Angelo M. Scaccia, Christine E. Canavan and Mary Jeanette Murray for a legislative amendment to the Constitution to limit the terms of judges,— reported (in accordance with a provision of Joint Rule 23) recommending that the amendment proposed by said petition, ought NOT to pass.

The same member, for the same committee, on the petition (accompanied by proposal, House, No. 3579) of Angelo M. Scaccia and another for a legislative amendment to the Constitution relative to the retirement of judges at age seventy,— reported (in accordance with a provision of Joint Rule 23) recommending that the amendment proposed by said petition, ought NOT to pass.
The same member, for the same committee, on the petition (accompa-
panied by proposal, House, No. 3766) of Walter A. DeFilippi, Mary
Jeanette Murray, Donna F. Cuomo and Bruce E. Tarr for a legislative
amendment to the Constitution relative to search and seizure,—
reported (in accordance with a provision of Joint Rule 23) recom-
mending that the amendment proposed by said petition, ought NOT
to pass.

The same member, for the same committee, on the petition (accompa-
panied by proposal, House, No. 4146) of John A. Businger for a leg-
islative amendment to the Constitution to provide for increasing the
number of members of the Senate,— reported (in accordance with a
provision of Joint Rule 23) recommending that the amendment pro-
posed by said petition, ought NOT to pass.

Severally read; and placed on file, in accordance with the require-
ments of said rule.

Under the provisions of Joint Rule 23, the following reports were
placed on file, the time within which the said committees were
required to report having expired:—

Of the committee on Insurance, ought NOT to pass (under Joint
Rule 23), on the petition (accompanied by proposal, Senate,
No. 362) of Matthew J. Amorello for a legislative amendment to the
Constitution to establish the elected position of Commissioner of
Insurance for the Commonwealth of Massachusetts;

Of the committee on the Judiciary, ought NOT to pass (under
Joint Rule 23), on the petition (accompanied by proposal, House,
No. 943) of Marie J. Parente, Gloria L. Fox, Stanley C. Rosenberg,
Mary Jane Simmons, Janet W. O'Brien and Charles E. Shannon for
a legislative amendment to the Constitution relative to the rights of
defendants in the Massachusetts Constitution in certain cases involv-
ing children;

Of the committee on State Administration, ought NOT to pass
(under Joint Rule 23), on the petition (accompanied by proposal, House,
No. 4544) of Edward M. Lambert, Jr., for a legislative amend-
ment to the Constitution prohibiting unfunded state mandates;

Of the committee on Transportation, ought NOT to pass (under
Joint Rule 23), on the petition (accompanied by proposal, Senate,
No. 1749) of Marc R. Pacheco, the Construction Industries of
Massachusetts, by John M. Pourbaix, Jr., executive director, Therese
Murray, James V. DiPaola, Patrick F. Landers III and Thomas S.
Cahir for a legislative amendment to the Constitution relative to the
expenditure of monies from the Highway Fund; and

Of the joint committee on Ways and Means, ought NOT to pass
(under Joint Rule 23), on the petition (accompanied by proposal, House,
No. 4644) of the Massachusetts AFL-CIO Council, John A.
Businger and Frank M. Hynes for a legislative amendment to the
Constitution concerning procedure for adopting the state budget.
The engrossed Bill establishing a board of selectmen-town administrator form of government in the town of West Boylston (see House, No. 3383, changed and 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
Relative to the annual observance of garden week (House, No. 2277) (its title having been changed by the committee on Bills in the Third Reading);
Providing for the annual observance of law enforcement memorial month (House, No. 2662) (its title having been changed by the committee on Bills in the Third Reading);
Relative to the definition of full-time student as required for student trustee (House, No. 3510) (its title having been changed by the committee on Bills in the Third Reading);
Designating a certain bridge in the cities of Chelsea and Revere as the PFC Dennis J. Sullivan Memorial Bridge (House, No. 4232, changed) (its title having been changed by the committee on Bills in the Third Reading);
Further regulating the Baker Hill Road District in the town of Lanesborough (House, No. 4669);
Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The House Bill authorizing counties to establish an advisory board on regionalism (House, No. 2134) (its title having been changed by the committee on Bills in the Third Reading) was read a third time.
Said committee reported recommending that the bill be amended by adding at the end thereof the following section:
“SECTION 2. Notwithstanding the provisions of section fourteen C of chapter thirty-four of the General Laws, the members initially appointed by a county advisory board on regionalism shall serve as follows: one member for a term of one year, two members for a term of two years and two members for a term of three years.”.
The amendment was adopted; and the bill (House, No. 2134, amended) was passed to be engrossed. Sent to the Senate for concurrence.

House bills
Amending the Uniform Commercial Code covering provisions dealing with investment securities (House, No. 277);
Relative to medical staff credentialing (House, No. 1515);
Establishing scientific standards for the board of registration in medicine (House, No. 1516);
Relative to the sale of certain drivers’ licenses (House, No. 1556);
To reimburse banks for production of copies from the records, books and accounts of such banks (House, No. 1946, changed);
Relative to late charges on bi-weekly mortgages (House, No. 1949, changed);
Relative to bank directors (House, No. 2319);
Relative to motor vehicle inspection decals (House, No. 2441);
Relative to motor vehicle registration renewal decals (House, No. 2628);
To increase the penalties for illegally smoking aboard public transportation (House, No. 3350); and
Providing for the confidentiality of medical records (House, No. 4915);
Severally were read a second time; and they were ordered to a third reading.

House reports
Of the committee on Banks and Banking, ought NOT to pass, on the petition (accompanied by bill, House, No. 483) of John A. Businger relative to mortgage loans, housing rehabilitation loans and home improvement loans for properties subject to rent control;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1469) of Edward M. Lambert, Jr., and another relative to the acquisition of assets and the assumption of liabilities of credit unions;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1648) of Anthony M. Scibelli relative to tax escrow payments by mortgagors to certain banking institutions;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1650) of Anthony M. Scibelli relative to mortgages by credit unions on foreclosed real estate;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1652) of Anthony M. Scibelli and another for legislation to authorize credit unions to make loans for the leasing of motor vehicles;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1945) of J. Michael Ruane for legislation to require all credit cards issued by financial institutions to bear a photograph of the cardholder;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2320) of Philip Travis for legislation relative to directors, trustees and officers of banks;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2321) of Philip Travis relative to the revision of terms or the refinancing of certain mortgages;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4237) of David B. Cohen for legislation to further regulate loans to officers of banks;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4239) of Walter P. Petreyko that checks used by certain elderly persons be marked with special codes; and
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4241) of J. Michael Ruane relative to the regulation of foreign banks doing business in the Commonwealth;

Of the committee on Education, Arts and Humanities, ought NOT to pass, on the petition (accompanied by bill, House, No. 3101) of Douglas W. Petersen and Barbara Gardner for legislation to include foreign languages in the academic standards for competency determination in public education;

Of the committee on Federal Financial Assistance, ought NOT to pass, on the petition (accompanied by resolutions, House, No. 894) of Marian Juskuv and others for adoption of resolutions by the General Court relative to regulating the imposition of federal mandates;

Of the committee on Health Care, ought NOT to pass, on the petition (accompanied by bill, House, No. 2175) of Thomas M. Menino, John E. McDonough, Warren E. Tolman, Steven A. Tolman and Paul C. Demakis relative to penalties for violations of the State Sanitary Code;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2932) of Brian S. Dempsey relative to further regulating the practice of acupuncture;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2935) of Brian S. Dempsey for legislation to require all wastewater personnel to take annual medical physicals; and

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4291) of Kevin G. Honan relative to the dispensation of interchangeable prescription drug products; and

Of the committee on Public Service, ought NOT to pass, on the petition (accompanied by bill, House, No. 1018) of the Professional Fire Fighters of Massachusetts and Alvin E. Thompson for legislation to further regulate the rights of certain terminated fire fighters and police officers; and

Of the same committee, ought NOT to pass, on petitions for legislation to provide for creditable service for retirement purposes to certain elected officials of cities and towns [based on petitions of Alvin E. Thompson, accompanied by bill, House, No. 1380; and Arthur J. Broadhurst, accompanied by bill, House, No. 4368].

Severally were accepted.

Abortion,—

The motion of Miss Barsom of Wilbraham, that the vote be reconsidered by which the House, on Tuesday, April 4, accepted the House report of the committee on Health Care, ought NOT to pass, on the petition (accompanied by bill, House, No. 546) of John H. Rogers and other members of the House relative to patients' rights on obtaining information of increased risks of breast cancer in abortion proceedings, was considered.

Pending the question on the motion to reconsider, further consideration thereof was postponed, on motion of Ms. Barsom, until Monday, May 8.
The House Bill relative to the transfer of a certain bridge in the town of Billerica to the Department of Highways (House, No. 4559) was considered.

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

The House Bill further regulating the collection of out of state parking fines (House, No. 1746) 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. Reinstein of Revere.

The House Bill prohibiting insurance discrimination to victims of domestic violence (House, No. 4916) was read a second time.

Pending the question on ordering the bill to a third reading, Mr. McDonough of Boston moved that it be amended by substitution of a bill with the same title (House, No. 4926), which was read. The amendment was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, its title having been changed by said committee to read: An Act prohibiting insurance discrimination of victims of domestic violence. Sent to the Senate for concurrence.

At twenty-nine minutes after eleven o'clock A.M., on motion of Mr. Quinn of Dartmouth, the House recessed until the hour of one o'clock P.M.; and at five minutes after one o'clock the House was called to order.

Order.

The following order (filed this day by Mr. Voke of Boston) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, joint standing committees and the committees on Rules of the two branches, acting concurrently, be granted until the last Wednesday in June (June 28), within which to make reports on all matters referred to them.

Mr. Voke, for the committees on Rules, then reported that the order ought to be adopted. Under suspension of Rule 42, on motion of the same member, the order was considered forthwith.

Pending the question on adoption of the order, Mrs. Lewis of Bridgewater 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 128 members were recorded as being in attendance.

[See Yea and Nay No. 106 in Supplement.]

Therefore a quorum was present.

After debate on the question on adoption of the order, the sense of the House was taken by yeas and nays, at the request of Mr. Coon of Andover; and on the roll call 118 members voted in the affirmative and 29 in the negative.

[See Yea and Nay No. 107 in Supplement.]

Therefore the order was adopted. Sent to the Senate for concurrence.

**Orders of the Day.**

The House Bill to enhance the operation of the civil service law (House, No. 989) was considered.

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

The House Bill prohibiting the sale of spray paint to minors (House, No. 2520, changed) was considered.

After debate on the question on ordering the bill to a third reading (Mr. Serra of Boston being in the Chair), the sense of the House was taken by yeas and nays, at the request of Mr. Stoddart of Natick; and on the roll call 47 members voted in the affirmative and 100 in the negative.

[See Yea and Nay No. 108 in Supplement.]

[Mr. Hargraves of Groton answered “Present” in response to his name.]

Therefore the House refused to order the bill to a third reading.

Mrs. Menard of Somerset being in the Chair,— the House Bill relative to local by-laws and ordinances regulating antenna structures used by federally licensed amateur radio operators (House, No. 2782) was considered.

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

“SECTION 2. Nothing in this paragraph shall be construed as limiting the authority of any architectural or historic district commission established pursuant to any general or special law.”.

The amendment was adopted.

Mr. Rushing of Boston then moved that the bill be amended by inserting after the word “structures”, in line 7, the words “for the purposes of public safety”; and by inserting after the word “reasonably”,
in line 8, the words "allow for sufficient height of such antenna structures so as to effectively"; and the amendments were adopted.

The bill (House, No. 2782, amended) then was ordered to a third reading.

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

Pending the question on ordering the bill to a third reading, it was recommitted to the committee on Commerce and Labor, on motion of Mr. Hynes of Marshfield.

The House Bill to strengthen neighborhood business districts (House, No. 3007) was ordered to a third reading.

The House Bill to amend the civil service law (House, No. 3218) was considered.

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

House bills
To extend time frames for appeals (House, No. 4170);
Defining adjacent ways (House, No. 4175);
Relative to safety restraints in shopping carriages (House, No. 4249); and
Exempting the leasing of certain land in the town of Rockport from certain bidding laws (House, No. 4673); Severally were ordered to a third reading.

House bills
Facilitating procedures for grants of location in Metropolitan District Commission property (printed as Senate, No. 605, changed); and
Relative to certain actions of the Board of Bank Incorporation and the Commissioner of Banks (House, No. 16); Severally were read a second time; and they were ordered to a third reading.

The House Bill relative to smoking in self-service laundries (House, No. 320) was read a second time.

Pending the question on ordering the bill to a third reading, Mrs. Lewis of Bridgewater moved that it be amended by adding at the end thereof the following section:

"SECTION 2. Chapter 270 of the General Laws is hereby amended by striking section 22 and inserting in place thereof the following:

Section 22. Notwithstanding any general or special law to the contrary, the use of any type of tobacco product is hereby prohibited. Any individual found to be in possession of a tobacco product or
caught in the insidious act of smoking or otherwise ingesting a tobacco product, shall be fined a sum of not less than fifty dollars.”.

Mr. Hynes of Marshfield thereupon raised a point of order that the amendment offered by the lady from Bridgewater was improperly before the House for the reason that it was beyond the scope of the pending bill in that it is broader than the specific language contained in the legislation.

The Chair (Mrs. Menard of Somerset) stated that the point of order was well taken; and the amendment was laid aside accordingly.

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

The question was then put “Shall the decision of the Chair stand as the judgment of the House?”; and after debate (Mr. Voke of Boston being in the Chair) the decision of the Chair was sustained.

After debate the bill (House No. 320) was ordered to a third reading.

The House Bill further regulating retirement laws (House, No. 979) was read a second time; and it was ordered to a third reading.

The House Bill relative to the Registry of Motor Vehicles (House, No. 1208) was read a second time.

Pending the question on ordering the bill to a third reading, it was recommitted to the committee on Public Safety, on motion of Mr. Caron of Springfield.

The House Bill relative to the lending limits of state-chartered banks (House, No. 1647) was read a second time; and it was ordered to a third reading.

The House Bill further regulating smoking (House, No. 2370) was read a second time.

Pending the question on ordering the bill to a third reading, it was recommitted to the committee on Health Care, on motion of Mr. Stefanini of Framingham.

The House Bill to further regulate smoking in public places (House, No. 2564, changed) was read a second time.

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

“SECTION 2. Section 6 of Chapter 270 of the General Laws is hereby amended by adding the following paragraph:

Any manufacturer of cigarettes, snuff or chewing tobacco shall notify the Department of Public Health of any added constituent of tobacco products other than tobacco, water or reconstituted tobacco sheet made wholly from tobacco and the amount of each constituent
contained in the tobacco product on an annual basis. By 1997, any manufacturer of cigarettes, snuff or chewing tobacco shall not add any constituent at an amount that would be toxic or corrosive or an irritant as defined by Section 1 of Chapter 94B of the General Laws when such constituent is chewed or combusted at the standard temperature for a burning cigarette.

By January 1997, the Department shall develop nicotine yield ratings of cigarettes, snuff and chewing tobacco that accurately predict nicotine intake by individual consumers. The ratings shall be based on machine-testing procedures and validated by bioavailability testing. Any manufacturer of cigarettes and snuff and chewing tobacco shall provide to the Department the nicotine yield ratings for their products on an annual basis.

By January 1998, the Department shall determine a nicotine threshold for the cigarettes, snuff and chewing tobacco that would cause abuse of the tobacco product resulting in physical and psychological dependence liability among young persons with no history of tobacco use. The Department shall promulgate rules and regulations by January 1, 1999 establishing allowable levels for nicotine in cigarettes, snuff and chewing tobacco with the intent of lowering the allowable levels from 1998 through 2005 so that the allowable level for 2005 would not result in abuse of the tobacco product and physical and psychological dependence liability among young persons with no history of tobacco use.

The amendment was adopted.

After debate (Ms. Donovan of Woburn being in the Chair), Mr. DeFilippi of West Springfield moved that the bill be amended by striking out, in line 10, the word “Eighty-five” and inserting in place thereof the word “Sixty-five”; and the amendment was adopted.

After remarks on the question on ordering the bill, as amended, to a third reading (Mr. Voke of Boston being in the Chair), the sense of the House was taken by yeas and nays, at the request of Mrs. Lewis No. 109 of Bridgewater; and on the roll call 59 members voted in the affirmative and 88 in the negative.

[See Yea and Nay No. 109 in Supplement.]

Therefore the House refused to order the bill to a third reading. Mrs. Lewis of Bridgewater then moved that this vote be reconsidered; and the motion to reconsider was placed, under Rule 54, in the Orders of the Day for the next sitting.

House bills

Mr. Serra of Boston being in the Chair,—

To protect the health of minors (House, No. 2565); and

Relative to protecting nonsmokers from involuntary exposure to cigarette smoke in indoor public areas (House, No. 2566); and

Severally were read a second time.

Pending the question, in each instance, on ordering the bill to a third reading, further consideration thereof was postponed, on motions of Mr. Stefanini of Framingham, until after disposition of the remaining matters in the Orders of the Day.
House bills
Relative to vehicular homicide (House, No. 2627); and
Relative to trust responsibilities of banks (House, No. 3297, changed);
Severally were read a second time; and they were ordered to a third reading.

House bills
Further regulating the sale of tobacco (House, No. 3910);
Further regulating smoking in public areas (House, No. 3914); and
Relative to the further disclosure of information in real estate transactions (House, No. 4121);
Severally were read a second time.

Pending the question, in each instance, on ordering the bill to a third reading, further consideration thereof was postponed, on motions of Mr. Stefanini of Framingham, until after disposition of the remaining matters in the Orders of the Day.

The House Bill designating the third harbor tunnel as the Ted Williams Tunnel (printed in House, No. 4571) was read a second time; and it was ordered to a third reading.

The House Bill relative to smoking in public places (House, No. 4609) was read a second time.
Pending the question on ordering the bill to a third reading, it was recommitted to the committee on Health Care, on motion of Mr. Stefanini of Framingham.

The House Bill relative to the suspension of licenses for minors convicted of certain offenses (House, No. 4627) was read a second time.
Pending the question on ordering the bill to a third reading, it was recommitted to the committee on Public Safety, on motion of Mr. Caron of Springfield.

House bills
Prioritizing certain interests in bankruptcy proceedings (House, No. 4913);
Relative to placement of the one sentence statement on the ballot (House, No. 4914); and
Relative to the promotion of detective lieutenant in the Department of State Police (House, No. 4917);
Severally were read a second time; and they were ordered to a third reading.

The House report of the committee on Banks and Banking, ought NOT to pass, on the petition (accompanied by bill, House, No. 291) of James R. Miceli relative to retail installment sales of motor vehicles, was considered.
Pending the question on acceptance of the report, the petition was recommitted, on motion of Mr. DiMasi of Boston.
MONDAY, MAY 1, 1995.

The House report of the committee on Banks and Banking, ought NOT to pass, on 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, was considered.

After remarks the petition was recommitted, on motion of Mr. DiMasi of Boston.

The House report of the committee on Banks and Banking, ought NOT to pass, on the petition (accompanied by bill, House, No. 867) of Walter A. DeFilippi relative to loans secured by real estate, was accepted.

The House report of the committee on Banks and Banking, ought NOT to pass, on the petition (accompanied by bill, House, No. 3672) of Walter A. DeFilippi for legislation to further define reverse mortgage loans, was considered.

Pending the question on acceptance of the report, the petition was recommitted, on motion of Mr. DiMasi of Boston.

Order.

On motion of Mr. McDonough of Boston,—

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

Mr. McDonough of Boston then moved that as a mark of respect to the memory of David A. Rose, a member of the House from Boston in 1935 and 1936, the House adjourn; and the motion prevailed.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at two minutes before four o'clock P.M. (Mr. Serra of Boston being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.

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

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

Prayer.

God, Our Creator, we depend upon You for the wisdom to make sound judgments and reasonable decisions in legislative and personal matters. Teach us to be aware of the legislative experiences of our predecessors as we address the complex political and human issues of these changing times. Help us to be good listeners and to be open to the constructive suggestions and criticism of others. By our commitment to sound philosophical and ethical principles and values may we increase the confidence of the electorate in our institutions and in our communities.

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

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

Message from the Governor.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to providing for the appointment of the collector and the town clerk in the town of Sterling (House, No. 4939) was filed in the office of the Clerk on Wednesday, May 3.

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:

Women in Sport Day.
Adams Library.
Violence Prevention Week.

Resolutions (filed by Mr. Bellotti of Quincy) on the occasion of a salute to Boston Girls and Women in Sport Day;

Resolutions (filed by Mrs. Cleven of Chelmsford) congratulating the Adams Library on the occasion of its one hundredth year anniversary;

Resolutions (filed by Ms. Donovan of Woburn) on the occasion of Violence Prevention Awareness Week, May fourteenth through twenty-eighth, nineteen hundred and ninety-five;
Resolutions (filed by Representatives Garry of Dracut, Golden of Lowell, LeLacheur of Lowell and Panagiotakos of Lowell) on the occasion of Scouting Appreciation Day in the city of Lowell;

Resolutions (filed by Messrs. Giglio of Medford and Ciampa of Somerville) on the observance of National Nursing Home Week at the Courtyard Nursing Care Center in the city of Medford;

Resolutions (filed by Messrs. Guerriero of Melrose and Casey of Winchester) congratulating Dr. William L. Hoyt on the occasion of his retirement as Superintendent of the Stoneham Public Schools;

Resolutions (filed by Representatives Guerriero of Melrose, Manning of Milton and Murray of Cohasset) commemorating the fiftieth anniversary of VE Day;

Resolutions (filed by Representatives Guerriero of Melrose, Casey of Winchester, Manning of Milton and Murray of Cohasset) commemorating the fiftieth anniversary of VE Day;

Resolutions (filed by Representatives Guerriero of Melrose, Manning of Milton and Murray of Cohasset) commemorating the fiftieth anniversary of VJ Day;

Resolutions (filed by Mr. Hawke of Gardner) congratulating Mr. and Mrs. Fernand T. Sweeney on the occasion of their fiftieth wedding anniversary;

Resolutions (filed by Ms. Kaprielian of Watertown) congratulating Joseph P. O'Reilly, James A. O'Reilly and David M. O'Reilly on the occasion of their retirement from the Watertown Fire Department;

Resolutions (filed by Ms. Kerans of Danvers) on the occasion of Memorial Day in the town of Danvers;

Resolutions (filed by Messrs. Koczera of New Bedford, Cabral of New Bedford and McIntyre of New Bedford) on the occasion of the National Association of Letter Carriers national food drive;

Resolutions (filed by Mr. Koczera of New Bedford) commemorating the dedication of the Polish-American War Memorial in New Bedford;

Resolutions (filed by Mr. Lane of Holden) congratulating Alan G. Court on the occasion of his retirement;

Resolutions (filed by Ms. Resor of Acton) congratulating Kevin Stephens on earning the prestigious rank of Eagle Scout;

Resolutions (filed by Mr. Sullivan of Abington) honoring Lillian Barry; and

Resolutions (filed by Mr. Tobin of Quincy) congratulating Kathleen V. Fitzpatrick on the occasion of her retirement from the Quincy Public Schools;

Mr. Serra of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of Rule 41, in each instance, on motion of Mr. Bellotti, the resolutions (reported by the committee on Bills in the Third Reading to be correctly dawn) 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 Representatives Cuomo of North Andover and Jones of North Reading) congratulating James Gordon on the occasion of his retirement as Town Manager of the town of North Andover; and

Resolutions (filed by Representatives Travis of Rehoboth and Menard of Somerset) congratulating the Swansea Lions Club on the occasion of its fortieth anniversary;

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

PRIM Board,—
annual report.

Outdoor Advertising.

Lottery Commission,—

Alcoholism and Drug Rehabilitation Board.

Community Development Corporation.

Urban Initiative Fund.

Public Welfare,—
emergency assistance.

Annual reports

Of the Pension Reserves Investment Management Board (PRIM) (under Paragraph (d) of subdivision 2A of Chapter 32 of the General Laws) submitting for review the operating budget of said board for the fiscal year ending June 30, 1996; and

Of the Outdoor Advertising Board (under Section 14 of Chapter 16 of the General Laws) for the calendar year 1994; and

A report of the State Lottery Commission (under Section 24 of Chapter 10 of the General Laws) relative to the total revenues, prize disbursements and other expenses of the Arts Lottery and the Lottery for the month of March, 1995;

Severally sent to the Senate for its information.

Annual reports

Of the Governor's Advisory Council on Alcoholism and the Drug Rehabilitation Advisory Board (under Section 3 of Chapter 11IE, and Section 14 of Chapter 17 of the General Laws) of its activities for the fiscal year ending June 30, 1994;

Of the Community Economic Development Assistance Corporation (under Section 6 of Chapter 40H of the General Laws) of its activities for the fiscal year ending June 30, 1994; and

Of the Community Development Finance Corporation (under Section 137 of Chapter 133 of the Acts of 1992) relative to the development, current status and future plans for the Urban Initiative Fund; and

A report of the Department of Public Welfare (under items 4403-2110, 4403-2120 and 4403-2130 of Section 2 of Chapter 60 of the Acts of 1994) relative to changes in regulations of the emergency assistance program;

Severally placed on file.
Petitions.

Petitions severally were presented and referred as follows:

By Mr. Klimm of Barnstable, petition (accompanied by bill, House, No. 4940) of John C. Klimm (by vote of the town) for legislation to authorize the town of Barnstable to make certain changes in its town charter; and

By Mrs. Murray of Cohasset, petition (accompanied by bill, House, No. 4941) of Mary Jeanette Murray and Robert L. Hedlund (by vote of the town) for legislation to authorize the town of Hull to enter into a long term lease with Florence E. Dwyer and William J. Dwyer d/b/a Pemberton Bait & Tackle Co.;

Severally to the committee on Local Affairs.

Severally sent to the Senate for concurrence.

Mrs. Hyland of Foxborough presented a petition (subject to Joint Rule 12) of Edward B. Teague III and other members of the House for legislation to establish a central registry of all sex offenders within the Criminal History Systems Board; and the same was referred, under Rule 24, to the committee on Rules.

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

Petitions severally were presented and referred as follows:

By Mr. Cohen of Newton, petition (subject to Joint Rule 12) of Thomas B. Concannon, Jr. (mayor), David B. Cohen, Lois G. Pines and Kay Khan (with the approval of the mayor and city council) for legislation to exempt the city of Newton from certain provisions of the law restricting the use of state funds for certain abortions.

By Mr. Iannuccillo of Lawrence, petition (subject to Joint Rule 12) of M. Paul Iannuccillo for legislation to authorize the Department of Highways to establish a sick leave bank for Robert Heckathorn, an employee of said department.

By Mrs. Murray of Cohasset, petition (subject to Joint Rule 12) of Mary Jeanette Murray relative to the licensing of dogs.

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

Papers from the Senate.

A Resolve providing for the establishment of the special commission to assist in the support and planning of activities related to the celebration of the 375th anniversary of Pilgrim landing in 1620 (Senate, No. 1805) passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.
Reports

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

Of the petition (accompanied by bill, Senate, No. 123) of Robert A. Antonioni for legislation to change county advisory board voter requirements; and

Of the petition (accompanied by bill, Senate, No. 139) of Jane M. Swift, Christopher J. Hodgkins, Ronald E. Kitterman, Peter F. Menard and Paul R. Babeu for legislation to exempt counties from paying the universal health insurance quarterly contribution;

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

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

A report of the committee on Commerce and Labor, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 40) of Robert A. Durand for legislation relative to illegal use of certain automotive paint and paint by-products,— and recommending that the same be referred to the committee on Natural Resources and Agriculture.

A report of the committee on Health Care, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 536) of Thomas C. Norton, Charles E. Shannon, Therese Murray and Robert A. Durand for legislation relative to defining acupuncturists,— and recommending that the same be referred to the committee on Commerce and Labor.

A report of the committee on Public Safety, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1219) of Edward J. Clancy, Jr., for legislation to require individuals convicted of drunk driving to have high bodily insurance coverage before being granted the license to drive again,— and recommending that the same be referred to the committee on Insurance.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, 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 Douglas W. Stoddart for legislation to prohibit certain conduct on private property. To the committee on Criminal Justice.

Petition (accompanied by bill) of Pamela P. Resor for legislation to authorize the establishment of science technology centers. To the committee on Education, Arts and Humanities.
Petition (accompanied by bill) of William F. Galvin and Robert M. Koczera for legislation to regulate the time for filing applications for absentee voting ballots; and

Petition (accompanied by bill) of William F. Galvin, William J. Glodis, Jr., and Robert A. Bernstein for legislation to establish the date for presidential primaries on the first Tuesday in March in any year in which presidential electors are to be elected;

Severally to the committee on Election Laws.

Petition (accompanied by bill) of Jack Parsons relative to the licensing of home inspectors and the certification by the Department of Public Safety; and

Petition (accompanied by bill) of Michael A. Marcantonio relative to identification for the purchase of alcoholic beverages;

Severally to the committee on Government Regulations.

Petition (accompanied by bill) of Douglas W. Stoddart relative to further regulating the delivery on payment of abandoned property to the Treasurer and Receiver-General of the Commonwealth. To the committee on the Judiciary.

Petition (accompanied by bill) of Leonard I. Shuman relative to providing for distinctive motor vehicle registration plates for members of the Veterans of Foreign Wars. To the committee on Public Safety.

Petition (accompanied by bill) of Douglas W. Stoddart relative to authorizing the West Suburban Health Group to offer group dental and group vision care insurance plans to employees. To the committee on Public Service.

Petition (accompanied by bill) of Valerie Barsom for legislation to authorize the Division of Fisheries and Wildlife to convey a certain parcel of land known as the "Wilbraham Game Farm" to the town of Wilbraham for recreational and other purposes;

Petition (accompanied by bill) of Lida E. Harkins and John H. Rogers relative to the procurement of certain land by municipalities under the uniform procurement law;

Petition (accompanied by bill) of William M. Straus and Mark C. Montigny for legislation to authorize 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;

Petition (accompanied by bill) of Douglas W. Stoddart and Christopher J. Hodgkins for legislation to regulate the awarding of contracts to the lowest instate bidders under the uniform procurement law; and

Petition (accompanied by bill) of Michael P. Cahill for legislation to designate the state tartan as the official tartan of the Commonwealth;

Severally to the committee on State Administration.

Petition (accompanied by bill) of Douglas W. Stoddart for legislation to designate a certain bridge in the town of Natick as the Anthony and Francis Culcasi Memorial Bridge. To the committee on Transportation.
Under suspension of Rule 42, on motion of Mr. Cahill of Beverly, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally 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. 2331) of Pamela P. Resor, David B. Cohen, William G. Greene, Jr., Alvin E. Thompson, Daniel J. Valianti and John A. Stefanini for legislation to establish an office of science and technology within the Executive Office of Economic Affairs,— and recommending that the same be referred to the committee on Science and Technology;

By Mr. DiMasi of Boston, for the committee on Banks and Banking, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4238) of David B. Cohen for legislation to establish a Massachusetts security for public deposits commission;

By Mr. Rushing of Boston, for the committee on Public Service, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 1436) of Marian Walsh for legislation to provide for the annual allowance for widows of certain public employees who retired for disability;

Of the petition (accompanied by bill, Senate, No. 1451) of W. Paul White and Robert A. DeLeo for legislation relative to survivor benefits for Group 4 employees;

Of the petition (accompanied by bill, Senate, No. 1798) of David P. Magnani for legislation relative to spousal consent of selection of retirement options;

Of the petition (accompanied by bill, House, No. 411) of the Retired State, County & Municipal Employees Association of Massachusetts, William G. Reinstein, Thomas P. Kennedy, Alvin E. Thompson, Patricia A. Walrath, John F. Quinn and James V. DiPaola relative to determining the amount of cost-of-living adjustments in retirement allowances, pensions and annuities for retired public employees and certain beneficiaries;

Of the petition (accompanied by bill, House, No. 422) of the Retired State, County & Municipal Employees Association of Massachusetts, J. Michael Ruane and Alvin E. Thompson relative to permitting cost-of-living adjustments for certain retired municipal employees;

Of the petition (accompanied by bill, House, No. 426) of the Retired State, County & Municipal Employees Association of Massachusetts, J. Michael Ruane, Thomas P. Kennedy, Alvin E. Thompson, James V. DiPaola and William G. Reinstein relative to the cost-of-living adjustments for retired public employees;

Of the petition (accompanied by bill, House, No. 612) of Robert Correia and another relative to the computation of cost-of-living allowances for retired teachers;
Of the petition (accompanied by bill, House, No. 797) of the
Retired
Massachusetts Organization of State Engineers and Scientists and
John A. Businger relative to cost-of-living adjustments for retired
public employees;

Of the petition (accompanied by bill, House, No. 1384) of
Retirees,—
Alvin E. Thompson for legislation to provide for cost-of-living
adjustments for certain retired public employees;

Of the petition (accompanied by bill, House, No. 1587) of
Harold M. Lane, Jr., and Robert A. Durand relative to cost-of-living
adjustments for retired public employees;

Of the petition (accompanied by bill, House, No. 1763) of
J. Michael Ruane relative to determining the amount of cost-of-
living adjustments in retirement allowances, pensions and annuities
of retired public employees and certain beneficiaries;

Of the petition (accompanied by bill, House, No. 1765) of
J. Michael Ruane relative to increasing the cost-of-living adjustment
for certain retired public employees;

Of the petition (accompanied by bill, House, No. 1919) of
Frank M. Hynes, Barbara Gardner and another relative to cost-of-
living adjustments for retired public employees;

Of the petition (accompanied by bill, House, No. 2100) of the
Boston Fire Fighters Local 718 and Vincent G. Mannering for legis-
lation to increase the annual allowance payable to widows of certain
public employees retired for disability;

Of the petition (accompanied by bill, House, No. 2641) of Paul E.
Caron and James P. Jajuga relative to the line of duty death benefit
for public safety employees;

Of the petition (accompanied by bill, House, No. 2812) of
William P. Nagle, Jr., relative to cost-of-living adjustments for
retired public employees;

Of the petition (accompanied by bill, House, No. 3208) of
AFSCME Council 93 and John A. Businger relative to a six per cent
increase in retirement allowances for public employees;

Of the petition (accompanied by bill, House, No. 3242) of
AFSCME Council 93 and William P. Nagle, Jr., relative to cost-of-
living adjustments for retired public employees;

Of the petition (accompanied by bill, House, No. 3448) of
Geoffrey D. Hall for legislation to increase retirement allowances
for surviving spouses of certain disabled public employees;

Of the petition (accompanied by bill, House, No. 3792) of
Daniel E. Bosley relative to annual determination of cost-of-living
changes under the public employee retirement law; and

Of the petition (accompanied by bill, House, No. 4539) of
William P. Maher relative to cost-of-living increases for certain
retired state employees;

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. 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. 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 Natural Resources and Agriculture.

By Mr. Herren of Fall River, for the committee on Energy, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 504) of Edward J. Clancy, Jr., for legislation to allow the Commissioner of Public Health to provide by regulation to protect the public health by informing homebuyers of the presence of asbestos,— and recommending that the same be referred to the committee on Government Regulations;

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. 4319) of J. Michael Ruane for legislation to further regulate the safe driver insurance plan,— and recommending that the same be referred to the committee on Commerce and Labor; and

By Mr. Cahir of Boston, for the committee on Transportation, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4406) of Donald Gerry that the waters of the Cape Cod Canal shall not be considered "private tidelands",— and recommending that the same be referred to the committee on Natural Resources and Agriculture.

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, No. 703 and House, Nos. 335 and 4138, a Bill to prevent youth and gang violence (House, No. 4138). 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 the part of the House, that the following bills ought to pass:

Relative to the construction of a new Franklin County jail and house of correction (House, No. 635) [Bond Issue: $26,540,000.00].

To require public buildings to meet certain air quality ventilation standards (House, No. 838);

Facilitating the financing and development of a new criminal detention facility and boot camp in Berkshire County (House, No. 3457);

Relative to cost-of-living adjustments for retirees (House, No. 3805, changed); and

Providing for the annual allowance for widows and widowers of certain public employees (House, No. 3810, changed);

Severally 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 establishing a University of Massachusetts alumni scholarship program in the Commonwealth (House, No. 3888).

By Mrs. Harkins of Needham, for the committee on Housing and Urban Development, on a petition, a Bill relative to the protection of children in dwelling units (House, No. 2186).

By the same member, for the same committee, on House, Nos. 322, 2575 and 4294, a Bill to provide assistance for housing (House, No. 2575).

By Ms. Richie of Boston, for the same committee, on a petition, a Bill to provide supportive services to youths living in public housing (House, No. 2191) [Cost: $5,000,000.00].

By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, on a petition, a Bill to provide continuity of care for medically needy children in the care of the Department of Social Services (House, No. 920).

By the same member, for the same committee, on a petition, a Bill providing services for persons with autism by the Department of Mental Retardation (House, No. 1322).

By the same member, for the same committee, on a petition, a Bill relative to children in need of services (House, No. 1327).

By the same member, for the same committee, on Senate, No. 652 and House, No. 1838, a Bill to provide child care subsidies necessary for parents to maintain employment (House, No. 1838).

By the same member, for the same committee, on a petition, a Bill relative to the reporting of deaths to the Disabled Persons Protection Commission (House, No. 2004).

By the same member, for the same committee, on a petition, a Bill relative to preventing abuse in the human service system (House, No. 2005).

By the same member, for the same committee, on a petition, a Bill to prevent unnecessary institutionalization (House, No. 2011).

By the same member, for the same committee, on a petition, a Bill to encourage employment of people with disabilities (House, No. 2012).

By the same member, for the same committee, on House, Nos. 2003 and 2014, a Bill relative to the Department of Mental Retardation’s waiting list (House, No. 2014).

By the same member, for the same committee, on a petition, a Bill to establish caseload rates at the Department of Social Services (House, No. 2025).

By the same member, for the same committee, on House, Nos. 2026 and 2196, a Bill relative to the promotion of school age child care (House, No. 2196).

By the same member, for the same committee, on a petition, a Bill directing the Department of Social Services to conduct a study relative to male victims of domestic violence (House, No. 2944).

By the same member, for the same committee, on Senate, No. 640 and House, No. 3554, a Bill providing for an order of preference in the placement of certain children in temporary custody homes (House,
Elderly mentally retarded.

Turning twenty-two—services.

Disabled citizens and families.

Mentally retarded—care.

Family child care.

Youth services.

Former foster children—study.

Children—care.

Sabbatical leaves.

Interstate motor carriers—fuel tax.

No. 3554, changed by striking out, in line 24, the word “fifteen” and inserting in place thereof the word “thirty”).

By the same member, for the same committee, on Senate, No. 608, 610 and 680 and House, Nos. 3923 and 4130, a Bill relative to services for older persons who are mentally retarded (House, No. 4130).

By the same member, for the same committee, on a petition, a Bill providing services to those persons graduating from high school or turning twenty-two (House, No. 4135).

By the same member, for the same committee, on a petition, a Bill to support citizens with disabilities and their families (House, No. 4136).

By the same member, for the same committee, on a petition, a Bill to provide care for people with mental retardation (House, No. 4137).

By the same member, for the same committee, on Senate, No. 700 and House, Nos. 26, 28 and 4303, a Bill relative to the provision of family child care (House, No. 4303).

By the same member, for the same committee, on House, Nos. 4470 and 4471, a Bill requiring minimum educational requirements for children in the custody of the Department of Youth Services (House, No. 4470).

By the same member, for the same committee, on a petition, a Bill authorizing and directing the University of Massachusetts to conduct a study of former foster children (House, No. 4472, changed by striking out, in line 18, the words “nineteen hundred and ninety-three” and inserting in place thereof the words “nineteen hundred and ninety-six”).

By the same member, for the same committee, on Senate, No. 651 and House, Nos. 1840 and 3551, a Bill providing for the protection and care of certain children (House, No. 4929).

By Mr. Rushing of Boston, for the committee on Public Service, on Senate, No. 1392 and House, Nos. 625 and 1595, a Bill relative to creditable service for sabbatical leaves (House, No. 1595).

By Mr. Brett of Boston, for the committee on Taxation, on House, Nos. 255 and 258, a Bill authorizing the Commissioner of Revenue to enter into the international fuel tax agreement to provide for base state fuel use tax reporting and payment for certain interstate motor carriers (House, No. 258).

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

Engrossed Bill.

The engrossed Bill relative to victim assistance (see Senate, No. 1853, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.
Orders of the Day.

House bills
Relative to protecting nonsmokers from involuntary exposure to cigarette smoke in indoor public areas (House, No. 2566); and
Further regulating smoking in public areas (House, No. 3914);
Severally were considered.
Pending the question, in each instance, on ordering the bill to a third reading, it was recommitted to the committee on Health Care, on motions of Ms. Buell of Greenfield.

Order.

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

At half past eleven o'clock A.M., on motion of Mr. Kaufman of Lexington (Mr. Voke of Boston being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.
Met according to adjournment, at eleven o’clock A.M., in an Informal Session, with Mr. Voke of Boston in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

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

Lord God, we turn our attention to You, Our Creator, as we reflect on the impact of Your precepts, ways and values in our daily living. In Your goodness, help us to keep in perspective the material and spiritual dimension of life and to acknowledge by our values both realities. Guide us as we struggle to make reasonable legislative decisions for the people and to promote a responsive and responsible society. Bless our efforts to build stable, safe and caring communities to serve the people in our districts, so that they will have confidence in our laws, institutions and the future of the Commonwealth.

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

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

Silent Prayer.

On motion of Mr. Connolly of Everett, the members, guests and employees stood in a moment of silent prayer in memory and recognition of the fiftieth anniversary of Victory in Europe — “VE Day” — in World War II.

Message from the Lieutenant-Governor, Acting Governor.

A message from His Honor the Lieutenant governor, Acting Governor, submitting a request for an appropriation for the fiscal year nineteen hundred and ninety-five to provide for reimbursement payments pursuant to judgment in Massachusetts Correctional Officers Federated Union v. Robinson, Suffolk Superior Court C.A. No. 94-5317-E (House, No. 4951) was filed in the office of the Clerk on Thursday, May 4.

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

Resolutions (filed by Speaker Flaherty of Cambridge) congratulating Roland E. Lachance on the occasion of his retirement from the Cambridge Public Schools;

Resolutions (filed by Mr. Cahill of Beverly) congratulating Herbert G. Schlegel on the occasion of his retirement from the Manchester public schools;

Resolutions (filed by Mr. DiPaola of Malden) congratulating Amanda Finlay on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Ms. Gardner of Holliston) congratulating George Pacitti on receiving the Melvin Jones Fellowship Award of the Holliston Lions Club;

Resolutions (filed by Ms. Gardner of Holliston) congratulating Walter Todd on receiving the Melvin Jones Fellowship Award of the Holliston Lions Club;

Resolutions (filed by Messrs. Jones of North Reading and Casey of Winchester) recognizing and congratulating Reading Memorial High School students for their involvement with peer leadership;

Resolutions (filed by Messrs. Mariano of Quincy, Bellotti of Quincy and Tobin of Quincy) honoring John V. Bokas;

Resolutions (filed by Mr. Miceli of Wilmington) congratulating Patricia Garty on the occasion of her retirement as Executive Secretary to the Principal of the Wilmington High School;

Resolutions (filed by Ms. Resor of Acton) congratulating Norman Lake on the occasion of his retirement from the Board of Selectmen in the town of Acton; and

Resolutions (filed by Mr. Rushing of Boston) honoring Sarah Wunsch;

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

Petition.

Mr. Straus of Mattapoisett presented a petition (subject to Joint Rule 12) of William M. Straus and Marc R. Pacheco for legislation to authorize the Department of Revenue to establish a sick leave bank for William Manchester, an employee of said department; and the same was referred, under Rule 24, to the committee on Rules.

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

Papers from the Senate.

A Bill authorizing the Division of Capital Planning and Operations to lease certain property in the city of Worcester (Senate, No. 1478) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Bills

Providing for the appointment of the collector and the town clerk in the town of Sterling (Senate, No. 1065) (on a petition) [Local Approval Received];

Preserving access to sanitation and to water for domestic uses (Senate, No. 1084) (on a petition);

Designating a certain ice skating rink as the Honorable Charles J. Buffone Rink (Senate, No. 1826) (on a petition); and

Relative to the financial operations of the South Essex Sewerage District (Senate, No. 1871) (on Senate, No. 1095);

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.


The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1883) was referred, in concurrence, to the committee on Public Safety.

Reports of Committees.

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

Petition (accompanied by bill) of Paul E. Caron, other members of the General Court and another relative to the discharge of firearms while a passenger in or an operator of a motor vehicle. To the committee on Criminal Justice.

Petition (accompanied by bill) of Paul E. Caron for legislation to require all students enrolled in the eighth grade of the Commonwealth’s public schools to be given instruction in cardiopulmonary resuscitation and the Heimlich maneuver. To the committee on Education, Arts and Humanities.

Petition (accompanied by bill) of Paul E. Caron, Philip Travis, Stephen M. Brewer, William R. Keating, Paul Kollios and
Michael R. Knapik relative to the termination of tenancies in mobile home parks. To the committee on Housing and Urban Development.

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

By Mr. Hodgkins of Lee, for the committee on State Administration, on a petition, a Bill exempting the leasing of certain land owned by the city of Springfield from certain bidding laws (House, No. 4927), which was read [Local Approval Received].

Under suspension of Rule 41, on motion of Mr. Scibelli 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. Caron of Springfield, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

By Ms. Buell of Greenfield, for the committee on Health Care, on a petition, a Resolve providing for an investigation and study by a special commission relative to the closing or consolidations of state hospitals in the Commonwealth (House, No. 4823).

By Mrs. Harkins of Needham, for the committee on Housing and Urban Development, on Senate, No. 597 and House, Nos. 2740, 3915 and 4611, a Bill relative to assistance for water and sewer rates for low and moderate income households (House, No. 2740).

By the same member, for the same committee, on Senate, No. 603, a Resolve to create a special commission on homelessness (House, No. 4942).

By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, on a petition, a Resolve providing for an investigation and study of the serious odor problems at the Bondi's Island waste water treatment facility (House, No. 4354).

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

By Mr. DiMasi of Boston, for the committee on Banks and Banking, on House, Nos. 10 and 18, a Bill relative to the regulatory powers of the Commissioner of Banks (House, No. 18).

By Mr. Herren of Fall River, for the committee on Energy, on House, Nos. 110 and 113, a Bill to promote the use of environmentally sound energy technologies (House, No. 113).

By Mr. Marzilli of Arlington, for the same committee, on a petition, a Bill relative to hydropower generation facilities (House, No. 2552) [Senator O'Brien, and Representative Teagan of Plymouth, dissenting].
By Mr. Angelo of Saugus, for the committee on Government Regulations, on House, Nos. 318 and 3905, a Bill relative to farmer-wineries (House, No. 318).

By the same member, for the same committee, on House, Nos. 715 and 903, a Bill permitting malt testing (House, No. 903).

By the same member, for the same committee, on House, Nos. 1497 and 2725, a Bill further regulating auctioneers (House, No. 1497).

By the same member, for the same committee, on a petition, a Bill licensing corrosion engineers (House, No. 2719).

By the same member, for the same committee, on Senate, No. 465 and House, Nos. 36, 40, 1098 and 2723, a Bill further regulating farmer breweries and farmer wineries (House, No. 2723).

By Ms. Buell of Greenfield, for the committee on Health Care, on a petition, a Bill relative to insurance coverage for any diagnostic or surgical procedure involving any bone or joint of the face, neck or head (House, No. 929, changed in section 1, line 12; section 2, line 9; section 3, line 10; and also in section 4, line 8, by striking out, in each instance, the word “head” and inserting in place thereof, in each instance, the words “head, provided said procedure is deemed medically necessary by the health plan and not being performed solely for cosmetic purposes”).

By the same member, for the same committee, on a petition, a Bill expanding the Advisory Council on Radiation Protection (House, No. 3352).

By the same member, for the same committee, on a petition, a Bill providing for voluntary certification of professional clinical pastoral counselors (House, No. 4844).

By the same member, for the same committee, on Senate, Nos. 553, 554, 564 and 565 and House, Nos. 2563, 2735, 2737, 2738 and 4122, a Bill relative to needle exchange (House, No. 4943).

By the same member, for the same committee, on House, Nos. 720 and 1692, a Bill relative to hearing instrument specialists (House, No. 4944).

By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, on a petition, a Bill to establish a Governor’s cabinet on children and families and further community-based family support services in the Commonwealth (House, No. 2001).

By the same member, for the same committee, on a petition, a Bill relative to complaints received by the Office for Children (House, No. 2024).

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 a petition, a Bill relative to the medical use of marijuana (House, No. 2736).
By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, on a petition, a Bill to reduce heavy metals in consumer packaging (House, No. 3389).

By the same member, for the same committee, on a petition, a Bill to establish a monitoring program in the Commonwealth to protect groundwater (House, No. 3422).

By Mr. Hodgkins of Lee, for the committee on State Administration, on House, Nos. 1453, 2278, 2279, 2280 and 2281, a Bill relative to providing for capital outlays for the acquisition and upgrading of major information technology systems (printed in House, No. 1453) [Bond Issue: $251,000,000.00].

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

By Mr. Finneran of Boston, for the committee on Ways and Means, that the Bill relative to the Massachusetts economic development incentive program (House, No. 4654) 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. Finneran of Boston, for the committee on Ways and Means, that the following bills ought to pass:

Regulating the possession and use of ferrets (House, No. 295);
Relative to handicapped parking plates (House, No. 1189);
Relative to tattooing (House, No. 1307); and
Relative to bicycle and pedestrian access in construction of public ways (House, No. 1940);

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

By Mr. DiMasi of Boston, for the committee on Banks and Banking, on a petition, a Bill to further regulate disclosure of credit checks from investigatory agencies (House, No. 2696, changed by striking out all after the enacting clause and inserting in place thereof the following:

"Section 53 of Chapter 93 of the General Laws, as appearing in the 1992 Official Edition, is hereby amended by inserting after subsection (c) the following new subsection:—

(d) Failure to comply with provisions outlined in subsection (b) shall result in a fine of one hundred dollars per offense.").

By Mr. Bosley of North Adams, for the committee on Commerce and Labor, on a petition, a Bill relative to the sale of tobacco products (House, No. 2509).

By the same member, for the same committee, on a petition, a Bill further regulating the distribution of certain cosmetic samples (House, No. 4246).

By Mr. Mariano of Quincy, for the committee on Counties on the part of the House, on a petition, a Bill authorizing the county commissioners of Norfolk County to acquire and develop certain land.
School principals.

Energy facilities,—siting.

Underage drinking.

Events,—alcohol.

Barbers,—registration.

VFW, etc.,—alcohol.

Municipal Wholesale Electric Company.

Marihuana,—medical use.

Drug free housing zones.

Disabled,—case referrals.

Disabled,—define "recommendation".

Adoption agencies,—audits.

Adoption agencies.

Child abuse,—notification.

in the city of Quincy and to borrow money therefor (House, No. 2132).

By Mr. Lane of Holden, for the committee on Education, Arts and Humanities, on House, No. 4271, a Bill relative to school principals (House, No. 4945).

By Mr. Herren of Fall River, for the committee on Energy, on House, No. 2921, a Bill relative to prior notification to the Energy Facilities Siting Board (House, No. 4946).

By Mr. Angelo of Saugus, for the committee on Government Regulations, on House, Nos. 36 and 38, a Bill relative to underage drinking (House, No. 38).

By the same member, for the same committee, on House, Nos. 36 and 39, a Bill relative to special events alcohol purchases (House, No. 39).

By the same member, for the same committee, on a petition, a Bill relative to the Board of Registration of Barbers (House, No. 3535, changed by striking out, in line 3, the word "three" and inserting in place thereof the word "two").

By the same member, for the same committee, on Senate, No. 448 and House, No. 4286, a Bill further regulating the sale of alcoholic beverages by veterans organizations (House, No. 4286).

By Mr. Slattery of Peabody, for the same committee, on a petition, a Bill relative to the Massachusetts Municipal Wholesale Electric Company (House, No. 1505, changed by adding at the end thereof the following section:

"SECTION 2. The provisions of section one of this act shall become inoperative on July first, nineteen hundred and ninety-seven.")

By Ms. Buell of Greenfield, for the committee on Health Care, on a petition, a Bill relative to possession of marihuana for medical purposes (House, No. 2170).

By Mrs. Harkins of Needham, for the committee on Housing and Urban Development, on Senate, No. 574, a Bill to provide for drug free public housing zones (House, No. 4947) [Senator Leahy dissenting].

By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, on a petition, a Bill relative to the referral of cases from the Disabled Persons Protection Commission (House, No. 2006).

By the same member, for the same committee, on a petition, a Bill relative to the definition of "recommendation" as used in Disabled Persons Protection Commission investigations (House, No. 2010).

By the same member, for the same committee, on a petition, a Bill requiring an annual audit of adoption agencies (House, No. 2032).

By the same member, for the same committee, on a petition, a Bill further regulating adoption agencies (House, No. 2033).

By the same member, for the same committee, on House, No. 2022, a Bill regulating the notification requirements of the
Department of Social Services in child abuse cases (House, No. 4948).

By Mr. McDonough of Boston, for the committee on Insurance, on a petition, a Bill relative to the licensing of private detectives (House, No. 2759).

By the same member, for the same committee, on House, No. 1848, a Bill to limit finance charges assessed to auto insurance ratepayers in the Commonwealth (House, No. 4949).

By the same member, for the same committee, on House, Nos. 3366 and 3367, a Bill relative to a domestic mutual insurance company (House, No. 4969).

By Mr. Fagan of Taunton, for the same committee, on House, Nos. 1109 and 2594, a Bill to equalize the application of fair competition requirements (House, No. 4950).

By Mr. Keenan of Blandford, for the same committee, on a petition, a Bill relative to false health care claims act: criminal forfeitures (House, No. 1111).

By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, on a petition, a Bill relative to refuse treatment and disposal facilities (House, No. 381).

By the same member, for the same committee, on a petition, a Bill relative to resource recovery facilities (House, No. 2617).

By the same member, for the same committee, on a petition, a Bill to promote recycling at resource recovery facilities (House, No. 3186).

By the same member, for the same committee, on a petition, a Bill further protecting and enhancing the wetlands of the Commonwealth (House, No. 3395).

By the same member, for the same committee, on a petition, a Bill to permit the burning or composting of grass, hay or leaves (House, No. 3414).

By the same member, for the same committee, on a petition, a Bill providing for notice of projects affected by the Clean Air Act between abutting states and the Commonwealth (House, No. 3417).

By the same member, for the same committee, on a petition, a Bill to reform the Clean Water Act of the Commonwealth (House, No. 3966).

By the same member, for the same committee, on a petition, a Bill relative to water supply (House, No. 3977).

By Mr. Hynes of Marshfield, for the same committee, on a petition, a Bill relative to the collection of solid waste generated by certain docking facilities (House, No. 2785).

By Ms. Resor of Acton, for the same committee, on a petition, a Bill to amend the subdivision control law to provide for the prevention and control of nonpoint source pollution (House, No. 2239).

By Mr. Hodgkins of Lee, for the committee on State Administration, on a petition, a Bill to promote greater competition among tax collection services (House, No. 3458).
By Mr. Brett of Boston, for the committee on Taxation, on a petition, a Bill relative to timely mailing/timely filing (House, No. 2857).

By the same member, for the same committee, on a petition, a Bill further regulating real estate abatements for the elderly (House, No. 4550).

By Mr. Cahir of Bourne, for the committee on Transportation, on House, Nos. 141 and 143, a Bill relative to the Highway Department making town boundary surveys for the Land Court (House, No. 143).

By the same member, for the same committee, on House, Nos. 141 and 144, a Bill relative to the Highway Department making town boundary surveys for towns (House, No. 144).

Mr. Finneran of Boston, for the committee on Ways and Means, to whom was referred the message from His Excellency the Governor (House, No. 1445) reports, in part, a 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. 4970) [Cost: $9,124,962.00].

The same member, for the same committee, to whom was referred the message from His Excellency the Governor (House, No. 1445) reports, in part, a 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. 4971).

[Cost: $62,778,365.00]
Revenue: $38,000,000.00
Net Appropriation: $24,778,365.00

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 so much the recommendations of the Executive Office of Public Safety (House, No. 212) as relates to wages paid by correctional industries (accompanied by bill, House, No. 233).

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 680) of the National Association of Government Employees and Alvin E. Thompson for legislation to exempt employees of the Registry of Motor Vehicles from certain provisions of the workers' compensation law.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1067) of Jonathan P. Schiff relative to the sale of tobacco products.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2326) of Paul E. Caron that employees locked out of their jobs due to a labor dispute be made eligible for unemployment benefits.
By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2328) of Nancy Flavin, Stanley C. Rosenberg and William P. Nagle, Jr., relative to unemployment benefits for certain nonprofessional employees.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4051) of Daniel E. Bosley and other members of the House relative to further regulating asbestos in the Commonwealth.

By Mr. Turkington of Falmouth, for the committee on Counties, ought NOT to pass, on the petition (accompanied by bill, House, No. 1261) of Alvin E. Thompson that the Commonwealth be directed to pay a certain sum of money owed by Hampden County to Hampshire County.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2524) of Edward J. Kennedy and Steven C. Panagiotakos for legislation to further regulate county budgets.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2525) of Edward J. Kennedy and Steven C. Panagiotakos for legislation to further regulate the budget in Middlesex County.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3312) of Christopher J. Hodgkins, Edward G. Connolly, Benjamin Swan, Louis L. Kafka and Mary Jane Simmons relative to reimbursements of cities and towns for anti-rabic vaccine treatment.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3865) of Paul C. Casey for legislation to abolish the position of executive director to the Norfolk County Advisory Board.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3867) of Sally P. Kerans and Frederick E. Berry for legislation to further regulate the budget of Essex County.

By Mr. Angelo of Saugus, for the committee on Government Regulations, ought NOT to pass, on so much the recommendations of the Executive Office of Consumer Affairs and Business Regulation (House, No. 36) as relates to Alcoholic Beverages Control Commission hearings (accompanied by bill, House, No. 42).

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 537) of M. Joseph Manning relative to the supervision of electricians.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 717) of Patricia A. Walrath and other members of the General Court relative to radon gas.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1304) of

Nonprofessionals,—

unemployment.

Asbestos,—

regulate.

Hampden and Hampshire County,—

debt.

County finances,—

deeds excise.

Middlesex County,—

finances.

Rabies vaccine,—

reimbursement.

Norfolk County,—

advisory board.

Essex County,—

finances.

Alcoholic Beverages Control Commission.

Electricians,—

regulate.

Radon gas.

Home improvement contractors.
Alvin E. Thompson for legislation to further regulate home improvement contractors.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1979) of Frank G. Cousins, Jr., for legislation to regulate the search and seizure of alcoholic beverages.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2718) of Walter A. DeFilippi relative to beer and wine licenses.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2922) of Brian S. Dempsey for legislation to implement continuing education programs for home improvement contractors.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3537) of Louis L. Kafka for legislation to further regulate the licensing of refrigeration and air conditioning technicians.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3541) of Mary Jeanette Murray, Emile J. Goguen and Patricia D. Jehlen for legislation to require a fifty dollar refundable deposit with the sale of each keg of beer, ale or malt beverage.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4451) of Evelyn G. Chesky for legislation to authorize the Board of Registration of Real Estate Brokers and Salesmen to renew the license of Fred Hampson of the city of Holyoke.

By Mr. McDonough of Boston, for the committee on Insurance, ought NOT to pass, on the petition (accompanied by bill, House, No. 1712) of Vijai B. Pandey relative to the accident, sickness and health insurance policies and express payment of loss of income due to accident or sickness or both under individual disability income policies.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4617) of Laura N. Harotian for legislation to require flat rate premiums for life insurance policies.

By Mr. Caron of Springfield, for the committee on Public Safety, ought NOT to pass, on so much the recommendations of the Executive Office of Public Safety (House, No. 212) as relates to the Fraudulent Claims Commission (accompanied by bill, House, No. 213).

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 957) of Orazio Rufo relative to the control of firearms.

By the same member, for the same committee, ought NOT to pass, on the recommitted petition (accompanied by bill, House, No. 963) of Alvin E. Thompson and another relative to the appointment of special police officers by the Commissioner of Public Safety.
By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1175) of Michael G. Bellotti relative to the Board of Fire Prevention Regulations.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1176) of Michael G. Bellotti relative to the testing of air used in self-contained breathing apparatus for fire fighters.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1357) of John A. Businger and Lois G. Pines for legislation to mandate lap-shoulder belts on school buses.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1359) of Kevin G. Honan relative to the installation of automatic sprinklers in residential buildings.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1747) of J. Michael Ruane for legislation to extend the provisions of law relative to the issuance of fire permits to certain state properties and buildings.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1918) of John H. Rogers relative to the fee required for the issuance of distinctive registration plates for recipients of the Purple Heart Medal.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2075) of the Boston Fire Fighters Local 718 and Kevin G. Honan relative to the safety of fire fighters operating in buildings of truss design.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2076) of Kevin G. Honan for legislation to regulate the use of buildings under the fire prevention laws of the Commonwealth.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2080) of J. Michael Ruane for legislation to increase the maximum fee that may be charged for the issuance of a fire permit.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2246) of Ronald Mariano relative to the use of seat belts in vehicles used to transport pre-school students.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2444) of Nancy Flavin, Stanley C. Rosenberg and William P. Nagle, Jr., relative to the registration of certain watercraft.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2450) of Dale Gibson relative to the standards for protective headgear for motorcycle operators and passengers.
By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2459) of Philip Travis relative to the towing and storage of motor vehicles.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2639) of James E. Vallee and Michael P. Cahill relative to the detention of juvenile offenders.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2640) of James E. Vallee and Michael P. Cahill that convicted felons be prohibited from participating in furlough programs.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3023) of James V. DiPaola relative to the annual safety inspection of fire apparatus.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3430) of Michael P. Cahill and other members of the General Court for legislation to require the use of seat belts on school buses.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3436) of Christopher J. Hodgkins relative to emergency warning lights on ambulances.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3440) of Angelo M. Scaccia and another for legislation to regulate the penalty for illegal operation of certain motorcycles.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3597) of Kevin G. Honan and another for an investigation and study by the Division of Capital Planning and Operations relative to suicide prevention programs at county jails in the Commonwealth.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3981) of James T. Brett for legislation to impose a fee on pilots to compensate victims of accidents caused by aircraft.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3982) of James T. Brett relative to the control of firearms.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3992) of Jo Ann Sprague for legislation to authorize the Registrar of Motor Vehicles to issue distinctive motor vehicle plates to recipients of the Purple Heart and other veterans without additional charges.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4193) of John A. Businger for legislation to authorize cities and towns to enact laws controlling handguns.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4198) of Shirley Owens-Hicks, Byron Rushing, Sally P. Kerans, Benjamin
Swan, Gloria L. Fox and another relative to the care and custody of children born to inmates of correctional institutions.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4199) of William M. Straus and other members of the General Court relative to the confidentiality of certain records of the Registry of Motor Vehicles.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4356) of Mary Klayda for legislation to require school buses to be equipped with seat belts.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4360) of M. Paul Iannuccillo for legislation to further regulate the use of seat belts in motor vehicles.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4363) of Charlotte Golar Richie for legislation to provide for payments to the victim and witness assistance fund from certain license fees.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4522) of Beverly Blackler for legislation to abolish inmates' privileges to a higher education and the private use of televisions.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4527) of Edward M. Lambert, Jr., for legislation to provide for the election of the Parole Board.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4788) of Kenneth E. Reeves (mayor), Timothy J. Toomey, Jr., and others (with the approval of the mayor and city council) for legislation to authorize the city of Cambridge to establish speed limits and to install speed bumps on residential public ways.

By Mr. Rushing of Boston, for the committee on Public Service, ought NOT to pass, on petitions for legislation to regulate employment for retired public employees [based on petitions of Stephen M. Brewer, accompanied by bill, House, No. 1211; AFSCME Council 93 and another, accompanied by bill, House, No. 3244; and Byron Rushing and another, accompanied by bill, House, No. 3816].

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

Orders of the Day.

The Senate Bill providing for recall elections in the town of Townsend (Senate, No. 365), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.
House bills

Authorizing the town of Easthampton to use a certain parcel of
park land for highway purposes (House, No. 4665) (its title having
been changed by the committee on Bills in the Third Reading); and
Exempting the leasing of certain land in the town of Rockport
from certain bidding laws (House, No. 4673);
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 to enhance the operation of the civil service law
(House, No. 989) was considered.

Pending the question on ordering the bill to a third reading, it was
recommitted to the committee on Public Service, on motion of
Mr. Rushing of Boston.

Order.

On motion of Mr. Hynes of Marshfield,—
Ordered, That when the House adjourns today, it adjourn to meet
on Wednesday next at eleven o'clock A.M.

At twenty-seven minutes after eleven o'clock A.M., on motion of
Mr. Cabral of New Bedford (Mr. Voke of Boston being in the
Chair), the House adjourned, to meet on Wednesday next at eleven
o'clock A.M.

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

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

Gracious God, we place our trust in You and in Your personal concern for our well-being. Your care for us is constant and limitless. Bestow upon us the courage to respond to You by our faithfulness to Your expectations and to our own responsibilities. Teach us to evaluate fairly the legislative proposals which come before us. By our commitment to high political and ethical ideals, inspire us to unite people in our communities by enacting reasonable legislation and by conducting rational dialogues on today’s sensitive political and cultural issues.

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 Angelo of Brockton.

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

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

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

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 will not be present in the House Chamber for a portion of today’s sitting due to business outside of the State House. Any roll calls that I may miss today will be due entirely to the reason stated.

Mr. Bosley then moved that the statement made by him be spread upon the records of the House; and the motion prevailed.
Statement of Representative Caron of Springfield.

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

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

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

Statement Concerning Representative Cuomo of North Andover.

Before proceeding to consideration of the Orders of the Day, Mrs. Lewis of Bridgewater asked unanimous consent to make a statement; and, there being no objection, she addressed the House as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Cuomo of North Andover, will not be present in the House Chamber for today’s sitting due to a death in her family. Any roll calls that she may miss today will be due entirely to the reason stated.

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

Statement Concerning Representative Kerans of Danvers.

Before proceeding to consideration of the Orders of the Day, Mrs. Menard of Somerset asked unanimous consent to make a statement; and, there being no objection, she addressed the House as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Kerans of Danvers, has been absent from the House Chamber since April 6 due to the birth of her daughter, Nora, and her convalescence after the birth. Any roll calls that she has missed since April 10, and may miss today or for the next few weeks of her maternity leave will be due entirely to the reason stated.

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

Statement of Representative Naughton of Clinton.

During consideration of the Orders of the Day, Mr. Naughton of Clinton 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 had missed a portion of the sitting of Monday, May 1, due to my attendance at the funeral of a family friend. Had I been present for the taking of Yea and Nay No. 107, relative to extending the reporting date for committees, I would have voted in the affirmative, and on Yea and Nay No. 108, on ordering to a third reading
the House Bill prohibiting the sale of spray paint to minors (House, No. 2520, changed), I would have been recorded in the negative.

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

**Guests of the House.**

During consideration of the Orders of the Day, the Speaker declared a recess subject to the call of the Chair, there being no objection; and introduced the players and coaches of the University of Massachusetts at Amherst Men’s basketball team who received a standing ovation from the members of the House. The team recorded the most successful season in its history, and proudly represented the Commonwealth in the NCAA Tournament by advancing to the Final Eight. The Speaker then introduced the coach of the “Minutemen”, John Calipari, who addressed the House briefly. They were the guests of the Speaker and the entire membership of the House.

**Resolutions.**

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

- Resolutions (filed by Speaker Flaherty of Cambridge) congratulating Melvin H. Chalfen, M.D., the Commissioner of Health and Hospitals for the city of Cambridge, on the occasion of his retirement;
- Resolutions (filed by Speaker Flaherty of Cambridge) congratulating John J. Meehan, Jr., on the occasion of his retirement as Massachusetts President of the Ancient Order of Hibernians;
- Resolutions (filed by Speaker Flaherty of Cambridge) commending all state employees on the occasion of “Performance Recognition Day”;
- Resolutions (filed by Speaker Flaherty of Cambridge) congratulating the University of Massachusetts at Amherst men’s basketball team on an outstanding season;
- Resolutions (filed by Mr. Brett of Boston) honoring Dr. Raymond D. Adams at the May twelfth conference held in his name at the Shriver Center to highlight recent advances and explore future directions in the field of mental retardation;
- Resolutions (filed by Mr. Connolly of Everett) commending the fiftieth anniversary of V-E Day in the city of Everett;
- Resolutions (filed by Mr. DiPaola of Malden) congratulating Mr. and Mrs. Samuel Corrente on the occasion of their sixtieth wedding anniversary;
- Resolutions (filed by Mrs. Harkins of Needham) congratulating Arthur Tiernan on the occasion of his retirement;
- Resolutions (filed by Mr. Koczera of New Bedford) on the observance of National Nursing Home Week;
- Resolutions (filed by Mr. Kulik of Worthington) congratulating Jason Robinson on receiving the Eagle Award of the Boy Scouts of America;
Resolutions (filed by Mr. Naughton of Clinton) congratulating Keri Bebka on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Mr. Naughton of Clinton) congratulating Melissa Hopkins on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Mr. Naughton of Clinton) congratulating Erica Rice on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Mr. Naughton of Clinton) congratulating Reverend Joseph F. Szwach on the occasion of the fortieth anniversary of his ordination to the priesthood;

Resolutions (filed by Mr. Naughton of Clinton) congratulating Amy Whitcomb on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Mrs. Simmons of Leominster) congratulating Christopher S. DesJardins on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mr. Sullivan of Braintree) honoring Chief Daniel B. Ryan of the Braintree Fire Department;

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. DiPaola, 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. McIntyre of New Bedford, Cabral of New Bedford and Koczera of New Bedford) congratulating the New Bedford Symphony Orchestra on the occasion of its eightieth season; and

Resolutions (filed by Messrs. McIntyre of New Bedford, Cabral of New Bedford and Koczera of New Bedford) honoring Lillian B. Lamoureux, Chairman of the Board of Directors of the New Bedford Symphony Orchestra;

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

Communication.

A communication from the Commissioner of Insurance (under Section 4(c) of Chapter 176K of the General Laws) relative to the Kaiser Foundation Health Plan of Massachusetts, Inc.’s Medicare Plus product 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, was placed on file.

*Petitions.*

Petitions severally were presented and referred as follows:

By Mr. Turkington of Falmouth, petition (accompanied by bill, House, No. 4977) of Eric Turkington (by vote of the town) relative to the membership of the conservation commission of the town of Chilmark. To the committee on Local Affairs.

By Mr. Kelly of Dalton, petition (accompanied by bill, House, No. 4978) of Shaun P. Kelly and Jane M. Swift (by vote of the town) for legislation to authorize the town of Cummington to make certain payments to emergency medical attendants, fire fighters and police officers who are injured in the line of duty. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Ms. Chandler of Worcester presented a petition (subject to Joint Rule 12) of Harriette L. Chandler for legislation to authorize the Department of Correction to establish a sick leave bank for Joseph McDonough, an employee of said department; and the same was referred, under Rule 24, to the committee on Rules.

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

*Papers from the Senate.*

The following order (substituted, in part, by the Senate for an order to extend the reporting date for joint committees) adopted by the Senate, was considered:

*Ordered,* That, notwithstanding the provisions of Joint Rule 10, the joint committee on Taxation be granted until Wednesday, June 28, within which to report on current documents relative to the taxation of financial services providers.

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

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

Petition (accompanied by bill, Senate, No. 1884) of Henri S. Rauschenbach and Edward B. Teague III (by vote of the town) for legislation relative to the construction of a new elementary school in the town of Brewster. To the committee on Education, Arts and Humanities.
Petition (accompanied by bill, Senate, No. 1885) of Mark C. Montigny, James P. Jajuga and Paul E. Caron for legislation relative to reorganizing the Division of Environmental Law Enforcement under the Executive Office of Public Safety; and
Petition (accompanied by bill, Senate, No. 1886) of Mark C. Montigny for legislation relative to certain health benefits for environmental police officers;
Severally to the committee on Natural Resources and Agriculture.
Petition (accompanied by resolve, Senate, No. 1887) of Marc R. Pacheco that provision be made to revive and continue the special commission established to make an investigation and study relative to medical pain management procedures. To the committees on Rules of the two branches, acting concurrently.

Notice was received that the President of the Senate had appointed Senator Rosenberg of the Hampshire and Franklin District to the special commission established (under the provisions of Section 49 of Chapter 43 of the Acts of 1994 and revived and continued by Chapter 2 of the Resolves of 1995) to make an investigation and study relative to amendments to the General Laws concerning the conduct of and financial disclosure by public officials.

The membership of said commission on the part of the Senate is as follows: Senators Creedon of the Plymouth and Bristol District, Rosenberg of the Hampshire and Franklin District and Tisei of the Third Middlesex District.

Reports of Committees.

By Mrs. Menard of Somerset, for the committee on Rules, that Joint Rule 7B be suspended on the petition of Donna F. Cuomo, James P. Jajuga, Bruce E. Tarr and Bradley H. Jones, Jr., relative to the charter of the town of North Andover. Under suspension of Rule 42, on motion of Mr. Jones of North Reading, the report was considered forthwith. Joint Rule 7B was suspended; and the petition (accompanied by bill) was referred to the committee on Local Affairs. Sent to the Senate for concurrence.

By Mrs. Menard of Somerset, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:
Petition (accompanied by bill) of Mary S. Rogeness, Paul Kollios and another for legislation to require the registration of persons engaged in the business of installing and maintaining private water well systems. To the committee on Natural Resources and Agriculture.
Petition (accompanied by bill) of Carol A. Donovan (with the approval of the mayor and city council) that the Personnel Administrator of the Commonwealth be authorized to certify Mark Shaughnessy for appointment as a police officer, notwithstanding the maximum age requirements. To the committee on Public Service.
Under suspension of Rule 42, on motion of Mr. Kollios of Millbury, 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 Colleen M. Garry relative to the advertising and sale of certain photographs. To the committee on Commerce and Labor.

Petition (accompanied by bill) of the Group Against Smoking Pollution and John A. Businger for legislation to provide for the words "tobacco use" to be placed on death certificates. To the committee on Health Care.

Petition (accompanied by bill) of Thomas M. Petrolati for legislation to increase the terms of office for town accountants from three years to five years; and

Petition (accompanied by bill) of Thomas M. Petrolati relative to authorizing contracts for municipal auditors and accountants; Severally to the committee on Local Affairs.

Petition (accompanied by bill) of Robert S. Hargraves for legislation to authorize the Registrar of Motor Vehicles to issue distinctive registration plates for members of the United States Coast Guard Auxiliary. To the committee on Public Safety.

Petition (accompanied by bill) of Walter A. DeFilippi for legislation to authorize the State Board of Retirement to allow Thomas Redy to purchase certain creditable service; and

Petition (accompanied by bill) of the Tobacco Control Resource Center, John A. Businger and Byron Rushing for legislation to regulate the investment in tobacco companies of pension funds of the Commonwealth;

Severally to the committee on Public Service.

Petition (accompanied by bill) of Brian S. Dempsey relative to the assignment of tax titles. To the committee on Taxation.

Petition (accompanied by bill) of Steven C. Panagiotakos, Thomas A. Golden, Jr., and Edward A. LeLacheur for legislation to designate the bridge located on School Street in the city of Lowell as the Korean War Veterans Memorial Bridge. To the committee on Transportation.

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

By Mrs. Menard of Somerset, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Paul E. Caron and James P. Jajuga for legislation to prohibit the sale or possession of ammunition capable of piercing or penetrating armor or bullet proof.
vests. Under suspension of Rule 42, on motion of Mr. Caron of Springfield, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Safety. Sent to the Senate for concurrence.

By Mr. Brett of Boston, for the committee on Taxation, on House, Nos. 1632 and 2114, a Bill relative to the equitable taxation of financial institutions (House, No. 4975). Read; and referred, under Rule 33, to the committee on Ways and Means. 

Mr. Finneran of Boston, for the committee on Ways and Means, then reported that the foregoing bill ought to pass.

Under suspension of Rule 41, on motion of Mr. Finneran, the bill was read a second time; and, pending the question on ordering it to a third reading, further consideration thereof was postponed, on further motion of the same member, until the hour of two o’clock P.M.

Subsequently, the noon recess having terminated, the bill was considered further; and, after debate on the question on ordering it to a third reading, Messrs. Brett of Boston and Tolman of Boston moved, there being no objection, that the bill be amended by striking out section 8 and inserting in place thereof the following section:

“SECTION 8. (a) The department of revenue shall report to the joint committee on taxation and both the house and senate committees on ways and means, on or before July fifteenth of each year, the following aggregate information for domestic and foreign entities: the number of entities apportioning income and the various apportionment methods approved, total gross income reported, total net income reported, total deductions reported, total net income apportioned within and without the commonwealth, the net revenue impact by reason of such apportionment, the net revenue impact by reason of the expanded definition of ‘financial institution,’ the net revenue impact by reason of the rate reduction, and the total number of returns audited pursuant to subsection (b) of this section.

(b) The department of revenue shall conduct audits of at least forty percent of financial institutions which are taxed pursuant to this act on or after the effective date of this act. The department shall conduct audits on these financial institutions for tax years ending on or after December thirty-first, nineteen hundred and ninety-five through December thirty-first, nineteen hundred and ninety-seven.”

The amendment was adopted.

After remarks the bill, as amended, was ordered to a third reading.

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

At six minutes after three o’clock P.M., on motion of Mr. Scaccia of Boston, the Chair (Mrs. Menard of Somerset) declared a recess subject to the call of the Chair, there being no objection; and at twenty-one minutes before four o’clock P.M., the House was called to order with Mrs. Menard in the Chair.
Pending the question on passing the bill (House, No. 4975, amended) to be engrossed, further consideration thereof was postponed, on motion of Mr. Brett of Boston, until after disposition of the matters in the Orders of the Day.

By Mrs. Menard of Somerset, for the committees on Rules of the two branches, acting concurrently, that the Resolve providing for an investigation and study by a special commission relative to the closing or consolidations of state hospitals in the Commonwealth (House, No. 4823) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

By Mr. Caron of Springfield, for the committee on Public Safety, on a petition, a Resolve providing for a study by a special commission relative to offender reimbursement to county jails and houses of correction and Department of Correction facilities (House, No. 1185). 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 a petition, a Bill clarifying the adoption of cafeteria plans for public employees (House, No. 2814).

By the same member, for the same committee, on House, Nos. 1015, 1758 and 3253, a Bill allowing for the increase of retirement allowances for certain public employees (House, No. 3253).

Severally read; and referred, under Rule 33, to the committee on Counties on the part of the House.

By Mr. DiMasi of Boston, for the committee on Banks and Banking, on House, Nos. 1947 and 3294, a Bill making the deposit of public monies uniform (House, No. 1947, changed by inserting after the word “council,” in line 11, the following: “provided, however, that the state treasurer shall not include in any such list any state-chartered bank having a descriptive rating of (c) or (d) under section fourteen of chapter one hundred and sixty-seven or any federally insured depository institution having an assigned rating of (c) or (d) under section 807(b)(2) of the Community Reinvestment Act of 1977, 12 USC 2901, et seq.”).

By Mrs. Harkins of Needham, for the committee on Housing and Urban Development, on Senate, Nos. 598 and 609 and House, No. 1834, a Bill clarifying removal procedures for occupants of certain residential programs (printed as Senate, No. 598).

By the same member, for the same committee, on House, Nos. 29 and 35, a Bill providing for EOCD review of certain decisions by local housing authorities (House, No. 35) [Senator Leahy dissenting].

By the same member, for the same committee, on a petition, a Bill regulating advertisements and solicitations for time-shares (House, No. 1521).
By the same member, for the same committee, on House, Nos. 2746 and 3547, a Bill preserving single room occupancy (SRO) units (House, No. 2746).

By the same member, for the same committee, on a petition, a Bill relative to the establishment of a Cape Verdean Community Center under 121.C, 121.B, and 121.A, under M.G.L. (House, No. 4296).

By the same member, for the same committee, on Senate, Nos. 578 and 592 and House, Nos. 323, 1317, 1989, 2181, 2192, 2573, 2747, 3546, 4298 and 4464, a Resolve providing for an investigation and study by the Attorney General relative to the need for additional access to criminal records for screening purposes (House, No. 4972).

By Ms. Richie of Boston, for the same committee, on House, No. 2182, a Bill to promote and foster economic development in distressed areas (House, No. 4973).

By Mr. McDonough of Boston, for the committee on Insurance, on House, Nos. 100 and 102, a Bill relative to third party notification prior to cancellation for non-payment of certain insurance policies held by elderly consumers (House, No. 102).

By the same member, for the same committee, on Senate, Nos. 578 and 592 and House, Nos. 323, 1317, 1989, 2181, 2192, 2573, 2747, 3546, 4298 and 4464, a Resolve providing for an investigation and study by the Attorney General relative to the need for additional access to criminal records for screening purposes (House, No. 4972).

By Ms. Richie of Boston, for the same committee, on House, No. 2182, a Bill to promote and foster economic development in distressed areas (House, No. 4973).

By Mr. McDonough of Boston, for the committee on Insurance, on House, Nos. 100 and 102, a Bill relative to third party notification prior to cancellation for non-payment of certain insurance policies held by elderly consumers (House, No. 102).

By the same member, for the same committee, on a petition, a Bill further regulating health insurance (House, No. 344).

By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, on a petition, a Bill relative to state agency filing fees under the Wetland Protection Act (House, No. 383).

By the same member, for the same committee, on House, Nos. 1734 and 4183, a Bill relative to the installation of water-saving devices in all buildings owned by the Commonwealth (House, No. 1734).

By the same member, for the same committee, on Senate, No. 1795 and House, Nos. 1736 and 4182, a Bill to further regulate yard waste compost sites (House, No. 1736).

By the same member, for the same committee, on a petition, a Bill to provide noncriminal disposition of certain violations on lands owned by the public water supplier and on lands set aside for water supply purposes (House, No. 3390).

By the same member, for the same committee, on a petition, a Bill to study the viability of fluorescent lamp recycling (House, No. 3391).

By the same member, for the same committee, on a petition, a Bill further enhancing and protecting the drinking water supply of the Commonwealth (House, No. 3968) [Cost: $15,000,000].

By the same member, for the same committee, on a petition, a Bill regulating the disposal and recycling of white goods (House, No. 4509).

By Mr. Hynes of Marshfield, for the same committee, on a petition, a Bill authorizing the Department of Environmental Protection to implement a landfill capping grant program (House, No. 2615) [Cost: $100,000,000].
By Mr. Hodgkins of Lee, for the committee on State Administration, on House, No. 2832, a Bill authorizing the Division of Capital Planning and Operations to grant easements in certain land located in the city of Northampton (House, No. 4974).

By Mr. Brett of Boston, for the committee on Taxation, on a petition, a Bill providing for an exemption to the sales tax (House, No. 3835).

By Mr. Cahir of Bourne, for the committee on Transportation, on House, Nos. 141 and 145, a Bill relative to the Highway Department acquiring land for environmental remediation (House, No. 145).

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

Engrossed Bills.

Engrossed bills
Providing for recall elections in the town of Townsend (see Senate, No. 365) (which originated in the Senate); and
Relative to the adoption proceedings of Shoshanna Yanik (see House, No. 4773) (which originated in the House);
Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the Speaker and sent to the Senate.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the sale and conveyance of certain conservation land in the city of Springfield (see House, No. 1886) (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 147 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 110 in Supplement.]

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

Orders of the Day.

House bills
Relative to the lending limits of state-chartered banks (House, No. 1647);
Relative to life care, continuing care and certain other residential long term care services for the elderly (House, No. 2018);
Relative to the zoning of antenna structures used by federally licensed amateur radio operators (House, No. 2782, amended) (its title having been changed by the committee on Bills in the Third Reading);
Third reading bills.

Relative to anti-rabie vaccine reimbursement (House, No. 2898);

Authorizing awarding authorities to reject general bids without rejecting sub-bids (House, No. 3619) (its title having been changed by the committee on Bills in the Third Reading);

Relative to actions for breach of certain subcontractors (House, No. 3620);

Relative to certain unfair subcontract conditions (House, No. 3622) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to the operation of farm equipment (House, No. 4769);

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 regulating the imposition of curfews in cities and towns (House, No. 1551, changed) 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 to clarify the responsibilities of principals (House, No. 4447) 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 responsibilities of principals (House, No. 4976), which was read.

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

The Senate Bill providing for the appointment of the collector and the town clerk in the town of Sterling (Senate, No. 1065) was read a second time; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Naughton of Clinton, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, in concurrence, its title having been changed by said committee to read: An Act providing for the appointment of collector and town clerk in the town of Sterling.

House bills

To amend the civil service law (House, No. 3218); and

Relative to the further disclosure of information in real estate transactions (House, No. 4121);

Severally were ordered to a third reading.

The Senate Bill relative to the financial operations of the South Essex Sewerage District (Senate, No. 1871); and
House bills
Relative to underage drinking (House, No. 38);
Relative to special events alcohol purchases (House, No. 39);
Relative to the Highway Department making town boundary surveys for the Land Court (House, No. 143);
Relative to the Highway Department making town boundary surveys for towns (House, No. 144);
Regulating the possession and use of ferrets (House, No. 295);
Relative to handicapped parking plates (House, No. 1189);
Relative to the Massachusetts Municipal Wholesale Electric Company (House, No. 1505, changed);
Relative to the referral of cases from the Disabled Persons Protection Commission (House, No. 2006);
Relative to the definition of “recommendation” as used in Disabled Persons Protection Commission investigations (House, No. 2010);
Requiring an annual audit of adoption agencies (House, No. 2032);
Further regulating adoption agencies (House, No. 2033);
Authorizing the county commissioners of Norfolk County to acquire and develop certain land in the city of Quincy and to borrow money therefor (House, No. 2132);
To further regulate disclosure of credit checks from investigatory agencies (House, No. 2696, changed);
Relative to the licensing of private detectives (House, No. 2759);
Relative to timely mailing/timely filing (House, No. 2857);
To permit the burning or composting of grass, hay, or leaves (House, No. 3414);
Providing for notice of projects affected by the Clean Air Act between abutting states and the Commonwealth (House, No. 3417);
To promote greater competition among tax collection services (House, No. 3458);
Relative to the Board of Registration of Barbers (House, No. 3535, changed);
Relative to water supply (House, No. 3977);
Further regulating the distribution of certain cosmetic samples (House, No. 4246);
Further regulating the sale of alcoholic beverages by veterans organizations (House, No. 4286);
Regulating the notification requirements of the Department of Social Services in child abuse cases (House, No. 4948);
To equalize the application of fair competition requirements (House, No. 4950); and
Relative to a domestic mutual insurance company (House, No. 4969);
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 so much of the recommendations of the Executive Office of Public Safety (House, No. 212) as relates to wages paid by correctional industries (accompanied by bill, House, No. 233);
Of the committee on Government Regulations, ought NOT to pass, on so much of the recommendations of the Executive Office of Consumer Affairs and Business Regulation (House, No. 36) as relates to Alcoholic Beverages Control Commission hearings (accompanied by bill, House, No. 42); and
Of the committee on Public Safety, ought NOT to pass, on so much of the recommendations of the Executive Office of Public Safety (House, No. 212) as relates to the Fraudulent Claims Commission (accompanied by bill, House, No. 213);
Severally were accepted. Severally sent to the Senate for concurrence.

House reports
Of the committee on Commerce and Labor, ought NOT to pass, on the petition (accompanied by bill, House, No. 680) of the National Association of Government Employees and Alvin E. Thompson for legislation to exempt employees of the Registry of Motor Vehicles from certain provisions of the workers' compensation law;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1067) of Jonathan P. Schiff relative to the sale of tobacco products;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2326) of Paul E. Caron that employees locked out of their jobs due to a labor dispute be made eligible for unemployment benefits;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2328) of Nancy Flavin, Stanley C. Rosenberg and William P. Nagle, Jr., relative to unemployment benefits for certain nonprofessional employees; and
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4051) of Daniel E. Bosley and other members of the House relative to further regulating asbestos in the Commonwealth;
Of the committee on Counties, ought NOT to pass, on the petition (accompanied by bill, House, No. 2524) of Edward J. Kennedy and Steven C. Panagiotakos for legislation to further regulate county budgets;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2525) of Edward J. Kennedy and Steven C. Panagiotakos for legislation to further regulate the budget in Middlesex County;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3312) of Christopher J. Hodgkins, Edward G. Connolly, Benjamin Swan, Louis L. Kafka and Mary Jane Simmons relative to reimbursements of cities and towns for anti-rabie vaccine treatment;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3865) of Paul C. Casey for legislation to abolish the position of executive director to the Norfolk County Advisory Board; and

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3867) of Sally P. Kerans and Frederick E. Berry for legislation to further regulate the budget of Essex County;

Of the committee on Government Regulations, ought NOT to pass, on the petition (accompanied by bill, House, No. 537) of M. Joseph Manning relative to the supervision of electricians;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1304) of Alvin E. Thompson for legislation to further regulate home improvement contractors;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1979) of Frank G. Cousins, Jr., for legislation to regulate the search and seizure of alcoholic beverages;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2922) of Brian S. Dempsey for legislation to implement continuing education programs for home improvement contractors;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3537) of Louis L. Kafka for legislation to further regulate the licensing of refrigeration and air conditioning technicians; and

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4451) of Evelyn G. Chesky for legislation to authorize the Board of Registration of Real Estate Brokers and Salesmen to renew the license of Fred Hampson of the city of Holyoke;

Of the committee on Insurance, ought NOT to pass, on the petition (accompanied by bill, House, No. 1712) of Vijai B. Pandey relative to the accident, sickness and health insurance policies and express payment of loss of income due to accident or sickness or both under individual disability income policies; and

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4617) of Laura N. Harotian for legislation to require flat rate premiums for life insurance policies;

Of the committee on Public Safety, ought NOT to pass, on the petition (accompanied by bill, House, No. 957) of Orazio Rufo relative to the control of firearms;

Of the same committee, ought NOT to pass, on the recommitted petition (accompanied by bill, House, No. 963) of Alvin E. Thompson and another relative to the appointment of special police officers by the Commissioner of Public Safety;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1175) of Michael G. Bellotti relative to the Board of Fire Prevention Regulations;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1176) of Michael G. Bellotti relative to the testing of air used in self-contained breathing apparatus for fire fighters;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1357) of John A. Businger and Lois G. Pines for legislation to mandate lap-shoulder belts on school buses;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1359) of Kevin G. Honan relative to the installation of automatic sprinklers in residential buildings;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1747) of J. Michael Ruane for legislation to extend the provisions of law relative to the issuance of fire permits to certain state properties and buildings;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1918) of John H. Rogers relative to the fee required for the issuance of distinctive registration plates for recipients of the Purple Heart Medal;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2075) of the Boston Fire Fighters Local 718 and Kevin G. Honan relative to the safety of fire fighters operating in buildings of truss design;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2076) of Kevin G. Honan for legislation to regulate the use of buildings under the fire prevention laws of the Commonwealth;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2080) of J. Michael Ruane for legislation to increase the maximum fee that may be charged for the issuance of a fire permit;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2246) of Ronald Mariano relative to the use of seat belts in vehicles used to transport pre-school students;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2444) of Nancy Flavin, Stanley C. Rosenberg and William P. Nagle, Jr., relative to the registration of certain watercraft;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2450) of Dale Gibson relative to the standards for protective headgear for motorcycle operators and passengers;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2459) of Philip Travis relative to the towing and storage of motor vehicles;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2639) of James E. Vallee and Michael P. Cahill relative to the detention of juvenile offenders;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2640) of James E. Vallee and Michael P. Cahill that convicted felons be prohibited from participating in furlough programs;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3023) of James V. DiPaola relative to the annual safety inspection of fire apparatus;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3430) of Michael P. Cahill and other members of the General Court for legislation to require the use of seat belts on school buses;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3436) of Christopher J. Hodgkins relative to emergency warning lights on ambulances;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3440) of Angelo M. Scaccia and another for legislation to regulate the penalty for illegal operation of certain motorcycles;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3597) of Kevin G. Honan and another for an investigation and study by the Division of Capital Planning and Operations relative to suicide prevention programs at county jails in the Commonwealth;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3981) of James T. Brett for legislation to impose a fee on pilots to compensate victims of accidents caused by aircraft;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3982) of James T. Brett relative to the control of firearms;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4193) of John A. Businger for legislation to authorize cities and towns to enact laws controlling handguns;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4198) of Shirley Owens-Hicks, Byron Rushing, Sally P. Kerans, Benjamin Swan, Gloria L. Fox and another relative to the care and custody of children born to inmates of correctional institutions;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4199) of William M. Straus and other members of the General Court relative to the confidentiality of certain records of the Registry of Motor Vehicles;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4356) of Mary Klayda for legislation to require school buses to be equipped with seat belts;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4360) of M. Paul Iannuccillo for legislation to further regulate the use of seat belts in motor vehicles;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4363) of Charlotte Golar Richie for legislation to provide for payments to the victim and witness assistance fund from certain firearm license fees;
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4522) of Beverly Blackler for legislation to abolish inmates’ privileges to a higher education and the private use of televisions;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4527) of Edward M. Lambert, Jr., for legislation to provide for the election of the Parole Board; and

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4788) of Kenneth E. Reeves (mayor), Timothy J. Toomey, Jr., and others (with the approval of the mayor and city council) for legislation to authorize the city of Cambridge to establish speed limits and to install speed bumps on residential public ways; and

Of the committee on Public Service, ought NOT to pass, on petitions for legislation to regulate employment for retired public employees [based on petitions Stephen M. Brewer, accompanied by bill, House, No. 1211; AFSCME Council 93 and another, accompanied by bill, House, No. 3244; and Byron Rushing and another, accompanied by bill, House, No. 3816].

Severally were accepted.

The House Bill relative to the pension rights of certain call fire fighters (House, No. 4704) (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. Walrath of Stow moved that it be amended by striking out section 1 and inserting in place thereof the following section:

"SECTION 1. Paragraph (b) of subdivision (2) of section 4 of chapter 32 of the General Laws, as appearing in the 1992 Official Edition, is hereby amended by adding the following paragraph:—

For a reserve or permanent-intermittent police officer or a reserve, permanent-intermittent or call firefighter retiring from a governmental unit accepting the provisions of this paragraph, the board shall credit as full-time service not to exceed a period of five years that period of time during which a permanent-intermittent police officer or a reserve, permanent-intermittent or call firefighter was on his list and was eligible for assignment for duty subsequent to appointment, provided that this paragraph shall take effect in a city by vote of the city council in accordance with its city charter, in a town which maintains a separate contributory retirement system by vote of the town meeting, in a town whose eligible members are members of the county retirement system of the county wherein such county lies by a vote of the town meeting, in a district which maintains a separate contributory retirement system by a vote of the district meeting, and in a district the eligible employees of which are members of a county retirement system by vote of the district meeting.”.

The amendment was adopted; and the bill (House, No. 4704, amended) was passed to be engrossed. Sent to the Senate for concurrence.
The motion of Miss Barsom of Wilbraham, that the vote be reconsidered by which the House, on Tuesday, April 4, accepted the House report of the committee on Health Care, ought NOT to pass, on the petition (accompanied by bill, House, No. 546) of John H. Rogers and other members of the House relative to patients' rights on obtaining information of increased risks of breast cancer in abortion proceedings, was considered. Pending the question on the motion to reconsider, further consideration thereof was postponed, on motion of Mr. Rogers of Norwood, until after disposition of the remaining matters in the Orders of the Day.

The Senate Bill designating a certain ice skating rink as the Honorable Charles J. Buffone Skating Rink (Senate, No. 1826) was read a second time. Pending the question on ordering the bill to a third reading, Mr. Glodis of Worcester moved that it be amended by inserting after the article “a”, in line 4, the word “democratic”. The amendment was adopted; and the bill (Senate, No. 1826, amended) was ordered to a third reading.

The House report of the committee on Government Regulations, Radon gas, ought NOT to pass, on the petition (accompanied by bill, House, No. 717) of Patricia A. Walrath and other members of the General Court relative to radon gas, 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. Angelo of Saugus.

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

The motion of Mrs. Lewis of Bridgewater, that the vote be reconsidered by which the House, on Monday, May 1, refused to order to a third reading the House Bill to further regulate smoking in public places (House, No. 2564, changed and amended) was negatived. The House Bill to enhance parent outreach (House, No. 2357) 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 establishing a demonstration project for certain parent outreach programs (House, No. 4979), which was read. The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.
Mrs. Menard of Somerset being in the Chair.—

House bills

Authorizing the Superintendent of State Office Buildings to install and maintain a plaque in honor of the Massachusetts members of the World War II Eighth Air Force (House, No. 4542) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to county correctional officers (House, No. 4889);

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 medical staff credentials (House, No. 1515) (its title having been changed by the committee on Bills in the Third Reading) was read a third time.

Said committee reported recommending that the bill be amended by striking out section 1 and inserting in place thereof the following section:

"SECTION 1. Section 203 of chapter 111 of the General Laws, as appearing in the 1992 Official Edition, is hereby amended by striking out paragraph (c) and inserting in place thereof the following paragraph:—

(c) An individual or institution, including a licensed hospital, physician credentialing verification service operated by a society [A] of medical professionals for the purpose of providing credentialing information to health care entities, or licensed nursing home reporting, providing information, opinion, counsel or services to a medical peer review committee, or participation in the procedures required by this section, shall not be liable in a suit for damages, by reason of having furnished such information, opinion, counsel or services or by reason of such participation, provided, that such individual or institution acted in good faith and with a reasonable belief that such actions were warranted in connection with or in furtherance of the function of said committee or the procedures required by this section."

The amendment was adopted.

There being no objection,— Mr. Kennedy of Brockton moved that the bill be amended in section 1 (inserted by amendment) by inserting after the word "society" [at "A"] the words "or organization", and the amendment was adopted.

The same member then moved that the bill be amended in section 2 by inserting after the word "society", in line 6, the words "or organization". The amendment was adopted.

The bill (House, No. 1515, amended) then was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the transfer of a certain bridge in the town of Billerica to the Department of Highways (House, No. 4559) was considered.
Pending the question on ordering the bill to a third reading, further consideration thereof was postponed, on motion of Mr. Greene of Billerica, until after disposition of the remaining matters in the Orders of the Day.

House bills
To protect the health of minors (House, No. 2565); and
Further regulating the sale of tobacco (House, No. 3910); Severally were considered.
Pending the question, in each instance, on ordering the bill to a third reading, further consideration thereof was postponed, on motions of Ms. Buell of Greenfield, until after disposition of the remaining matters in the Orders of the Day.

The Senate Bill preserving access to sanitation and to water for domestic uses (Senate, No. 1084) 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. Petrolati of Ludlow.

House bills
Relative to refuse treatment and disposal facilities (House, No. 381); and
Relative to false health care claims act criminal forfeitures (House, No. 1111);
Severally were read a second time; and they were ordered to a third reading.

The House Bill relative to tattooing (House, No. 1307) 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 the word “tattooing”, in line 6, the words “; provided that no person under seventeen years of age will be allowed to purchase a tattoo without permission of one parent”.
The amendment was adopted; and the bill (House, No. 1307, amended) was ordered to a third reading.

There being no objection,— 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. 4970) was read a second time; and it was ordered to a third reading.
Under suspension of the rules, on motion of Mr. Finneran of Boston, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time forthwith; and it was passed to engrossed. Sent to the Senate for concurrence.

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. 4971) was read a second time.
Pending the question on ordering the bill to a third reading, Mrs. Owens-Hicks of Boston moved that it be amended by adding at the end thereof the following section:

"SECTION 42. Clause (8) of section 301 of chapter 60 of the acts of 1994 is hereby amended by striking the words ‘13th Suffolk district’ and ‘15th Suffolk district’ and inserting in place thereof the words ‘11th Suffolk district’ and ‘14th Suffolk district’.

The amendment was adopted.

Mr. Finneran of Boston then moved that the bill be amended in section 2A, in item 4590-0905, by striking out, in lines 1 to 6, inclusive, the words “The department of public health may expend an amount not to exceed one million, five hundred forty-six thousand one hundred and ninety-eight dollars from revenues collected subject to the approval of the commissioner; provided, that prior to expending said revenues, said commissioner” and inserting in place thereof the words “For the department of public health hospitals; provided, that the commissioner”.

The amendment was adopted.

Mr. Demakis of Boston then moved that the bill be amended by inserting after section 20 the following section:

"SECTION 20A. Section 2 of Chapter 60 of the acts of 1994 is hereby amended in item 5920-2000 by adding the following to the end:— ; and provided further, that the department shall expend not less than one thousand one hundred and seventy-five dollars for the purpose of reimbursing Golden Care, Inc. of Boston for home care services provided to Miriam Jacobs in a prior fiscal year.”.

The amendment was adopted.

There being no objection, — Representatives Chesky of Holyoke and DeFilippi of Springfield moved that the bill be amended by adding at the end thereof the following section:

"SECTION 43. Section 2A of chapter 126 of the acts of 1994 is hereby amended in item 4000-0814 by inserting at the end thereof the following:— provided further, that, notwithstanding the provisions of this item or any general or special law to the contrary, not more than seven hundred and seven thousand dollars, as certified by the rate setting commission and the division of medical assistance, shall be expended from this item for rate adjustments owed to the geriatric authority of Holyoke for allowable pension costs; and provided further, that rate adjustment shall be paid not later than June thirtieth, nineteen hundred and ninety-five.”.

The amendment was adopted.

Mr. Hodgkins of Lee then moved that the bill be amended by inserting after section 36 the following section:

"SECTION 36A. Section 19A of chapter 159 of the General Laws, as appearing in the 1992 Official Edition, is hereby amended by inserting after the word ‘telephones’, in lines 21 and 22, the following two sentences:— The local exchange carrier cannot be allowed to charge PALS (public access lines) for directory assistance usage. This includes a flat rate charge or per call.”.

The amendment was adopted.
Mr. Gauch of Shrewsbury then moved that the bill be amended in section 2A by striking out item 7005-9615 and inserting in place thereof the following item:

"0611-5501  For the purpose of unrestricted local aid to the cities and towns of the commonwealth, to be distributed accordance with the formula developed by the department of revenue ..................... 8,000,000".

After remarks on the question on adoption of the amendment, Mr. Sullivan of Abington asked for a count of the House to ascertain if a quorum was present. The Chair (Mrs. Menard of Somerset), 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 142 members were recorded as being in attendance.

[See Yea and Nay No. 111 in Supplement.]
Therefore a quorum was present.

After debate on the question on adoption of the amendment offered by Mr. Gauch, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 16 members voted in the affirmative and 135 in the negative.

[See Yea and Nay No. 112 in Supplement.]
[Mr. Angelo of Saugus answered "Present" in response to his name.]
Therefore the amendment was rejected.

There being no objection, — Representatives Cohen of Newton and Gray of Framingham moved that the bill be amended by striking out section 36 and inserting in place thereof the following section:

"SECTION 36. The secretary for administration and finance is hereby directed to respectfully inform the Congress of the United States that it is the position of the commonwealth that the federal government should adequately fund the cost of public and private sector compliance with the Clean Air Act, Clean Water Act and Safe Drinking Water Act.

The secretary is further directed to transmit copies of this position to the President of the United States, to the presiding officer of each branch of the Congress, and to each member thereof of the commonwealth."

The amendment was adopted.

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

"SECTION 44. Notwithstanding the provisions of section thirty-nine of chapter two hundred and seven of the General Laws regulating the number of justices of the peace that may be designated, the governor is hereby authorized to designate an additional justice of the peace in the town of Whitman to solemnize marriages under the provisions of said section thirty-nine. The provisions of this section shall take effect upon the passage of this act."

The amendment was adopted.
There being no objection,— Messrs. Koczera of New Bedford, Cabral of New Bedford and McIntyre of New Bedford moved that the bill be amended in section 2A by inserting before item 4000-0840 the following item:

"4000-0818 For the payment of final rate liabilities, so-called, to the Sacred Heart Nursing Home in New Bedford for rate years prior to nineteen hundred and ninety-one; provided, that said payment shall not exceed the final medicaid prospective case mix rates, so-called, promulgated for said nursing home by the rate setting commission on June fifteenth, nineteen hundred and ninety-two and the amount owed to said nursing home pursuant to said rates as calculated by the division of medical assistance 967,089";

and by inserting after section 25 the following section:

"SECTION 25A. Section two A of chapter one hundred and twenty-six of the acts of nineteen hundred and ninety-four is hereby amended by striking in item 4000-0814 the figure '36,050,000' and inserting in place thereof the following figure:— 35,082,911.".

The amendments were adopted.

Mr. Greene of Billerica then moved that the bill be amended by striking out section 21 and inserting in place thereof the following section:

"SECTION 21. Said section 2 of said chapter 60 is hereby further amended in item 6030-7201 by inserting after the words 'other control chemicals' the following words:— provided, that an amount not to exceed five hundred ten thousand one hundred sixty-eight dollars and twenty-one cents may be expended for prior fiscal year snow and ice expenses; and, provided further, that of this amount, not less than four thousand nine hundred thirty dollars shall be expended for work performed on November third, nineteen hundred and ninety-four and January tenth, nineteen hundred and ninety-five by trucks numbered 04630/254, 00238/294, and 00237/374.".

The amendment was adopted.

Mr. Kulik of Worthington then moved that the bill be amended in section 3 by adding at the end thereof the following paragraph:

"For the purposes of assessing the per pupil tuition payment from a sending district to a charter school, the residence of a student enrolled in a charter school shall be the student's legal residence as of April fifteenth of each year. A charter school shall annually certify to the secretary of education that it has verified the residency of each enrolled student with the superintendent of schools or the city or town clerk of each sending municipality."

The amendment was adopted.

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

"SECTION 45. Section 43 of said chapter 21, as most recently amended by section 2 of chapter 714 of the acts of 1983, is hereby amended by striking clause (2) and inserting in place thereof the following clause:—
(2) No person shall discharge pollutants into waters of the commonwealth nor construct, install, modify, operate or maintain an outlet for such discharge or any treatment works, without a currently valid permit issued by the director. No person shall construct, effect, maintain, modify or use any sewer extension or connection, without a currently valid permit issued by the director. No person shall engage in any other activity that reasonably may be expected to result, directly or indirectly, in the discharge of pollutants into the waters of the commonwealth without a currently valid permit issued by the director. The director, in accordance with regulations adopted pursuant to the provisions of section two of chapter thirty A, may exempt and provide procedures for exemption categories and classes of activities and discharges from the requirements of this section. The director may provide such exemptions for discharges or activities which he reasonably determines to have or present a minimal impact upon the waters of the commonwealth or upon the public health, safety, welfare or the environment, or when he reasonably determines that the applicability of said requirements would be unnecessary or unreasonable because of the emergency or temporary nature of the discharge or activity or because the discharge or activity is adequately regulated by another government regulatory program. No such exemption shall be adopted by the director for discharges to surface waters of the commonwealth, except in accordance with all applicable provisions of the FWPA and regulations adopted thereunder.”

Mr. DiMasi of Boston being in the Chair,—the amendment was adopted.

There being no objection,—Messrs. Fagan of Taunton and Finneran of Boston moved that the bill be amended in section 2 by inserting after item 0330-1000 the following item:

"0332-1600 125,000";

and by inserting after section 12 the following section:

"SECTION 12A. Section two of chapter sixty of the acts of nineteen hundred and ninety-four is hereby amended in item 0332-1600 by adding at the end thereof the following words:—, provided, that any unexpended amounts from this appropriation at the close of the fiscal year ending June thirtieth, nineteen hundred and ninety-five shall not revert and shall be made available for the same purposes in the following fiscal year.”.

The amendments were adopted.

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

"SECTION 46. That the $250,000 appropriated in line item 2440-8944 of Chapter 493 of the acts of 1993 will be spent for the purposes stated therein no later than September first, nineteen hundred and ninety-five.”.

The amendment was adopted.

There being no objection,—Messrs. Flaherty of Cambridge and Finneran of Boston moved that the bill be amended in section 2A by inserting after item 7005-9615 the following item:
Supplementary appropriations. "9081-0351 For a summer jobs youth at-risk program; provided, that no funds appropriated herein shall be allotted or disbursed prior to the receipt of equal matching funds from private sources to any entity or municipality eligible for or requesting funds from this item; provided further, that the executive office of administration and finance is authorized and directed to submit an allotment and disbursement plan for the funds appropriated herein for approval by the General Court, prior to the expenditure of any funds appropriated herein 1,100,000.

The amendment was adopted.

Mrs. Murray of Cohasset then moved that the bill be amended in section 2A by inserting before the caption "EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES." the following item:

"2440-1210 The Metropolitan District Commission is hereby authorized, notwithstanding the provisions of any general or special law to the contrary, to purchase on Peddock's Island property which includes but is not limited to the cottages and associated items located thereon 50,000.

The amendment was adopted.

There being no objection,— Representatives Miceli of Wilmington and Brenton of Burlington moved that the bill be amended by adding at the end thereof the following section:

"SECTION 47. All Massachusetts Bay Transportation Authority level crossings on the Haverhill and Wildcat lines in the town of Wilmington shall have gates at level crossings installed and functional no later than December thirty-first, nineteen hundred and ninety-five."

The amendment was adopted.

Mrs. Parente of Milford then moved that the bill be amended in section 2A by inserting before item 4512-0505 the following item:

"4512-0200 For outstanding prior year payments owed by hospitality house to the two forty-five West Street Realty Trust for rental payments in the amount of forty-six thousand, four hundred and fifty-four dollars; and further to Mark's Automotive in Milford for transportation expenses in the amount of seven hundred dollars 47,154.

The amendment was adopted.

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

"SECTION 48. Section 3 of chapter 32 of the General Laws, as so appearing, is hereby amended by striking out, in line 72, the word 'six' and inserting in place thereof the following word:— four.".

The amendment was adopted.
There being no objection, — Representatives Angelo of Saugus and Gray of Framingham moved that the bill be amended by adding at the end thereof the following section:

"SECTION 49. Chapter 92 of the General Laws, as appearing in the 1992 Official Edition, is hereby amended by inserting after Section 33, the following new section:—

Section 33A. Park Ranger Program
(a) The department of the metropolitan district commission is hereby authorized to establish a park ranger program within the department to preserve, maintain, and protect the parks, reservations, historic sites, and open space to ensure the environmental integrity of properties under the care, custody, and control of the commission.
(b) To further the objectives of the park ranger program, the department shall also be concerned with the use by the public for exercise, education and recreation of the reservations; and, notwithstanding any general or special law or administrative bulletin to the contrary, the commission shall adopt rules and regulations to define the authority of the park rangers; in performing their duties and responsibilities to preserve and protect the reservations as defined above. Rules and regulations so promulgated shall include but not be limited to defining the programs, program objectives, mission, working rules and responsibilities of the park rangers.
(c) The commission shall cause such rules and regulations to be posted in the reservations to which they apply and shall also cause the same to be published at least once in a newspaper published in the county where said reservations is in whole or in part situated, and such posting and publication shall be sufficient notice to all persons. The sworn certificate of any member of the commission or of its secretary of such posting and publishing shall be prima facie evidence thereof.

The park rangers are hereby authorized to issue citations under duly promulgated rules and regulations to person(s) violating any regulation for the parking of motor vehicles, littering, defacing commission property and disturbing flora and fauna.

Whoever violates any rule or regulation made hereunder shall be punished by a fine not exceeding two hundred dollars."

The amendment was adopted.

There being no objection, — Mr. Connolly of Everett and other members of the House moved that the bill be amended by adding at the end thereof the following section:

"SECTION 50. Service men and women who are on active duty, and who are eligible for the Persian Gulf bonus upon completion of the tour of duty, and who re-enlist, shall receive such bonus upon completion of a tour of duty in an honorable manner."

The amendment was adopted.

Mr. Toomey of Cambridge then moved that the bill be amended in section 2A by inserting after item 0330-3001 the following item:

"0332-8000 For Project Intervention, so-called, at the Cambridge district court ................................. 40,000".

The amendment was adopted.
Supplementary appropriations.

Amendment rejected,— yea and nay No. 113.

Statement of Representative Donovan of Woburn.

The Speaker being in the Chair,— Representatives Hynes of Marshfield and Evans of Wayland moved, there being no objection, that the bill be amended by adding at the end thereof the following section:

"SECTION 51. Notwithstanding any general or special law to the contrary, subject to available funding for contract assistance as provided in section six and section six A of chapter twenty-nine C of the General Laws, the water pollution abatement trust established pursuant to said chapter twenty-nine C shall forgive or otherwise subsidize all interest payable on any permanent loan made by the trust so that such loan shall hereafter provide for a subsidy or other assistance equivalent to a grant of at least fifty percent of the eligible cost of the project financed by such loan."

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. Hynes; and on the roll call 63 members voted in the affirmative and 84 in the negative.

[See Yea and Nay No. 113 in Supplement.]

Messrs. Hodgkins of Lee and Mannering of Boston answered "Present" in response to their names.

Therefore the amendment was rejected.

Subsequently Ms. Donovan of Woburn 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 present in the House Chamber and voted in the affirmative. I now find that due to a malfunction I was recorded as having voted in the negative when it was my full intention to have been recorded in the affirmative.

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

There being no objection,— Representatives Gray of Framingham and Cohen of Newton moved that the bill be amended by adding at the end thereof the following section:

"SECTION 51. The house committee on ways and means shall study the mandates and inequities of federal funding for the federal Clean Air Act, Clean Water Act and Safe Drinking Water Act relative to the environmental and economic effects these changes will have on the Commonwealth of Massachusetts, including but not limited to the Boston harbor, water and sewer projects, and air emissions pollution and further shall identify all federal mandates and the reimbursement therefor, if any."

The amendment was adopted.

Mr. Haley of Weymouth then moved that the bill be amended in section 2 by inserting after item 0332-1600 (inserted by amendment) the following item:

"District Attorneys.

0340-0700 ........................................ 20,000".

The amendment was adopted.
Mr. Hynes of Marshfield then moved that the bill be amended in section 2 by inserting after item 0340-0700 (inserted by amendment) the following item:

“0340-0800  Plymouth district attorney .............................................. 315,634”.

The amendment was adopted.

Mrs. Harkins of Needham then moved that the bill be amended in section 2 by inserting after the caption: “JUDICIARY” the following item:

“Supreme Judicial Court.
0321-0100 ................................................................. 97,614”.

The amendment was adopted.

There being no objection,— Representatives Sprague of Walpole, Hyland of Foxborough and Poirier of North Attleborough moved that the bill be amended by adding at the end thereof the following section:

“SECTION 52. Section 2 of Chapter 60 of the Acts of 1994 is hereby amended by inserting after the item 1599-0093 the following new item:

1599-0094  For the purpose of providing contract assistance to the Massachusetts water pollution abatement trust for debt service obligations on loans authorized to receive a subsidy of fifty percent grant equivalency, made by the trust pursuant to section five and section six of chapter twenty-nine C, as amended.............................. 2,000,000
Local Aid Fund...................................100.0%”.

The amendment was rejected.

Mrs. Sprague of Walpole then moved that the bill be amended by adding at the end thereof the following thirteen sections:

“SECTION 52. Section 1 of chapter 29C of the General Laws, as appearing in the 1992 Official Edition, is hereby amended by inserting after the word ‘chapter’ in line 58, the following words:—

providing that for all purposes of this chapter, notwithstanding any other general or special law to the contrary, a loan made at one-half of market interest rate, as determined by the trust, shall be deemed to be the financial equivalent of a grant of twenty-five percent of the eligible costs of the project financed by the loan and a loan made at a zero interest rate shall be deemed to be the financial equivalent of a grant of fifty percent of the eligible costs of the project financed by the loan.

SECTION 53. Section 6 of said chapter 29C, as so appearing, is hereby amended by striking out clause (i) and inserting in place thereof the following clause:—

(i) to provide, and enter into binding commitments to provide, a subsidy for, or to otherwise assist local governmental units in the payment of debt service costs on loans made by the trust; provided that all permanent loans made by the trust under the provisions of this section shall provide for a subsidy or other assistance equivalent to a grant of not less than twenty-five percent and, subject to available
funding for contract assistance, not more than fifty percent of the eligible cost of the project financed by such loan or such lesser subsidy as a local government unit shall otherwise agree; and

SECTION 54. Said section 6 of said chapter 29C, as so appearing, is hereby further amended by adding the following paragraph:

Subject to available funding for contract assistance as provided in this section and section six A, permanent loans made by the trust after July first, nineteen hundred and ninety-four shall provide for a subsidy or other assistance equivalent to a grant of not less than twenty-five percent and, subject to available funding for contract assistance, not more than fifty percent of the eligible cost of the project financed by such loan. The board shall apply and disburse monies in the fund, or shall otherwise structure the debt service costs on the loans made by the trust, to provide a subsidy or assistance to local governmental units in the payment of debt service costs on such loans equivalent to a grant of twenty-five percent of the eligible costs of the project financed by the loan. The state treasurer acting on behalf of the commonwealth shall enter into an agreement with the trust that the commonwealth shall provide contract assistance for debt service obligations on loans made by the trust in amounts not otherwise provided for pursuant to section six A sufficient to provide a subsidy or assistance, after consideration of any subsidy or assistance provided by the trust, equivalent to a grant of not more than fifty percent of the eligible costs of the project financed by the loan. Such contract assistance agreement shall provide for payments by the commonwealth to the trust at such times during each fiscal year and upon such terms and under such conditions as the trust may stipulate. The trust may pledge such agreements and the rights of the trust to receive amounts thereunder as security for the payment of debt obligations issued by the trust. No contract assistance shall be provided for payment of debt service obligations for a period greater than twenty years.

SECTION 55. Section 6A of said chapter 29C, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:

In addition to the purposes set forth in sections five and six, the board may apply and disburse monies of the fund to provide the subsidy or assistance to local governmental units in the payment of debt service costs on the loans made by the trust authorized and directed by section six of this chapter, by sections twenty-six and twenty-seven of chapter two hundred and three of the acts of nineteen hundred and ninety-two and by section one hundred ninety of chapter sixty of the acts of nineteen hundred and ninety-four.

SECTION 56. Said section 6A of said chapter 29C, as so appearing, is hereby further amended by striking out, in line 11, the words 'obligations of the trust' and inserting in place thereof the following words:— obligations on loans provided for under the provisions of section six of this chapter.
SECTION 57. Said section 6A of said chapter 29C, as so appearing, is hereby further amended by striking out, in lines 15 and 16, the words 'the payment by the commonwealth of the portion authorized by special law of the debt service obligations of the trust' and inserting in place thereof the following words: — payments by the commonwealth to the trust.

SECTION 58. Section 20 of chapter 275 of the acts of 1989, as most recently amended by section 22 of chapter 203 of the acts of 1992, is hereby further amended by striking out paragraph (d) and inserting in place thereof the following paragraph:—

(d) In addition to the authority provided in section nine of chapter twenty-nine C of the General Laws, the board may provide by resolution for the issuance of bonds of the trust to carry out the purposes of this section. The holders of such bonds shall also be beneficiaries of the fund. All permanent loans provided by the trust under authority of this section shall bear such terms and conditions, including without limitation such terms and conditions relative to any payable thereon, as will result in total financial assistance provided to the local governmental unit equivalent to a grant of twenty-five percent of the eligible cost of the project financed by such loan or the lesser level of assistance as the local governmental unit shall agree.

SECTION 59. Said section 20 of said chapter 275 is hereby further amended by striking out paragraph (e).

SECTION 60. Said section 20 of said chapter 275 is hereby further amended by striking out paragraph (f) and inserting in place thereof the following paragraph:—

(f) The department and the trust shall provide a report to the house and senate committees on ways and means and to the joint committee on natural resources and agriculture by June thirtieth, nineteen hundred and ninety-five, detailing all encumbrances, expenditures and projected expenditures of the funds provided pursuant to this section through June thirtieth, nineteen hundred and ninety-five, and providing projections for treatment needs and associated costs for the fiscal years ending June thirtieth, nineteen hundred and ninety-six through June thirtieth, two thousand.

SECTION 61. The state treasurer is hereby authorized and directed to transfer the sum of thirty million dollars to the water pollution abatement trust created pursuant to the provisions of chapter twenty-nine C of the General Laws for deposit in the water pollution abatement revolving fund established pursuant to the provisions of section two L of chapter twenty-nine of the General Laws for application by the trust to the purposes specified in section five of said chapter twenty-nine C any portion of which may be used as a matching grant by the commonwealth to federal capitalization grants received under Title VI of the Federal Clean Water Act.

SECTION 62. To meet the expenditures necessary in carrying out the provisions of section __ of this act, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time, not
to exceed in the aggregate, the sum of thirty million dollars. All
bonds issued by the commonwealth, as aforesaid, shall be desig-
nated on their face, Local Water Pollution Control Loan and Grant
Assistance, Act of 1995, and shall be issued for such maximum term
of years not to exceed twenty years, as the governor may recom-
mend to the general court pursuant to section three of article LXII of
the amendments of the constitution of the commonwealth; provided,
however, that all such bonds shall be payable not later than June
thirtieth, two thousand and twenty-five. All interest and payments on
account of principal and such obligation shall be payable from the
General Fund. Bonds and interest thereon issued under the authority
of this section shall, notwithstanding any other provision of this act,
be general obligations of the commonwealth.

SECTION 63. Notwithstanding any general or special law to the
contrary, subject to available funding for contract assistance as pro-
vided in section six and section six A of chapter twenty-nine C of
the General Laws, the water pollution abatement trust established
pursuant to said chapter twenty-nine C shall forgive or otherwise
subsidize all interest payable on and after July first, nineteen hundred
and ninety-four on any permanent loan made by the trust prior to
that date so that such loan shall thereafter provide for a subsidy or
other assistance equivalent to a grant of at least fifty percent of the
eligible cost of the project financed by such loan.

SECTION 64. Notwithstanding any general or special law to the
contrary, all permanent loans made by said water pollution abate-
ment trust in fiscal year nineteen hundred and ninety-five and fiscal
year nineteen hundred and ninety-six shall provide a subsidy or
other assistance equivalent to a grant of fifty percent of the eligible
cost of the project financed by the loan or such greater subsidy as is
provided in section twenty-six or section twenty-seven of chapter
two hundred and three of the acts of nineteen hundred and ninety-
two or section one hundred ninety of chapter sixty of the acts of
nineteen hundred and ninety-four.”.

The amendment was rejected.

There being no objection, — Messrs. McGee of Lynn and Fennell
of Lynn moved that the bill be amended in section 2A, in item 1599-
3860, by striking out, in lines 26 to 30, inclusive, the words “prin-
cipal in fiscal year nineteen hundred and ninety-five, such balance
shall be segregated on the books of such city or town and used to
retire the principal due in fiscal year nineteen hundred and ninety-
six” and inserting in place thereof the words “interest payable and
principal of a multi-year debt issue, if any, maturing, during fiscal
year nineteen hundred and ninety-five, said balance may be used to
meet other municipal costs during said fiscal year, to the extent
authorized by the secretary for administration and finance, following
consultation with the commissioner of revenue”.

The amendment was adopted.

Ms. Stanley of Merrimac then moved that the bill be amended in
section 2A by inserting after item 7005-9615 the following item:
To provide reimbursement to the town of Rowley for the extraordinary increase in the required minimum contribution to the Triton regional school district; provided, that all funds appropriated herein shall be transferred to the Triton regional school district within fourteen days of the receipt of said funds 313,000".

The amendment was adopted.

Mr. Peterson of Grafton then moved that the bill be amended in section 2A by inserting after item 7005-9615 the following item:

"7061-0008 Notwithstanding any law to the contrary, funds shall be distributed to the town of Upton as overburden aid 61,700".

The amendment was rejected.

Mr. Scaccia of Boston then moved that the bill be amended by inserting after section 27 the following section:

"SECTION 27A. Section 110 of chapter 5 of the acts of 1995, is hereby amended by striking out subsection (d) and inserting in place thereof the following:

(d) Subject to federal waiver, the department shall establish levels of assistance in effect in fiscal year nineteen hundred and ninety-five. Said waiver shall seek to establish an earnings disregard of thirty dollars and fifty percent of earned income for recipients during the entire period of eligibility for assistance and which shall be subject to the terms of subsection (g). Said waiver applications shall provide that the provisions of this subsection do not alter the medically needy income eligibility standard of the medical assistance program administered pursuant to chapter one hundred and eighteen E of the General Laws and that said medically needed income eligibility standard shall remain at the level in effect in fiscal year nineteen hundred and ninety-five.".

After debate the amendment was rejected.

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

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

The committee on Bills in the Third Reading then reported recommending that the bill be amended by striking out sections 4 to 11, inclusive, and inserting in place thereof the following section:

"SECTION 4. Chapter 276 of the General Laws is hereby amended by striking out sections 58, 58A and 58B and inserting in place thereof the following three sections:—

Section 58. A justice or a clerk or assistant clerk of the district court, a bail commissioner or master in chancery, in accordance with the applicable provisions of section fifty-seven, shall, when a person is held under arrest or committed either with or without a warrant for an offense other than an offense punishable by death, or, upon the motion of the commonwealth, for an offense enumerated in section fifty-eight A or for any offense on which a warrant of arrest has been issued by the superior court, hold a hearing in which the defendant and
his counsel, if any, may participate and inquire into the case and
shall admit such person to bail on his personal recognizance without
surety unless said justice, clerk or assistant clerk, bail commissioner
or master in chancery determines, in the exercise of his discretion,
that such a release will not reasonably assure the appearance of the
person before the court. In his determination under this section as to
whether release will reasonably assure the appearance of the person
before the court, said justice, clerk or assistant clerk, bail commis-
sioner or master in chancery shall, on the basis of any information
which he can reasonably obtain, take into account the nature and cir-
cumstances of the offense charged, the potential penalty the person
faces, the person’s family ties, financial resources, employment
record and history of mental illness, his reputation and the length of
residence in the community, his record of convictions, if any, any
illegal drug distribution or present drug dependency, any flight to
avoid prosecution or fraudulent use of an alias or false identifica-
tion, any failure to appear at any court proceeding to answer to an
offense, whether the person is on bail pending adjudication of a
prior charge, whether the acts alleged involve abuse as defined in
section one of chapter two hundred and nine A, or violation of a
temporary or permanent order issued pursuant to sections eighteen
or thirty-four B of chapter two hundred and eight, section thirty-two
of chapter two hundred and nine, sections three, four or five of
chapter two hundred and nine A, or sections fifteen or twenty of
chapter two hundred and nine C, whether the person has any history
of orders issued against him pursuant to the aforesaid sections,
whether he is on probation, parole, or other release pending comple-
tion of sentence for any conviction, and whether he is on release
pending sentence or appeal for any conviction. The person autho-
rized to admit the person to bail shall provide as an explicit condi-
tion of release for any person admitted to bail pursuant to this
section or section fifty-seven that, should said person be charged
with a crime during the period of his release, his bail may be
revoked in accordance with the third paragraph of this section. If the
justice or clerk or assistant clerk of the district court, the bail com-
missioner or master in chancery determines that a cash bail is
required, the person shall be allowed to provide an equivalent
amount in a surety company bond.

A person, before being released on personal recognizance without
surety, shall be informed by the person authorized to admit such
person to bail of the penalties provided by section eighty-two A if he
fails without sufficient excuse to appear at the specified time and
place in accordance with the terms of his recognizance. A person
authorized to take bail may charge the fees authorized by section
twenty-four of chapter two hundred and sixty-two, if he goes to the
place of detention of the person to make a determination provided
for in this section although said person is released on his personal
recognizance without surety. Said fees shall not be charged by any
clerk or assistant clerk of a district court during regular working
hours.
A person aforesaid charged with an offense and not released on his personal recognizance without surety by a clerk or assistant clerk of the district court, a bail commissioner or master in chancery shall forthwith be brought before the next session of the district court for a review of the order to recognize in accordance with the standards set forth in the first paragraph of this section. The court shall provide as an explicit condition of release for any person admitted to bail pursuant to this section or section fifty-seven that should said person be charged with a crime during the period of his release, his bail may be revoked in accordance with this paragraph and the court shall enter in writing on the court docket that the person was so informed and the docket shall constitute prima facie evidence that the person was so informed. If a person is on release pending the adjudication of a prior charge, and the court before which the person is charged with committing a subsequent offense after a hearing at which the person shall have the right to be represented by counsel, finds probable cause to believe that the person has committed a crime during said period of release, the court shall then determine, in the exercise of its discretion, whether the release of said person will seriously endanger any person or the community. In making said determination, the court shall consider the gravity, nature and circumstances of the offenses charged, the person’s record of convictions, if any, and whether said charges or convictions are for offenses involving the use or threat of physical force or violence against any person, whether the person is on probation, parole or other release pending completion of sentence for any conviction, whether he is on release pending sentence or appeal for any conviction, the person’s mental condition, and any illegal drug distribution or present drug dependency. If the court determines that the release of said person will seriously endanger any person or the community and that the detention of the person is necessary to reasonably assure the safety of any person or the community, the court may revoke bail on the prior charge and may order said person held without bail pending the adjudication of said prior charge, for a period not to exceed sixty days. The hearing shall be held upon the person’s first appearance before the court before which the person is charged with committing an offense while on release pending adjudication of a prior charge, unless that person, or the attorney for the commonwealth, seeks and the court allows, a continuance because a witness or document is not immediately available. Except for good cause, a continuance on motion of the person shall not exceed seven days and on motion of the attorney for the commonwealth may not exceed three business days. During such continuance, the person may be detained consistent with the provisions of this section. Said order shall state in writing the reasons therefor and shall be reviewed by the court upon the acquittal of the person, or the dismissal of, any of the cases involved. A person so held shall be brought to trial as soon as reasonably possible. A person aggrieved by the denial of a district court justice to admit him to bail on his personal recognizance without surety may petition the superior court for a review.
of the order of the recognizance and the justice of the district court shall thereupon immediately notify such person of his right to file a petition for review in the superior court. When a petition for review is filed in the district court or with the detaining authority subsequent to petitioner’s district court appearance, the clerk of the district court or the detaining authority, as the case may be, shall immediately notify by telephone, the clerk and probation officer of the district court, the district attorney for the district in which the district court is located, the prosecuting officer, the petitioner’s counsel, if any, and the clerk of courts of the county to which the petition is to be transmitted. The clerk of the district court, upon the filing of a petition for review, either in the district court or with the detaining authority, shall forthwith transmit the petition for review, a copy of the complaint and of the record of the court, including the appearance of the attorney, if any is entered, and a summary of the court’s reasons for denying the release of the defendant on his personal recognizance without surety to the superior court for the county in which the district court is located, if a justice thereof is then sitting, or to the superior court of the nearest county in which a justice is then sitting; the probation officer of the district court shall transmit forthwith to the probation officer of the superior court, copies of all records of the probation office of said district court pertaining to the petitioner, including the petitioner’s record of prior convictions, if any, as currently verified by inquiry of the commissioner of probation. The district court or the detaining authority, as the case may be, shall cause any petitioner in its custody to be brought before the said superior court on the same day the petition shall have been filed, unless the district court or the detaining authority shall determine that such appearance and hearing on the petition cannot practically take place before the adjournment of the sitting of said superior court for that day and in which event, the petitioner shall be caused to be brought before said court for such hearing during the morning of the next business day of the sitting of said superior court. The district court is authorized to order any officer authorized to execute criminal process to transfer the petitioner and any papers hereinabove described from the district court or the detaining authority to the superior court, and to coordinate the transfer of the petitioner and the papers by such officer. The petition for review shall constitute authority in the person or officer having custody of the petitioner to transport the petitioner to said superior court without the issuance of any writ or other legal process, provided, however, that any district or superior court is authorized to issue a writ of habeas corpus for the appearance forthwith of the petitioner before the superior court.

The superior court shall in accordance with the standards set forth in the first paragraph of this section, hear the petition for review as speedily as practicable and except for unusual circumstances, on the same day the petition is filed, provided, however, that the court may continue the hearing to the next business day if the required records
and other necessary information are not available. The justice of the superior court may, after a hearing on the petition for review, order that the petitioner be released on bail on his personal recognizance without surety, or, in his discretion, to reasonably assure the effective administration of justice, make any other order of bail or recognizance or remand the petitioner in accordance with the terms of the process by which he was ordered committed by the district court.

If a defendant has posted bail in the district court and has subsequently been arraigned in the superior court for the same offense, the superior court clerk shall notify the district court clerk holding the defendant's bail of such arraignment. Upon such information, the amount of any bail bond posted by a defendant in the district court shall be carried over to a bail bond required by the superior court. The superior court justices' discretion in setting the amount of bail shall not be affected by the provisions of this paragraph.

Except where the defendant has defaulted on his recognizance or has been surrendered by a probation officer, an order of bail or recognizance shall not be revoked, revised or amended by the district court, because the defendant has been bound over to the superior court, provided, however, that if any court, in its discretion, finds that changed circumstances or other factors not previously known or considered, make the order of bail or recognizance ineffective to reasonably assure the appearance of said defendant before the court, the court may make a further order of bail, either by increasing the amount of the recognizance or requiring sufficient surety or both, which order will not revoke the order of bail or recognizance previously in force and effect. The court may also review such changed circumstances or other factors not previously known or considered in accordance with the third paragraph of this section.

The administrative justice of the district courts and the administrative justice of the municipal court of the city of Boston shall prescribe forms for use in their respective courts, for the purpose of notifying a defendant of his right to file a petition for review in the superior court, forms for a petition for review and forms for the implementation of any other procedural requirements. The clerk of courts shall forthwith notify the district court of all orders or judgments of the superior court on petitions for review. Costs or expenses of services and transportation under this section shall be ordered paid in the amount determined by the superior court out of the state treasury.

For an offense enumerated in section fifty-eight A, and upon the motion of an attorney for the commonwealth for an order of pretrial detention or imposition of conditions of release based on dangerousness, a justice of the district or superior court shall hold a hearing pursuant to the provisions of subsection (4) of said section fifty-eight A and shall admit such person to bail on his personal recognizance without surety or subject to conditions of release unless said justice, determines, in the exercise of his discretion, that such release will endanger the safety of any other person or the community.
Section 58A. (1) The commonwealth may move, based on dangerousness, for an order of pretrial detention or release on conditions for a felony offense that has as an element of the offense the use, attempted use, or threatened use of physical force against the person of another, or any other felony that by its nature involves a substantial risk that physical force against the person of another may result, including the crime of burglary and arson whether or not a person has been placed at risk thereof, or a violation of an order pursuant to section eighteen, thirty-four B or thirty-four C of chapter two hundred and eight, section thirty-two of chapter two hundred and nine, section three, four or five of chapter two hundred and nine A, or section fifteen or twenty of chapter two hundred and nine C, or arrested and charged with a misdemeanor or felony involving abuse as defined in section one of said chapter two hundred and nine A or while an order of protection issued under said chapter two hundred and nine A was in effect against said person, an offense for which a mandatory minimum term of three years or more is prescribed in chapter ninety-four C or a third or subsequent conviction for a violation of section twenty-four of chapter ninety.

(2) Upon the appearance before a superior court or district court judge of an individual charged with an offense listed in subsection (1) and upon the motion of the commonwealth, the judicial officer shall hold a hearing pursuant to subsection (4) issue an order that, pending trial, the individual shall either be released on personal recognizance without surety; released on conditions of release as set forth herein; or detained under subsection (3).

If the judicial officer determines that personal recognizance will not reasonably assure the appearance of the person as required or will endanger the safety of any other person or the community, such judicial officer shall order the pretrial release of the person —

(A) subject to the condition that the person not commit a federal, state or local crime during the period of release; and

(B) subject to the least restrictive further condition, or combination or conditions, that such judicial officer determines will reasonably assure the appearance of the person as required and the safety of any other person and the community that the person —

(i) remain in the custody of a designated person, who agrees to assume supervision and to report any violation of a release condition to the court, if the designated person is able reasonably to assure the judicial officer that the person will appear as required and will not pose a danger to the safety of any other person or the community;

(ii) maintain employment, or, if unemployed, actively seek employment;

(iii) maintain or commence an educational program;

(iv) abide by specified restrictions on personal associations, place of abode or travel;

(v) avoid all contact with an alleged victim of the crime and with potential witness who may testify concerning the offense;

(vi) report on a regular basis to a designated law enforcement agency, pretrial service agency, or other agency;
(vii) comply with a specified curfew;
(viii) refrain from possessing a firearm, destructive device, or other dangerous weapon;
(ix) refrain from excessive use of alcohol, or any use of a narcotic drug or other controlled substance, without a prescription by a licensed medical practitioner;
(x) undergo available medical, psychological, or psychiatric treatment, including treatment for drug or alcohol dependency and remain in a specified institution if required for that purpose;
(xi) execute an agreement to forfeit upon failing to appear as required, property of a sufficient unencumbered value, including money, as is reasonably necessary to assure the appearance of the person as required, and shall provide the court with proof of ownership and the value of the property along with information regarding existing encumbrances as the judicial officer may require;
(xii) execute a bail bond with solvent sureties, who will execute an agreement to forfeit in such amount as is reasonably necessary to assure appearance of the person as required and shall provide the court with information regarding the value of the assets and liabilities of the surety if other than an approved surety and the nature and extent of encumbrances against the surety’s property; such surety shall have a net worth which shall have sufficient unencumbered value to pay the amount of the bail bond;
(xiii) return to custody for specified hours following release for employment, schooling, or other limited purposes; and
(xiv) satisfy any other condition that is reasonably necessary to assure the appearance of the person as required and to assure the safety of any other person and the community.

The judicial officer may not impose a financial condition that results in the pretrial detention of the person.

The judicial officer may at any time amend the order to impose additional or different conditions of release.

(3) If, after a hearing pursuant to the provisions of subsection (4), the district or superior court justice finds by clear and convincing evidence that no conditions of release will reasonably assure the safety of any other person or the community, said justice shall order the detention of the person prior to trial. A person detained under this subsection shall be brought to a trial as soon as reasonably possible, but in absence of good cause, the person so held shall not be detained for a period exceeding ninety days excluding any period of delay as defined in Massachusetts Rules of Criminal Procedure Rule 36(b)(2). A justice may not impose a financial condition under this section that results in the pretrial detention of the person. Nothing in this section shall be interpreted as limiting the imposition of a financial condition upon the person to reasonably assure his appearance before the courts.

(4) When a person is held under arrest for an offense listed in subsection (1) and upon a motion by the commonwealth, the judge shall hold a hearing to determine whether conditions of release will reasonably assure the safety of any other person or the community.
The hearing shall be held immediately upon the person's first appearance before the court unless that person, or the attorney for the commonwealth, seeks a continuance. Except for good cause, a continuance on motion of the person may not exceed seven days, and a continuance on motion of the attorney for the commonwealth may not exceed three business days. During a continuance, the individual shall be detained upon a showing that there existed probable cause to arrest the person. At the hearing, such person shall have the right to be represented by counsel, and, if financially unable to retain adequate representation, to have counsel appointed. The person shall be afforded an opportunity to testify, to present witnesses, to cross-examine witnesses who appear at the hearing, and to present information. The rules concerning admissibility of evidence in criminal trials shall not apply to the presentation and consideration of information at the hearing. The facts the judge uses to support findings pursuant to subsection (3), that no conditions will reasonably assure the safety of any other person or the community, shall be supported by clear and convincing evidence. In a detention order issued pursuant to the provisions of said subsection (3) the judge shall (a) include written findings of fact and a written statement of the reasons for the detention; (b) direct that the person be committed to custody or confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentence or being held in custody pending appeal; and (c) direct that the person be afforded reasonable opportunity for private consultation with his counsel. The person may be detained pending completion of the hearing. The hearing may be reopened before or after a determination by the justice, at any time before trial if the justice finds that information exists that was not known at the time of the hearing and that has a material bearing on the issue and whether there are conditions of release that will reasonably assure the safety of any other person and the community.

(5) In his determination as to whether there are conditions of release that will reasonably assure the safety of any other individual or the community, said justice, shall, on the basis of any information which he can reasonably obtain, take into account the nature and seriousness of the danger posed to any person or the community that would result by the person’s release, the nature and circumstances of the offense charged, the potential penalty the person faces, the person’s family ties, employment record and history of mental illness, his reputation, the risk that the person will obstruct or attempt to obstruct justice or threaten, injure or intimidate or attempt to threaten, injure or intimidate a prospective witness or juror, his record of convictions, if any, any illegal drug distribution or present drug dependency, whether the person is on bail pending adjudication of a prior charge, whether the acts alleged involve abuse as defined in section one of chapter two hundred and nine A, or violation of a temporary or permanent order issued pursuant to section eighteen or thirty-four B of chapter two hundred and eight, section thirty-two of chapter two hundred and nine, sections three, four or five of chapter
two hundred and nine A, or sections fifteen or twenty of chapter two
hundred and nine C, whether the person has any history of orders
issued against him pursuant to the aforesaid sections, whether he is
on probation, parole or other release pending completion of sentence
for any conviction and whether he is on release pending sentence or
appeal for any conviction.

(6) Nothing in this section shall be construed as modifying or
limiting the presumption of innocence.

(7) A person aggrieved by the denial of a district court justice to
admit him to bail on his personal recognizance with or without
surety may petition the superior court for a review of the order of
the recognizance and the justice of the district court shall thereupon
immediately notify such person of his right to file a petition for
review in the superior court. When a petition for review is filed in
the district court or with the detaining authority subsequent to peti-
tioner's district court appearance, the clerk of the district court or
the detaining authority, as the case may be, shall immediately notify
by telephone, the clerk and probation officer of the district court, the
district attorney for the district in which the district court is located,
the prosecuting officer, the petitioner's counsel, if any, and the clerk
of courts of the county to which the petition is to be transmitted. The
clerk of the district court, upon the filing of a petition for review,
either in the district court or with the detaining authority, shall forth-
with transmit the petition for review, a copy of the complaint and
the record of the court, including the appearance of the attorney, if
any is entered, and a summary of the court's reasons for denying the
release of the defendant on his personal recognizance with or
without surety to the superior court for the county in which the dis-
trict court is located, if a justice thereof is then sitting, or to the
superior court of the nearest county in which a justice is then sitting;
the probation officer of the district court shall transmit forthwith to
the probation officer of the superior court, copies of all records of
the probation office of said district court pertaining to the petitioner,
including the petitioner's record of prior convictions, if any, as cur-
rently verified by inquiry of the commissioner of probation. The dis-
trict court or the detaining authority, as the case may be, shall cause
any petitioner in its custody to be brought before the said superior
court within two business days of the petition having been filed. The
district court is authorized to order any officer authorized to execute
criminal process to transfer the petition and any papers hereinabove
described from the district court or the detaining authority to the
superior court, and to coordinate the transfer of the petitioner and
the papers by such officer. The petition for review shall constitute
authority in the person or officer having custody of the petitioner to
transport the petitioner to said superior court without the issuance of
any writ or other legal process; provided, however, that any district
or superior court is authorized to issue a writ of habeas corpus for
the appearance forthwith of the petitioner before the superior court.

The superior court shall, in accordance with the standards set
forth in section fifty-eight A, hear the petition for review under section
fifty-eight A as speedily as practicable and in any event within five business days of the filing of the petition. The justice of the superior court hearing the review may consider the record below which the commonwealth and the person may supplement. The justice of the superior court may, after a hearing on the petition for review, order that the petitioner be released on bail on his personal recognizance without surety, or, in his discretion, to reasonably assure the effective administration of justice, make any other order of bail or recognizance or remand the petitioner in accordance with the terms of the process by which he was ordered committed by the district court.

Section 58B. A person who has been released after a hearing pursuant to section fifty-eight A and who has violated a condition of his release, shall be subject to a revocation of release and an order of detention. The judicial officer shall enter an order of revocation and detention if after a hearing the judicial officer finds (1) that there is probable cause to believe that the person has committed a federal or state crime while on release, or clear and convincing evidence that the person has violated any other condition of release; and (2) the judicial officer finds that there are no conditions of release that will reasonably assure the person will not pose a danger to the safety of any other person or the community; or the person is unlikely to abide by any condition or combination of conditions of release.

If there is probable cause to believe that, while on release, the person committed a federal felony or an offense described in clause (1), a rebuttable presumption arises that no condition or combination of conditions will assure that the person will not pose a danger to the safety of any other person or the community. If the judicial officer finds that there are conditions of release that will assure that the person will not pose a danger to the safety of any other person or the community, and that the person will abide by such conditions, the judicial officer shall treat the person in accordance with the provisions of this section and may amend the conditions of release accordingly. Upon the person's first appearance before the judicial officer in the court which will conduct proceedings for revocation of an order of release under this section, the hearing concerning revocation shall be held immediately unless that person or the attorney for the commonwealth seeks a continuance. During a continuance the person shall be detained without bail unless the judicial officer finds that there are conditions of release that will reasonably assure that the person will not pose a danger to the safety of any other person or the community and that the person will abide by conditions of release. If the person is detained without bail, except for good cause, a continuance on motion of the person shall not exceed seven days, a continuance on motion of the attorney for the commonwealth or probation shall not exceed three business days. A person detained under this subsection, shall be brought to trial as soon as reasonably possible, but in the absence of good cause, a person so held shall not be detained for a period exceeding ninety days excluding any period of delay as defined in Massachusetts Rules of Criminal Procedure Rule 36(b)(2)."

The amendment was adopted.
The bill then was passed to be engrossed. Mr. Finneran 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. 4980, printed as amended) then was sent to the Senate for concurrence.

Engrossed Bill.

The engrossed Bill providing for the appointment of collector and town clerk in the town of Sterling (see Senate, No. 1065) (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.

Mr. Brett of Boston then moved that when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.; and that, notwithstanding the provisions of House Rule 12, the Clerk be authorized to dispense with the printing of a Calendar for said sitting; and the motion prevailed.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-one minutes after six o'clock P.M. (the Speaker being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M., in an Informal Session.
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 pray for Your guidance and direction as we carry
out our personal and legislative responsibilities. Grant us the gift of
wisdom so that our comprehension of current political and ethical
issues will be clear and our decisions will be reasonable. Let our
values and goals continue to be based on Your precepts and our own
good judgment. Teach us to be respectful in dealing with people and
fair in evaluating issues. Help us, as a society, to develop a spirit of
trust in each other, in the democratic process, and in the good inten-
tions of others.

Bestow Your blessings on 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.

Message from the Governor.

A message from His Excellency the Governor (under the provi-
sions of Section 8 of Article LXXXIX of the Amendments to the
Constitution) recommending legislation relative to validating the
results of a certain special election held within the town of Dudley
on April eleventh, nineteen hundred and ninety-five (House, No. 5005)
was filed in the office of the Clerk on Wednesday, May 10.

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

Resolutions.

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

Resolutions (filed by Mr. Lambert of Fall River) congratulating
the Banda Senhora da Conceicao Mosteirense on the occasion of its
tenth anniversary; and

Resolutions (filed by Messrs. Naughton of Clinton and McManus of
Worcester) congratulating Reverend John Francis Burke on the occa-
sion of the fortieth anniversary of his ordination to the priesthood;

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. Naughton, 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. DiMasi of Boston, petition (subject to Joint Rule 12) of Salvatore F. DiMasi relative to court review of custodial powers to determine whether such powers have been exercised in the best interests of the child.

By Mr. Galvin of Canton, petition (subject to Joint Rule 12) of William C. Galvin relative to hearings before the Appellate Tax Board.

By Mr. Hawke of Gardner, petition (subject to Joint Rule 12) of Robert D. Hawke and Robert A. Antonioni relative to the retirement rights of Robert D. Shea, an employee of the Department of Correction.

By Mr. Hynes of Marshfield, petition (subject to Joint Rule 12) of Frank M. Hynes relative to the operation of unregistered motor vehicles.

By Mr. Iannuccillo of Lawrence, petition (subject to Joint Rule 12) of M. Paul Iannuccillo relative to exempting certain contracts from the uniform procurement law.

By Ms. Jehlen of Somerville, petition (subject to Joint Rule 12) of Patricia D. Jehlen and David P. Magnani relative to school adjustment counselors and school social workers.

By Mr. Jones of North Reading, petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., relative to the appointment of veterans' graves officers in cities and towns.

By Mr. Kennedy of Brockton, petition (subject to Joint Rule 12) of Thomas P. Kennedy, Christine E. Canavan and Louis F. Angelo for legislation to designate the Plymouth County district attorney's office building in the city of Brockton as the William C. O'Malley Building.

By Mr. Mandile of Waltham (by request), petition (subject to Joint Rule 12) of Vincie Kaupelis relative to the furnishing of certain false information to the Department of Public Welfare.

By Mrs. Murray of Cohasset, petition (subject to Joint Rule 12) of Mary Jeanette Murray and another relative to authorizing the donation of certain medicine without liability.

By the same member, petition (subject to Joint Rule 12) of Mary Jeanette Murray, Janet W. O'Brien and Frank M. Hynes relative to emergency medical care in the towns of Cohasset, Hanover, Hingham, Hull, Norwell and Scituate.

By the same member, petition (subject to Joint Rule 12) 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.
By Mr. Panagiotakos of Lowell, petition (subject to Joint Rule 12) of Steven C. Panagiotakos relative to the crime of motor vehicle homicide.

By Mr. Travis of Rehoboth, petition (subject to Joint Rule 12) of Philip Travis and another relative to further regulating deceptive trade practices.

By Mr. Turkington of Falmouth, petition (subject to Joint Rule 12) of Eric Turkington relative to the issuance of an independent clinical social worker's license to J. Winstead Adams.

By Mr. Vallee of Franklin, petition (subject to Joint Rule 12) of James E. Vallee, Ronald Mariano, Louis L. Kafka and William C. Galvin relative to authorizing nursing homes to obtain criminal records of prospective employees.

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

A report of the committee on Public Service, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1372) of Michael W. Morrissey for legislation relative to retirement groups, 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.

The House then non-concurred with the Senate in the discharge of the committee; and the bill was returned to that branch endorsed accordingly.

By Mr. Rushing of Boston, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for William Manchester, an employee of the Department of Revenue (House, No. 4962), which was read.

Under suspension of the rules, on motion of Mr. Straus of Mattapoisett, 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. Caron of Springfield, for the committee on Public Safety, on a petition, a Bill relative to the establishment of a behavioral science section in the Department of State Police (House, No. 2428). Read; and referred, under Rule 33B, to the committee on Science and Technology.

By Mr. Bosley of North Adams, for the committee on Commerce and Labor, on House, Nos. 174 and 178, a Bill relative to expanding the Apprenticeship Council (House, No. 178).

By the same member, for the same committee, on House, Nos. 174 and 179, a Bill expanding the duties of the Director of Apprentice Training (House, No. 179).
By the same member, for the same committee, on a petition, a Bill relative to auditing by the Secretary of the Commonwealth (House, No. 674).

By the same member, for the same committee, on a petition, a Bill further regulating the training of hazardous waste cleanup workers (House, No. 1958).

By the same member, for the same committee, on a petition, a Bill relative to enhancing accountability to the employers and employees of the Workers' Compensation Advisory Council (House, No. 4058).

By the same member, for the same committee, on House, Nos. 174 and 175, a Bill concerning the removal of lead on nonresidential property and the assessment of civil administrative penalties (House, No. 4981).

By Mr. Caron of Springfield, for the committee on Public Safety, on House, Nos. 141 and 157, a Bill relative to the violation and enforcement of high occupancy vehicle lane requirements (House, No. 157).

By the same member, for the same committee, on House, Nos. 212 and 237, a Bill changing the title of correction facility heads from superintendent to warden (House, No. 237).

By the same member, for the same committee, on House, Nos. 212 and 241, a Bill pertaining to Bridgewater State Hospital records (House, No. 241).

By the same member, for the same committee, on House, Nos. 212 and 249, a Bill relative to the maintenance and expansion of industries and farm services programs of the Department of Correction (House, No. 249).

By the same member, for the same committee, on a petition, a Bill providing for a change of the name of Bridgewater State Hospital (House, No. 598).

By the same member, for the same committee, on a petition, a Bill providing for a change of the name of Massachusetts Correctional Institution, Bridgewater (House, No. 599).

By the same member, for the same committee, on a petition, a Bill providing for a change of the name of the Nemansket Correctional Center (House, No. 600).

By the same member, for the same committee, on House, Nos. 2412 and 3432, a Bill establishing a relapse prevention program for sex offenders (House, No. 2412).

By the same member, for the same committee, on House, Nos. 212, 221 and 2414, a Bill relative to the chief medical examiners' office (House, No. 2414).

By the same member, for the same committee, on a petition, a Bill to provide for public safety through the proper installation of underground storage tanks and appurtenances (House, No. 3780).

By the same member, for the same committee, on a petition, a Bill relative to the creation of a task force on youth at risk (House, No. 3783).
By the same member, for the same committee, on House, Nos. 962 and 2436, a Bill relative to repair plates (House, No. 4982).

By Ms. Jehlen of Somerville, for the same committee, on a petition, a Bill relative to the provision of adequate health and mental health care to female prisoners at MCI-Framingham (House, No. 1896).

By the same member, for the same committee, on a petition, a Bill relative to correctional programs for women (House, No. 1899).

By the same member, for the same committee, on a petition, a Bill to establish the independent oversight and advisory council to evaluate health and mental health care at MCI-Framingham (House, No. 1901).

By Ms. O'Brien of Hanover, for the same committee, on a petition, a Bill prohibiting the civil commitment of women for alcoholism or substance abuse to the Massachusetts Correctional Institution at Framingham (House, No. 1902).

By Mr. Rushing of Boston, for the committee on Public Service, on a petition, a Bill relative to the retirement benefits of Mr. Frank A. Antonelli (House, No. 3252).

By Mr. Hodgkins of Lee, for the committee on State Administration, on a petition, a Bill authorizing the Division of Capital Planning and Operations to convey certain land located in the city of Brockton (House, No. 4383).

By Mr. Cahir of Bourne, for the committee on Transportation, on Senate, No. 1802 and House, No. 3669, a Bill relative to the Housatonic Railroad Company, Inc. (House, No. 4983).

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

By Mr. Valianti of Marlborough, for the committee on Education, Arts and Humanities, on House, No. 4437, a Bill relative to business education (House, No. 4984).

By Mr. Caron of Springfield, for the committee on Public Safety, on House, Nos. 204 and 208, a Bill relative to efficient injury reporting (House, No. 208).

By the same member, for the same committee, on House, Nos. 212 and 226, a Bill regarding the time limits of warrants for temporary custody of the Massachusetts Parole Board (House, No. 226).

By the same member, for the same committee, on House, Nos. 212 and 240, a Bill further regulating commitment for aid in sentencing evaluations (House, No. 240).

By the same member, for the same committee, on House, Nos. 212 and 247, a Bill relative to admission procedure at Bridgewater State Hospital (House, No. 247).

By the same member, for the same committee, on a petition, a Bill authorizing certain federal personnel to exercise police powers in the Commonwealth (House, No. 388).

By the same member, for the same committee, on a petition, a Bill relieving the buyer of a new motor vehicle from charges for a safety inspection sticker (House, No. 606).
By the same member, for the same committee, on a petition, a Bill to include call firemen to the Massachusetts Fire Training Council (House, No. 956).

By the same member, for the same committee, on a petition, a Bill relative to the calendar of prisoners in jails and houses of correction (House, No. 1186).

By the same member, for the same committee, on Senate, No. 1302 and House, No. 1194, a Bill increasing the fines for failing to stop for a school bus (House, No. 1194).

By the same member, for the same committee, on a petition, a Bill relative to correspondence of inmates (House, No. 1198).

By the same member, for the same committee, on a petition, a Bill regulating medical doctors in correctional facilities (House, No. 1199).

By the same member, for the same committee, on a petition, a Bill to require persons held in correctional facilities to complete a domestic violence assessment form (House, No. 1200).

By the same member, for the same committee, on a petition, a Bill regulating visitation at correctional facilities (House, No. 1201).

By the same member, for the same committee, on a petition, a Bill relative to fire departments and fire districts (House, No. 1206).

By the same member, for the same committee, on a petition, a Bill further regulating water skiing (House, No. 1564).

By the same member, for the same committee, on House, Nos. 1912 and 1913, a Bill relative to speed limits on certain town ways (House, No. 1913).

By the same member, for the same committee, on House, Nos. 1743, 2419 and 3988, a Bill relative to seizure of registration plates deemed revoked, suspended or cancelled (House, No. 2419).

By the same member, for the same committee, on a petition, a Bill relative to the purchase of firearms by nonresidents (House, No. 2430).

By the same member, for the same committee, on Senate, No. 1247 and House, Nos. 785 and 2454, a Bill providing the eliminating of standees on school buses (House, No. 2454, changed in section 2 by striking out the figures: "1995" and inserting in place thereof the figures: "1998").

By the same member, for the same committee, on House, Nos. 959 and 2629, a Bill relative to early parole (House, No. 2629).

By the same member, for the same committee, on a petition, a Bill relative to motor vehicle homicide (House, No. 3027).

By the same member, for the same committee, on a petition, a Bill relative to governmental pardons of certain offenders (House, No. 3193).

By the same member, for the same committee, on a petition, a Bill further regulating the sentences of certain inmates (House, No. 3194).

By the same member, for the same committee, on a petition, a Bill pertaining to notification of prisoner transfers (House, No. 3199).
By the same member, for the same committee, on a petition, a Bill relative to the license of school bus operators (House, No. 3429).

By the same member, for the same committee, on a petition, a Bill relating to transportation (House, No. 3605).

By the same member, for the same committee, on a petition, a Bill to reform the reporting of felonies committed in correctional institutions (House, No. 3606).

By the same member, for the same committee, on a petition, a Bill regulating the sale of official police insignia (House, No. 3984).

By the same member, for the same committee, on Senate, No. 1243 and House, No. 3993, a Bill requiring the operator of a recreational campground to provide certified lifeguards at any swimming pool having a depth of three feet or more within such campground (House, No. 3993).

By the same member, for the same committee, on House, Nos. 2457 and 4418, a Bill relative to certain blood tests (House, No. 4418).

By the same member, for the same committee, on a petition, a Bill relative to towing on the Massachusetts Turnpike (House, No. 4516).

By the same member, for the same committee, on a petition, a Bill further regulating the offense of obstructing emergency vehicles (House, No. 4828).

By the same member, for the same committee, on House, No. 3028, a Bill further regulating the use of snowmobiles (House, No. 4985).

By Mr. Rushing of Boston, for the committee on Public Service, on Senate, Nos. 1335 and 1370 and House, No. 3807, a Bill providing that the Commissioner of the Public Employee Retirement Administration shall be a fiduciary (House, No. 3807).

By the same member, for the same committee, on a petition, a Bill relative to pension investments (House, No. 3811).

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

Reconsideration.

Mr. Hodgkins of Lee moved that the vote be reconsidered by which the House, at the preceding sitting, passed to be engrossed the House Bill relative to county correctional officers (House, No. 4889); and, there being no objection, the motion to reconsider was considered forthwith, and it prevailed.

Pending the recurring question on passing the bill to be engrossed, it was referred to the committee on Counties on the part of the House, on further motion of the same member.

Order.

On motion of Mr. Verga of Gloucester,—

Ordered. That when the House adjourns today, it adjourn to meet on Monday next at eleven o’clock A.M.
At thirteen minutes after eleven o'clock A.M., on motion of Mr. Verga (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:

   Gracious God, we pause for this moment to think about You and to reflect upon our relationship with You. We are grateful for the gifts and blessings of family, friends, health and the opportunities which we enjoy. As elected representatives of the people, guide our efforts to legislate wisely on the sensitive, complex and ethical issues in our diverse society. Teach us to listen to the insights and views of others, but to continue our commitment to our own philosophical principles and religious values. Help us to unite the people whom we represent by explaining clearly the reasons for our own political decisions and societal goals.

   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 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 Cresta of Wakefield.

Before proceeding to consideration of the Orders of the Day, Mrs. Lewis of Bridgewater asked unanimous consent to make a statement; and, there being no objection, she addressed the House as follows:

   MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Cresta of Wakefield, will not be present in the House Chamber for today's sitting due to travel outside of the Commonwealth associated with his honeymoon vacation. Any roll calls that he may miss today will be due entirely to the reason stated.

   Mrs. Lewis then moved that the statement made by her be spread upon the records of the House; and the motion prevailed.
Statement Concerning Representative Donovan of Woburn.

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 Donovan of Woburn, will not be present in the House Chamber for today’s sitting due to jury duty. 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 Concerning Representative Fitzgerald of Boston.

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 Fitzgerald of Boston, will not be present in the House Chamber for today’s sitting due to official business in his district. 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 Fox of Boston.

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

MR. SPEAKER: I would like to call to the attention of the House the fact that I will not be 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 may miss today will be due entirely to the reason stated.

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

Statement Concerning Representative Kennedy of Brockton.

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 Kennedy of Brockton, will not be present in the House Chamber for today’s sitting due to his attendance at a funeral outside of the Commonwealth. Any roll calls that he may miss today will be due entirely to the reason stated.

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

The Speaker announced that Representative Valianti of Marlborough had been relieved of duty (at his own request) from the committee on Government Regulations and that Representative Lane of Holden had been appointed to the seventh position on said committee to fill the existing vacancy; and

That Representative Lane of Holden had been relieved of duty (at his own request) from the committee on Public Service.

Resolutions.

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

1. Resolutions (filed by Speaker Flaherty of Cambridge) congratulating the Civil Liberties Union of Massachusetts on its seventy-fifth anniversary;

2. Resolutions (filed by Speaker Flaherty of Cambridge) congratulating the Professional Firefighters of Massachusetts on the occasion of their fiftieth anniversary;

3. Resolutions (filed by Messrs. Voke of Boston, Marini of Hanson and Toomey of Cambridge) honoring William Coughlin on the occasion of his retirement from Suffolk University;

4. Resolutions (filed by Mr. Connolly of Everett) congratulating Domenic J. DiNatale III, on receiving the Eagle Award of the Boy Scouts of America;

5. Resolutions (filed by Mr. Fagan of Taunton) on the occasion of the dedication of the Doris Bartone Library in the city of Taunton;

6. Resolutions (filed by Mr. Fagan of Taunton) congratulating Mr. and Mrs. Edward Friary on the occasion of their fiftieth wedding anniversary;

7. Resolutions (filed by Mr. Kafka of Sharon) congratulating the Temple Israel on its dedication celebration on May twenty-first, nineteen hundred and ninety-five in the town of Sharon;

8. Resolutions (filed by Ms. Kerans of Danvers) congratulating Lee Sears on the occasion of her retirement from the Danvers Public Schools; and

9. Resolutions (filed by Mr. Naughton of Clinton) congratulating Matthew L. Schwall on receiving the Eagle Award of the Boy Scouts of America;

Mr. Voke of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of Rule 41, in each instance, on motion of Mr. Naughton, 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:

1. Resolutions (filed by Messrs. Casey of Winchester and Jones of North Reading) honoring Larry Tremblay, Coach of the Winchester High School wrestling team, on winning the Division 2 State Championship;
Resolutions (filed by Ms. Evans of Wayland) congratulating David M. Bloomberg on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Ms. Evans of Wayland) congratulating Timothy M. Byrd on receiving the Eagle Award of the Boy Scouts of America;

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

Communication.

A communication from the Executive Office for Administration and Finance (under Section 3B of Chapter 7 of the General Laws, as most recently amended by sections 22 and 23 of Chapter 60 of the Acts of 1994) transmitting notice relative to a change in the fee structure for fishing, hunting and other sporting licenses, was placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Connolly of Everett, petition (subject to Joint Rule 12) of Edward G. Connolly for legislation to authorize the Department of Social Services to establish a sick leave bank for Carol LeDonne, an employee of said department.

By Ms. Kaprielian of Watertown, petition (subject to Joint Rule 12) 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.

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

Papers from the Senate.

A report of the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration of the petition (accompanied by resolve, Senate, No. 620) of Philip J. Shea that provision be made for a legislative review of a certain case history in the Department of Social Services, and recommending that the same be referred to the Senate committee on Rules,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, insomuch as relates to the discharge of the committees.

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

Petition (accompanied by bill, Senate, No. 1888) of Robert L. Hedlund for legislation relative to the reuse of caskets. To the committee on Health Care.
Petition (accompanied by bill, Senate, No. 1889) of Stanley C. Rosenberg and Carmen H. Buell for legislation relative to authorizing the Division of Capital Planning and Operations to convey a certain parcel of land located in the town of Greenfield. To the committee on State Administration.

**Reports of Committees.**

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

- Petition (accompanied by bill) of Patricia D. Jehlen and David P. Magnani relative to school adjustment counselors and school social workers. To the committee on Education, Arts and Humanities.
- Petition (accompanied by bill) 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. To the committee on Natural Resources and Agriculture.
- Petition (accompanied by bill) of Mary Jeanette Murray and others for legislation to authorize the Registrar of Motor Vehicles to issue distinctive registration plates for members of Lincoln Sailing Center, Inc. To the committee on Public Safety.
- Petition (accompanied by bill) of Robert D. Hawke and Robert A. Antonioni relative to the retirement rights of Robert D. Shea, an employee of the Department of Correction. To the committee on Public Service.
- Petition (accompanied by bill) of Thomas P. Kennedy, Christine E. Canavan and Louis F. Angelo for legislation to designate the Plymouth County district attorney's office building in the city of Brockton as the William C. O'Malley Building. To the committee on State Administration.

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

By Mrs. Owens-Hicks of Boston, for the committee on Education, Arts and Humanities, on Senate, Nos. 248, 257, 258, 259, 260, 261, 271, 273, 274, 275, 284, 299, 306, 314, 316, 325, 326, 334, 341, 342, 358 and 1823 and House, Nos. 92, 94, 137, 139, 191, 192, 307, 308, 309, 311, 504, 505, 509, 510, 889, 1086, 1087, 1088, 1090, 1271, 1273, 1286, 1288, 1674, 1675, 1676, 1812, 2147, 2153, 2155, 2156, 2341, 2343, 2353, 2539, 2542, 2713, 2714, 2717, 2911, 2912, 2917, 3317, 3320, 3321, 3503, 3513, 3514, 3519, 3684, 3685, 3686, 3689, 3691, 3692, 3694, 3696, 3697, 3698, 3699, 3702, 3890, 3892, 3898, 4086, 4087, 4088, 4089, 4091, 4092, 4093, 4094, 4095, 4098, 4101, 4106, 4107, 4258, 4259, 4263, 4266, 4267, 4269, 4270, 4272, 4435, 4438, 4439, 4441, 4445, 4448, 4590, 4590, 4655 and 4820, an Order relative to authorizing the committee on Education, Arts and Humanities to make an investigation and study of certain Senate and House documents concerning public education in the Commonwealth and various other related matters (House, No. 5006).
By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, on Senate, Nos. 616, 626, 629, 633, 635, 637, 646, 648, 653, 688, 693, 695, 696, 702 and 718 and House, Nos. 186, 187, 212, 232, 234, 330, 333, 334, 336, 338, 560, 561, 746, 747, 749, 751, 1102, 1103, 1323, 1328, 2195, 2583, 2589, 2750, 2755, 3739, 3744, 3921, 3922, 3930, 4133, 4305, 4306, 4307, 4469 and 4615, 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 public assistance programs for elderly persons, early childhood intervention programs and various other related social assistance programs of the Commonwealth (House, No. 5007).

By Mr. Cahir of Bourne, for the committee on Transportation, on Senate, Nos. 1727, 1734, 1740, 1743, 1750, 1751, 1755 and 1762 and House, Nos. 141, 153, 865, 1438, 1439, 1440, 1789, 1937, 2128, 2495, 2496, 2501, 2676, 2880, 2881, 3272, 3281, 3852, 4231, 4407 and 4561, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain Senate and House documents concerning the Massachusetts Highway Department and other related matters (House, No. 5008).

Severally 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 a part of House, No. 3815 and on Senate, Nos. 1342 and 1350 and House, Nos. 620, 808, 815, 982, 985, 1024, 1217, 1371, 2101, 2256, 3038, 3039, 3444, 4003 and 4374, a Resolve providing for an investigation and study by a special commission relative to retirement benefits for public safety employees (House, No. 5009). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Bosley of North Adams, for the committee on Commerce and Labor, on a petition, a Bill providing for the imposition of seven percent annual interest on wages not timely paid (House, No. 877, changed by striking out, in line 5, the word "twelve" and inserting in place thereof the word "seven"; and in the title by striking out the following: "12%" and inserting in place thereof the words "seven percent"). Read; and referred, under Rule 33, to the committee on Counties on the part of the House.

Orders of the Day.

House bills
Relative to fire departments (House, No. 1010); Relative to the community development block grant (House, No. 2576); and
Further regulating actions concerning incapacitated police officers and firefighters (House, No. 4703) (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 regulating the possession and use of ferrets (House, No. 295), 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. Cohen of Newton 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
- Relative to efficient injury reporting (House, No. 208);
- Regarding the time limits of warrants for temporary custody of the Massachusetts Parole Board (House, No. 226);
- Further regulating commitment for aid in sentencing evaluations (House, No. 240);
- Relative to admission procedure at Bridgewater State Hospital (House, No. 247);
- Relative to the calendar of prisoners in jails and houses of correction (House, No. 1186);
- Increasing the fines for failing to stop for a school bus (House, No. 1194);
- Regulating medical doctors in correctional facilities (House, No. 1199);
- To require persons held in correctional facilities to complete a domestic violence assessment form (House, No. 1200);
- Regulating visitation at correctional facilities (House, No. 1201);
- Relative to fire departments and fire districts (House, No. 1206);
- Further regulating water skiing (House, No. 1564);
- Relative to seizure of registration plates deemed revoked, suspended or cancelled (House, No. 2419);
- Relative to the sale of tobacco products (House, No. 2509);
- Relative to early parole (House, No. 2629);
- Relative to motor vehicle homicide (House, No. 3027);
- Relative to governmental pardons of certain offenders (House, No. 3193);
- Further regulating the sentences of certain inmates (House, No. 3194);
- Pertaining to notification of prisoner transfers (House, No. 3199);
- Further protecting and enhancing the wetlands of the Commonwealth (House, No. 3395);
- To reform the reporting of felonies committed in correctional institutions (House, No. 3606);
- Relative to pension investments (House, No. 3811);
- Regulating the sale of official police insignia (House, No. 3984);
- Requiring the operator of a recreational campground to provide certified lifeguards at any swimming pool having a depth of three feet or more within such campground (House, No. 3993);
- Relative to towing on the Massachusetts Turnpike (House, No. 4516); and
- Further regulating the offense of obstructing emergency vehicles (House, No. 4828);

Severally were read a second time; and they were ordered to a third reading.
The House Bill relative to the Massachusetts economic development incentive program (House, No. 4654) was read a second time.

The amendments previously recommended by the committee on Ways and Means,—that the bill be amended in section 2 by striking out, in line 3, the following: "in paragraph (3) by inserting" and inserting in place thereof the following: "by striking out paragraph (3) contained in lines 59 to 64, inclusive, and inserting in place thereof"; in section 7 by striking out, in line 33, the following: "thirty-one H"; and in section 9 by striking out, in lines 31 and 32, the following: "or by section thirty-one H",—were adopted.

The bill (House, No. 4654, amended) then was ordered to a third reading.

The House Bill relative to the order of eligibility for police and fire service of spouses of certain police officers and firefighters (House, No. 615), 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, it was referred to the committee on Ways and Means, on motion of Mr. Connolly of Everett.

The House report of the committee on Counties, ought NOT to pass, on the petition (accompanied by bill, House, No. 1261) of Alvin E. Thompson that the Commonwealth be directed to pay a certain sum of money owed by Hampden County to Hampshire County, was considered.

Pending the question on acceptance of the report, the petition was referred to the committee on Counties on the part of the House, on motion of Mr. Dempsey of Haverhill.

The House report of the committee on Government Regulations, ought NOT to pass, on the petition (accompanied by bill, House, No. 2718) of Walter A. DeFilippi relative to beer and wine licenses, was considered.

Pending the question on acceptance of the report, the petition was recommitted, on motion of Mr. Angelo of Saugus.

At twenty-two minutes after eleven o'clock A.M., on motion of Mr. Verga of Gloucester, the House recessed until the hour of one o'clock P.M.; and at four minutes after one o'clock the House was called to order with Mr. Serra of Boston in the Chair.

The House Bill relative to athletic trainers (House, No. 1517, changed and 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; and it was passed to be engrossed. Sent to the Senate for concurrence.
The House Bill further regulating retirement laws (House, No. 979), 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.

Subsequently, the remaining matters in the Orders of the Day having been disposed of, the bill was considered further; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to trust responsibilities of banks (House, No. 3297, 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. Sent to the Senate for concurrence.

The motion of Miss Barsom of Wilbraham, that the vote be reconsidered by which the House, on Tuesday, April 4, accepted the House report of the committee on Health Care, ought NOT to pass, on the petition (accompanied by bill, House, No. 546) of John H. Rogers and other members of the House relative to patients’ rights on obtaining information of increased risks of breast cancer in abortion proceedings, was considered.

Pending the question on the motion to reconsider, further consideration thereof was postponed, on motion of Mr. Cabral of New Bedford, until after disposition of the remaining matters in the Orders of the Day.

The House Bill relative to the transfer of a certain bridge in the town of Billerica to the Department of Highways (House, No. 4559) was considered.

Pending the question on ordering the bill to a third reading, further consideration thereof was postponed, on motion of Mr. Greene of Billerica, 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 ordering the bill to a third reading, Mr. DeFilippi of West Springfield moved that it be amended in section 2 by striking out the paragraph contained in lines 57 to 63, inclusive.

Pending the question on adoption of the amendment, and the main question on ordering the bill to a third reading, further consideration thereof was postponed, on motion of Ms. Buell of Greenfield, until after disposition of the remaining matters in the Orders of 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, further consideration thereof was postponed, on motion of Ms. Buell of Greenfield, until after disposition of the remaining matters in the Orders of the Day.

The House Bill relative to bicycle and pedestrian access in construction of public ways (House, No. 1940) was read a second time.

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

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

House bills
To amend the subdivision control law to provide for the prevention and control of nonpoint source pollution (House, No. 2239);
Relative to resource recovery facilities (House, No. 2617); and
Relative to the collection of solid waste generated by certain docking facilities (House, No. 2785);
Severally were read a second time; and they were ordered to a third reading.

The House Bill to promote recycling at resource recovery facilities (House, No. 3186) was read a second time.
Pending the question on ordering the bill to a third reading, it was recommitted to the committee on Natural Resources and Agriculture, on motion of Mrs. Gray of Framingham.

The House Bill to reform the Clean Water Act of the Commonwealth (House, No. 3966) 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 striking out, in line 9, the words “, or likely to cause to contribute.”.
The amendment was adopted; and the bill (House, No. 3966, amended) was ordered to a third reading.

The House Bill further regulating real estate abatements for the elderly (House, No. 4550) 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. Brett of Boston, until after disposition of the remaining matters in the Orders of the Day.
The House Bill relative to school principals (House, No. 4945) 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. Teague of Yarmouth; and on the roll call 119 members voted in the affirmative and 27 in the negative.

[See Yea and Nay No. 114 in Supplement.]

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

Therefore the bill (House, No. 4945) was ordered to a third reading.

The House Bill relative to prior notification to the Energy Facilities Siting Board (House, No. 4946) 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. Herren of Fall River, until after disposition of the remaining matters in the Orders of the Day.

House bills
To provide for drug free public housing zones (House, No. 4947); and
To limit finance charges assessed to auto insurance ratepayers in the Commonwealth (House, No. 4949);
Severally were read a second time; and they were ordered to a third reading.

The House report of the committee on Government Regulations, ought NOT to pass, on the petition (accompanied by bill, House, No. 3541) of Mary Jeanette Murray, Emile J. Goguen and Patricia D. Jehlen for legislation to require a fifty dollar refundable deposit with the sale of each keg of beer, ale or malt beverage, 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. Angelo of Saugus.

The House report of the committee on Public Safety, ought NOT to pass, on the petition (accompanied by bill, House, No. 3992) of Jo Ann Sprague for legislation to authorize the Registrar of Motor Vehicles to issue distinctive motor vehicle plates to recipients of the Purple Heart and other veterans without additional charges, was considered.

Pending the question on acceptance of the report, the petition was recommitted, on motion of Mr. Caron of Springfield.

The House Bill authorizing certain federal personnel to exercise police powers in the Commonwealth (House, No. 388) was read a second time; and it was ordered to a third reading.
The House Bill relieving the buyer of a new motor vehicle from charges for a safety inspection sticker (House, No. 606) 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 by substitution of a Bill relative to the sales tax on certain motor vehicles (House, No. 5010), which was read. The amendment was adopted.

Pending the question on ordering the substituted bill to a third reading, it was referred, under Rule 33, to the committee on Ways and Means.

The House Bill to include call firemen to the Massachusetts Fire Training Council (House, No. 956) 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. Rushing of Boston, until after disposition of the remaining matters in the Orders of the Day.

House bills
Relative to correspondence of inmates (House, No. 1198); and Relative to speed limits on certain town ways (House, No. 1913); Severally were read a second time.

Pending the question, in each instance, on ordering the bill to a third reading, further consideration thereof was postponed, on motions of Mr. Caron of Springfield, until after disposition of the remaining matters in the Orders of the Day.

House bills
Relative to the purchase of firearms by non-residents (House, No. 2430); Providing the eliminating of standees on school buses (House, No. 2454, changed); and Relative to the license of school bus operators (House, No. 3429); Severally were read a second time; and they were ordered to a third reading.

The House Bill relating to transportation (House, No. 3605) 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 providing that the Commissioner of the Public Employee Retirement Administration shall be a fiduciary (House, No. 3807) was read a second time; and it was ordered to a third reading.

The House Bill relative to certain blood tests (House, No. 4418) was read a second time.

Pending the question on ordering the bill to a third reading, Messrs. Peters of Charlton and Cousins of Newburyport moved,
there being no objection, that it be amended by inserting after the word “shall”, in line 6, the words “and no hospital shall conduct a blood alcohol test unless in accordance with accepted medical practice”; and 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 sentence: “Said test shall be administered upon the request of investigating officer who has probable cause for said test to exist.”. The amendment was adopted.

The bill (House, No. 4418, amended) then was ordered to a third reading.

The House Bill relative to business education (House, No. 4984) 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 further regulating the use of snowmobiles (House, No. 4985) was read a second time; and it was ordered to a third reading.

At nineteen minutes after two o'clock P.M., on motion of Mr. Voke of Boston (Mr. Serra of Boston being in the Chair), the House recessed until half past two o'clock P.M.; and at sixteen minutes before three o'clock the House was called to order with Mr. Serra in the Chair.

The House Bill relative to the equitable taxation of financial institutions (House, No. 4975, amended) was considered.

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

Subsequently, there being no objection, the bill was considered further.

Mr. Scaccia of Boston then moved that the bill be amended by adding at the end thereof the following three sections:

“SECTION 8. Paragraph (c) of section 2 of chapter 62, as amended by section 12 of chapter 195 of the acts of 1994, is hereby amended by striking out subparagraph (2) and inserting in place thereof the following:—

(2) The excess, if any, of the net short-term capital loss for the year over the net long-term capital gain for the year, but not more than one thousand dollars, shall be applied against any interest and dividends included in Part A gross income. If the amount of such excess is less than one thousand dollars, then the excess, if any, of the net long-term capital loss for the year over the net short-term
capital gain for the year shall be applied against the balance of such interest and dividends; provided, however, that the aggregate amount of the deduction under this paragraph shall not be more than one thousand dollars. The excess of the net short-term capital loss over the net long-term capital gain, reduced by the amount allowed under this paragraph which is attributable to such excess, shall be a short-term capital loss in the succeeding taxable year. The excess of the net long-term capital loss over the net short-term capital gain, reduced by the amount allowed under this paragraph which is attributable to such excess, shall be a long-term capital loss in the succeeding taxable year.

SECTION 9. Paragraph (e) of section 2 of chapter 62, as amended by section 14 of chapter 195 of the acts of 1994, is hereby amended by striking out the last paragraph in its entirety.

SECTION 10. Sections 9 and 10 shall apply to taxable years beginning on or after January first, nineteen hundred and ninety-six."

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

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 138 members were recorded as being in attendance. [See Yea and Nay No. 115 in Supplement.]

Therefore a quorum was present.

After remarks Mr. Gauch of Shrewsbury raised a point of order that the amendment offered by the gentleman from Boston was improperly before the House for the reason that it was beyond the scope of the bill currently pending before the House.

The Chair (Mr. Serra of Boston) stated that the point of order was not well taken.

After debate the amendment was rejected.

There being no objection,— Messrs. Brett of Boston and Landers of Palmer moved that the bill be amended in section 1 by striking out the paragraph contained in lines 264 to 293, inclusive, and inserting in place thereof the following paragraph:

"For taxable years beginning on or after January first, nineteen hundred and ninety-nine, if two or more financial institutions participate in the filing of a consolidated return of income to the federal government, the commissioner may require such financial institutions or such financial institutions may, if all such financial institutions so participating elect, make a single return on their combined net income for purposes of determining the tax imposed by this section, in which case the tax shall be assessed to all said financial institutions upon their combined net income and collected from any one or more of them. For purposes of this section, 'combined net income' shall be the aggregate net income, as defined in paragraph sixteen of section one, of all said financial institutions. The commissioner
Financial institutions,— taxation.

shall promulgate rules and regulations, based upon the apportionment rules contained in section three, to determine the method by which such combined net income shall be apportioned to the commonwealth. Financial institutions electing to file a combined return under this section must continue to file such a combined return for each succeeding taxable year unless and until they receive the written prior approval of the commissioner to file separate returns of income. Such approval shall be granted only if a valid business purpose, other than a reduction of tax, exists for the request. An application to file such separate returns, must be made on or before the due date, including any extensions of time, for the filing of the return required under this chapter and chapter sixty-two C. The net income of a financial institution which is a subsidiary of another corporation or closely affiliated therewith by stock ownership shall be determined by eliminating all payments to the parent corporation or affiliated corporations in excess of fair value, and by including fair compensation to such financial institution for all commodities sold to or services performed for the parent corporation or affiliated corporations.

For taxable years beginning on or after January first, nineteen hundred and ninety-six, if two or more financial institutions participate in the filing of a consolidated return of income to the federal government, the commissioner shall require such financial institutions to make a single return on their combined net income for purposes of determining the tax imposed by this section, in which case the tax shall be assessed to all said financial institutions upon their combined net income and collected from any one or more of them; provided that the commissioner shall not require such financial institutions to make a single return on their combined net income if he determines that there is a valid business purpose, other than a reduction of tax, for the filing of separate returns by such financial institutions. For purposes of this section, 'combined net income' shall be the aggregate net income, as defined in paragraph sixteen of section one, of all said financial institutions. The commissioner shall promulgate rules and regulations, based upon the apportionment rules
contained in section three, to determine the method by which such combined net income shall be apportioned to the commonwealth. The net income of a financial institution which is a subsidiary of another corporation or closely affiliated therewith by stock ownership shall be determined by eliminating all payments to the parent corporation or affiliated corporations in excess of fair value, and by including fair compensation to such financial institution for all commodities sold to or services performed for the parent corporation or affiliated corporations.".

After debate on the question on adoption of the further amendment (Mr. Voke of Boston being in the Chair), the sense of the House was taken by yeas and nays, at the request of Mr. Demakis of Boston; and on the roll call 49 members voted in the affirmative and 102 in the negative.

[See Yea and Nay No. 116 in Supplement.]

Therefore the further amendment was rejected.

The first part of the amendment, offered by Messrs. Brett and Landers (in section 1), then was adopted.

The second part of the amendment (striking out section 7, and inserting in place thereof a new section 7) then also was adopted.

Messrs. Brett of Boston and Tolman of Boston then moved, there being no objection, that the bill be amended in section 8 (inserted by amendment), in the second paragraph, by striking out the words "forty percent" and inserting in place thereof the words "fifty percent"; and the amendment was adopted.

The bill, as amended, then was passed to be engrossed. Mr. Brett 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. 4975, amended) then was sent to the Senate for concurrence.

Order.

The Speaker being in the Chair, on motion of Mr. Voke of Boston,—

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

Miss Garry of Dracut 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-seven minutes before five o'clock P.M. (the Speaker being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.
Thursday, May 18, 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 pause for a moment of prayer to turn our thoughts to You and to renew our commitment to You, Your precepts and to our personal and constitutional responsibilities. Guide us as we address the concerns of the electorate and the needs of both people and our communities. Help us to make fair and just decisions by accepting as our guide sound principles as well as the insights and experiences of others. Grant us the enthusiasm and creativity to build confidence in the minds of people in our institutions and in the democratic process, so that our future will be secure.

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:

Alexander J. Kostopoulos.

Resolutions (filed by Ms. Brenton of Burlington) congratulating Alexander J. Kostopoulos on receiving the Eagle Award of the Boy Scouts of America;

Edwin Kennealey Day.

Resolutions (filed by Mr. Brett of Boston) recognizing May twenty-fourth, nineteen hundred and ninety-five as “Edwin John Kennealey Day”;

Russell F. Sheehan.

Resolutions (filed by Mr. Brett of Boston) congratulating Russell F. Sheehan on his recent appointment as Special Administrator of the Electrical Construction Trust Funds;

Holyoke—basketball team.

Resolutions (filed by Representatives Chesky of Holyoke and DeFilippi of West Springfield) congratulating the Holyoke High School Boys basketball team on its nineteen hundred and ninety-five Western Massachusetts Championship Title and its participation in the Massachusetts Division 1 Championship;

Gurney Arnold.

Resolutions (filed by Mr. Cousins of Newburyport) commending Gurney Arnold, Principal in the Newburyport Public Schools on the occasion of his retirement;

Edward S. Kramer.

Resolutions (filed by Mr. DiPaola of Malden) congratulating Edward S. Kramer on the occasion of his retirement as Principal of the Belmont Elementary School;
Resolutions (filed by Ms. Evans of Wayland) commemorating the one hundredth year of women serving in state legislatures;

Resolutions (filed by Mr. Fagan of Taunton) congratulating Robert Arthur Carroll on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Messrs. Gately of Waltham, Locke of Wellesley and Mandile of Waltham) congratulating the Honorable Arlyne F. Hassett, First Justice of the Waltham Division of the District Court Department of the Trial Court, on the occasion of her retirement;

Resolutions (filed by Mr. Glodis of Worcester) congratulating Frank Petrella on the occasion of his retirement;

Resolutions (filed by Mr. Guerriero of Melrose) congratulating John Charles Ferrara on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Kaufman of Lexington) congratulating Fleming M. Fox V on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Messrs. Kujawski of Webster, Kollios of Millbury and Peters of Charlton) congratulating David W. Horsley on the occasion of his retirement;

Resolutions (filed by Mr. Lambert of Fall River) congratulating the Espirito Santo Federal Credit Union on the occasion of its fortieth anniversary;

Resolutions (filed by Mr. Lepper of Attleboro) congratulating Angelo John Perry on the occasion of his eightieth birthday;

Resolutions (filed by Mr. Poirier of North Attleborough) congratulating Martha Crawford on the occasion of her retirement from the North Attleborough School Department;

Resolutions (filed by Ms. Resor of Acton) congratulating Eileen Sullivan on receiving the Global Educator of the Year Award for nineteen hundred and ninety-five;

Resolutions (filed by Mr. Serra of Boston) congratulating the East Boston High School football team on winning the Eastern Massachusetts Division 5A Super Bowl;

Resolutions (filed by Mr. Serra of Boston) congratulating the East Boston High School hockey team on winning the Boston City Championship and its participation in the Eastern Massachusetts Division 3 finals;

Resolutions (filed by Mr. Serra of Boston) congratulating the East Boston High School indoor track team on winning the Boston City Championship;

Resolutions (filed by Mr. Slattery of Peabody) congratulating Scott E. Colbert on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mrs. Sprague of Walpole) congratulating Susan Brainard on being chosen Division 2 Massachusetts State Girls’ Basketball nineteen hundred and ninety-five Coach of the Year;
Resolutions (filed by Representatives Travis of Rehoboth and Menard of Somerset) congratulating David William Azar on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Representatives Travis of Rehoboth and Menard of Somerset) congratulating Matthew Ronald Fontaine on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Travis of Rehoboth) congratulating Christopher R. Nicholas on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mrs. Walrath of Stow) congratulating the Hudson Portuguese Community on the celebration of June tenth, nineteen hundred and ninety-five the “Day of Portugal”;

Mr. Serra, 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. Brett, 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.

Reports

Of the Bureau of Special Investigations (submitted under authority of Section 15D(6) of Chapter 22 of the General Laws) for the month of April, 1995; 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 Hampshire County Jail and House of Correction;

Severally sent to the Senate for its information.

The annual report of the Worcester Regional Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) of its operations of the fiscal year ending June 30, 1994, was placed on file.

Petitions severally were presented and referred as follows:

By Mrs. Harkins of Needham, petition (accompanied by bill, House, No. 5032) of Lida E. Harkins and John H. Rogers (by vote of the town) for legislation to authorize the town of Medfield to abate excise tax bills of David J. Foulsham and Frederic Byda of said town; and

By Mrs. Hyland of Foxborough, petition (accompanied by bill, House, No. 5033) of Barbara C. Hyland, Kevin Poirier and William R. Keating (by vote of the town) for legislation to authorize the town of Mansfield to adopt impact fees;

Severally to the committee on Local Affairs.

By Mr. Broadhurst of Methuen, petition (accompanied by bill, House, No. 5034) of Arthur J. Broadhurst, James P. Jaiuga and others (with the approval of the mayor and town council) for legislation to authorize the exemption of a certain lease in the city known
as the town of Methuen from the provisions of the competitive bidding laws. To the committee on State Administration.
Severally sent to the Senate for concurrence.

Petitions.

Ms. Chandler of Worcester presented a petition (subject to Joint Rule 12) of Harriette L. Chandler for legislation to authorize the Department of Correction to establish a sick leave bank for Michael S. Slarskey, an employee of said department; 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 Ms. Chandler, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:
By Mr. Cahir of Bourne, petition (subject to Joint Rules 12 and 9) of Thomas S. Cahir and Henri S. Rauschenbach relative to the Mashpee Water District.

By Mrs. Canavan of Brockton (by request), petition (subject to Joint Rule 12) of Gladys E. Bergstrom for legislation to authorize credit of sick days accumulated by said Gladys E. Bergstrom while employed in a certain position at the Brockton District Court.

By Mr. Caron of Springfield, petition (subject to Joint Rule 12) of Paul E. Caron relative to motor vehicle safety and emission inspection stickers.

By Mr. Cohen of Newton, petition (subject to Joint Rule 12) of David B. Cohen relative to the sale of alcoholic beverages to intoxicated persons.

By the same member, petition (subject to Joint Rule 12) of David B. Cohen for legislation to provide notice to cosigners of bank and credit union accounts before reporting defaults to consumer reporting agencies.

By Mrs. Harkins of Needham, petition (subject to Joint Rule 12) of Lida E. Harkins relative to creditable service for unpaid elected officials of a school committee or board of library trustees.

By Mr. Klimm of Barnstable, petition (subject to Joint Rule 12) of John C. Klimm for legislation to establish the Massachusetts Bay ocean sanctuary.

By Mr. Pedone of Worcester (by request), petition (subject to Joint Rule 12) of Edward Mike McClendon relative to the punishment of persons falsely accusing minorities of crimes.

By the same member (by request), petition (subject to Joint Rule 12) of Anita Fournier and another relative to the public safety employees line of duty death benefits.
By Mr. Travis of Rehoboth, petition (subject to Joint Rule 12) of Philip Travis and William R. Keating relative to the election of the board of water commissioners of the Seekonk Water District.

By Mr. Vallee of Franklin, petition (subject to Joint Rule 12) of James E. Vallee relative to capital gains taxes of persons sixty-five years of age or older.

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

Papers from the Senate.

Bills

Authorizing the Division of Capital Planning and Operations to grant an easement interest in certain land located in the city of New Bedford (Senate, No. 1507, amended in section 1 by striking out, in lines 3 to 6, inclusive, the following: “forty J, inclusive, of chapter seven of the General Laws, to convey by deed an easement interest in a certain vacant portion of a large parcel of land located in the city of New Bedford to an individual or entity” and inserting in place thereof the following: “forty G, inclusive, and sections forty I to forty J, inclusive, of chapter seven of the General Laws but notwithstanding the provisions of section forty H, of said chapter seven, to grant an easement in a certain vacant portion of a large parcel of land located in the city of New Bedford to the New England Telephone and Telegraph Company”; in section 2 by striking out, in line 1 and also in line 3, the word “deed” and inserting in place thereof, in each instance, the words “legal document”; in section 4 by striking out, in line 3, the word “department” and inserting in place thereof the word “division”; and by striking out section 5) (on a petition); and

Authorizing the Division of Capital Planning and Operations to convey certain parcels of land to Franklin County for highway purposes (Senate, No. 1547, amended in section 1 by striking out, in line 3, the following: “forty J, inclusive” and inserting in place thereof the following: “forty G, inclusive, and notwithstanding the provisions of section forty H”) (on a petition);

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

A petition of Cheryl A. Jacques, Mary and Paul Fitzgerald and Mark C. Montigny for legislation relative to insurance coverage for blood glucose monitoring strips for diabetics, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Insurance.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1893) was referred, in concurrence, to the committee on Insurance.
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 Frank G. Cousins, Jr., relative to the offense of operating a motor vehicle while under the influence of alcoholic beverages or controlled substances. To the committee on Criminal Justice.

Petition (accompanied by bill) of James H. Fagan, Joan M. Menard and Philip Travis relative to jury sessions in Bristol County. To the committee on the Judiciary.

Petition (accompanied by bill) of Kevin Poirier for legislation to authorize the Department of Mental Retardation to establish a sick leave bank for Henry Wier, an employee of said department;

Petition (accompanied by bill) of M. Paul Iannuccillo for legislation to authorize the Department of Highways to establish a sick leave bank for Robert Heckathorn, an employee of said department; and

Petition (accompanied by bill) of Edward G. Connolly for legislation to authorize the Department of Social Services to establish a sick leave bank for Carol LeDonne, an employee of said department; and

Petition (accompanied by bill) of Edward G. Connolly for legislation to exempt certain contracts from the uniform procurement law. To the committee on State Administration.

Petition (accompanied by bill) of Everett G. Downing and Kevin Poirier for legislation to authorize taxpayers to voluntarily contribute all or a part of any refund to a special fund to be known as the "state debt reduction fund". To the committee on Taxation.

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

By Mrs. Owens-Hicks of Boston, for the committee on Education, Arts and Humanities, on a petition, a Bill relative to the Brewster elementary school (printed as Senate, No. 1884), which was read [Local Approval Received].

Under suspension of the rules, on motion of Mr. Teague of Yarmouth, 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. Brett of Boston, for the committee on Taxation, recommending that the biennial report of the Commissioner of Revenue (under Section 10C of Chapter 58 of the General Laws) submitting an equalization and apportionment upon the several cities and towns of the amount of property and the proportion of every one thousand
dollars of state or county tax which should be assessed upon each city and town and assessment ratios for classes of property in each city and town (House, No. 4573) be placed on file.

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

By Mr. DiMasi of Boston, for the committee on Banks and Banking, on Senate, No. 15 and House, No. 4816, an Order relative to authorizing the committee on Banks and Banking to make an investigation and study of certain Senate and House documents concerning savings banks and deposit insurance (House, No. 5011).

By the same member, for the same committee, on Senate, Nos. 18 and 636 and House, Nos. 10, 11, 12, 17, 1470 and 1951, an Order relative to authorizing the committee on Banks and Banking to make an investigation and study of certain Senate and House documents concerning bank deposits, state-chartered banks and credit unions and other matters under the jurisdiction of the Commissioner of Banks (House, No. 5012).

By the same member, for the same committee, on recommitted petitions House, Nos. 291, 485 and 3672, an 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).

By the same member, for the same committee, on House, No. 4574, an Order relative to authorizing the committee on Banks and Banking to make an investigation and study of a certain House document concerning rent-to-own contracts for businesses (House, No. 5014).

By Mr. Bosley of North Adams, for the committee on Commerce and Labor, on Senate, No. 88 and House, Nos. 489, 678, 3678 and 4072, an Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain Senate and House documents concerning family leave by employers and other matters related to discrimination (House, No. 5015).

By Mrs. Harkins of Needham, for the committee on Housing and Urban Development, on House, Nos. 554, 1318, 2940, 2941 and 3355, an Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain House documents concerning low income subsidized apartments, building lot sizes, housing construction and low and moderate income housing (House, No. 5016).

By Mr. Rushing of Boston, for the committee on Public Service, on Senate, Nos. 1320, 1321, 1324, 1325, 1326, 1327, 1333, 1334, 1337, 1338, 1340, 1344, 1345, 1352, 1355, 1357, 1359, 1360, 1363, 1364, 1367, 1368, 1369, 1371, 1376, 1378, 1390, 1394, 1398, 1402, 1409, 1410, 1411, 1412, 1415, 1416, 1417, 1419, 1420, 1423, 1424, 1431, 1432, 1433, 1434, 1435, 1437, 1444, 1445, 1448, 1450, 1452, 1453 and 1454 and House, Nos. 141, 156, 212, 243, 251, 400, 401, 403, 404, 405, 406, 408, 412, 414, 415, 416, 613, 614, 617, 621,
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622, 629, 632, 799, 805, 809, 810, 819, 820, 822, 964, 965, 967, 968, 969, 973, 975, 976, 977, 978, 980, 984, 987, 991, 994, 997, 999, 1007, 1008, 1009, 1011, 1013, 1014, 1019, 1020, 1022, 1023, 1025, 1215, 1216, 1218, 1220, 1369, 1370, 1372, 1377, 1378, 1379, 1383, 1385, 1386, 1391, 1397, 1401, 1570, 1572, 1575, 1576, 1579, 1580, 1583, 1586, 1593, 1600, 1605, 1607, 1755, 1757, 1762, 1764, 1767, 2083, 2084, 2087, 2088, 2089, 2090, 2091, 2096, 2097, 2099, 2257, 2260, 2462, 2467, 2468, 2644, 2646, 2651, 2652, 2653, 2809, 2813, 2817, 2818, 3030, 3031, 3033, 3035, 3037, 3042, 3043, 3044, 3045, 3050, 3052, 3054, 3057, 3207, 3217, 3222, 3224, 3229, 3243, 3245, 3246, 3247, 3250, 3254, 3442, 3446, 3450, 3610, 3611, 3613, 3614, 3787, 3788, 3789, 3790, 3794, 3796, 3797, 3798, 3809, 3819, 3998, 3999, 4000, 4012, 4202, 4204, 4369, 4376, 4378, 4379, 4531, 4534, 4630 and 4737, an Order relative to authorizing the committee on Public Service to make an investigation and study of certain Senate and House documents concerning benefits for public employees and other related matters (House, No. 5017).

By Mr. Hodgkins of Lee, for the committee on State Administration, on House, No. 2110, an Order relative to authorizing the committee on State Administration to make an investigation and study of a certain House document concerning the placement of providers of services to the Commonwealth under the ethics law (House, No. 5018).

By the same member, for the same committee, on House, No. 3265, an Order relative to authorizing the committee on State Administration to make an investigation and study of a certain House document concerning regulations for the publication of hearings by public agencies under the state administration procedure law (House, No. 5019).

By the same member, for the same committee, on House, No. 4635, an Order relative to authorizing the committee on State Administration to make an investigation and study of a certain House document concerning the membership of boards, commissions and authorities of the Commonwealth (House, No. 5020).

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

By Mr. Hodgkins of Lee, for the committee on State Administration, on a petition, a Bill relative to municipal fraud audits (House, No. 2837). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Hodgkins of Lee, for the committee on State Administration, on House, No. 2826, a Bill relative to audits of county retirement systems (House, No. 5021). Read; and referred, under Rule 33, to the committee on Counties on the part of the House.

By Ms. Buell of Greenfield, for the committee on Health Care, on a petition, a Bill to provide that certain health care plans and policies shall cover payment for costs arising from speech, hearing and language disorders (House, No. 4140).

Providers,—

ethics law.

Public agencies,—

hearings.

Boards and commissions,—

membership.

Municipal fraud audits.

County retirement systems.

Speech, etc,—

disorders.
Halifax,—
Aldana Road land.

Otis, Tolland and Blandford,—
land.

Salem State College,—
GTE site.

Brockton,—
courthouse construction.

Hazardous materials.

Non-discrimination programs.

Economic impact reports.

Fishing industry,—
piers.

Social Services,—
complaints.

False fire alarms.

Medfield,—
right-of-way.

Police memorial.

Sexual harassment.

State agencies,—
recycling.

Harwich,—
cemetery land.

Ashland,—
land.

By Mr. Hodgkins of Lee, for the committee on State Administra-
tion, on a petition, a Bill authorizing the Division of Capital Planning
and Operations to convey a certain parcel of land in the town of
Halifax (House, No. 441).

By the same member, for the same committee, on a petition, a Bill
conveying certain land under the control of the Department of
Environmental Management in the towns of Otis, Tolland and
Blandford (House, No. 1233).

By the same member, for the same committee, on a petition, a Bill
providing for the acquisition and development by Salem State College
of the GTE site in Salem (House, No. 1772).

By the same member, for the same committee, on House, Nos. 866
and 2667, a Bill relative to the construction of a courthouse in the city
of Brockton (House, No. 2667) [Bond Issue: $35,000,000.00].

By the same member, for the same committee, on a petition, a Bill
to provide interest on claims (House, No. 2668).

By the same member, for the same committee, on a petition, a Bill
relative to nondiscrimination in programs funded by the
Commonwealth (House, No. 2835).

By the same member, for the same committee, on House, Nos. 3821
and 3822, a Bill relative to economic impact (House, No. 3821).

By the same member, for the same committee, on a petition, a Bill
to allow the state to invest in development rights for piers dedicated to
the fishing industry (House, No. 3824).

By the same member, for the same committee, on a petition, a Bill
prohibiting discrimination or retaliation against employees who file
complaints with the Department of Social Services (House, No. 4023).

By the same member, for the same committee, on a petition, a Bill
relative to the reimbursement to cities and towns for the cost of
responding to false fire alarms (House, No. 4213).

By the same member, for the same committee, on a petition, a Bill
providing for the abandonment and conveyance of a right of way in
Medfield (House, No. 4214).

By the same member, for the same committee, on a petition, a Bill
relative to the establishment of a police memorial (House, No. 4543).

By the same member, for the same committee, on a petition, a Bill
to reduce sexual harassment in public agencies (House, No. 4548).

By the same member, for the same committee, on a petition, a Bill
providing for the promotion and enforcement of environmentally sound
practices within Massachusetts state government (House, No. 4636).

By the same member, for the same committee, on a petition, a Bill
relative to the transfer of a parcel of land in the town of Harwich
(House, No. 4715) [Local Approval Received].

By the same member, for the same committee, on a message from
His Excellency the Governor, a Bill authorizing the Commissioner of
the Division of Capital Planning and Operations to acquire certain
parcels of land in the town of Ashland (printed in House, No. 4812).

By the same member, for the same committee, on a message from
His Excellency the Governor, a Bill authorizing the Commissioner of
the Division of Capital Planning and Operations to acquire a certain parcel of land in the town of Framingham (printed in House, No. 4813).

By the same member, for the same committee, on a petition, a Bill authorizing the Division of Capital Planning and Operations to convey certain land in the city of Boston (House, No. 4833).

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

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. 126 and 127, a Bill relative to the storage of apples (House, No. 127).

By the same member, for the same committee, on House, Nos. 212 and 222, a Bill relative to the Massachusetts "Lemon Law", so-called (House, No. 222).

By the same member, for the same committee, on House, Nos. 212 and 227, a Bill regarding access to Department of Employment Security records by the Massachusetts Parole Board (House, No. 227).

By the same member, for the same committee, on House, Nos. 276, 278, and 4424, a Bill amending the Uniform Commercial Code to modify the definition of the term "security interest" (House, No. 278).

By the same member, for the same committee, on a petition, a Bill further regulating the sale of fruit and vegetables (House, No. 292, changed by adding at the end thereof the following sentence: "No requirements of this act shall apply to farmstands and roadside stands.").

By the same member, for the same committee, on a petition, a Bill relative to licenses for the sale of second hand vehicles (House, No. 683).

By the same member, for the same committee, on a petition, a Bill insuring the impartiality of administrative judges and administrative law judges under the Workers' Compensation Act (House, No. 1065).

By the same member, for the same committee, on a petition, a Bill relative to the Industrial Accident Board nominating panel (House, No. 1073).

By the same member, for the same committee, on a petition, a Bill relative to retail sales (House, No. 1661).

By the same member, for the same committee, on Senate, No. 44 and House, Nos. 204, 206, 682, 1076, 1957 and 3488, a Bill to protect the public health by banning the public distribution of free smoking or tobacco products for commercial purposes (House, No. 1957).

By the same member, for the same committee, on a petition, a Bill relative to the occupational blood lead registry (House, No. 1960).

By the same member, for the same committee, on a petition, a Bill making certain changes in the law regulating rental equipment (House, No. 1961).
By the same member, for the same committee, on a petition, a Bill exempting yard sales from the Sunday laws (House, No. 1967).

By the same member, for the same committee, on a petition, a Bill further regulating labor disputes (House, No. 3300).

By the same member, for the same committee, on Senate, No. 87 and House, No. 4057, a Bill relative to the establishment of workplace safety committees (House, No. 4057).

By the same member, for the same committee, on a petition, a Bill relative to commission sales contracts (House, No. 4245, changed by adding at the end thereof the following section:

"SECTION 5. Section 7 of Chapter 104 of the General Laws, as appearing in the 1992 Official Edition, is hereby amended by striking out, in line 12, the words 'an individual' and inserting in place thereof the words 'a person'.")

By the same member, for the same committee, on a petition, a Bill relative to racial or ethnic classification (House, No. 4575, changed by striking out the sentence contained in lines 7, 8 and 9).

By the same member, for the same committee, on House, No. 875, a Bill providing that cigarette paper be considered drug paraphernalia (House, No. 5027).

By the same member, for the same committee, on House, No. 2889, a Bill providing warranty repair reimbursement for motor vehicle parts at retail (House, No. 5028).

By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, on a petition, a Bill relative to the reporting of abuse on persons with disabilities (House, No. 2007).

By Mr. McDonough of Boston, for the committee on Insurance, on Senate, No. 759 and House, Nos. 924, 1720, 2762, 2947, 2948, 2953, 4316 and 4488, a Bill further regulating certain premium increases in Medicare supplemental group coverage (House, No. 5029).

By Mr. Petrolati of Ludlow, for the committee on Local Affairs, on a petition, a Bill establishing a fair share zoning bylaw impact fee (House, No. 2069) [Local Approval Received].

By Mr. Rushing of Boston, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Robin Wright, an employee of the Department of Social Services (House, No. 4937).

By Mr. Hodgkins of Lee, for the committee on State Administration, on House, Nos. 2 and 9, a Bill correcting a reference in the debarment law (House, No. 9).

By the same member, for the same committee, on a petition, a Bill further defining participation by selectmen and mayors in self-insurance groups (House, No. 2666).

By the same member, for the same committee, on a petition, a Bill providing for the regulation of trust funds (House, No. 2825).

By the same member, for the same committee, on a petition, a Bill making certain changes in the law regulating the rental of equipment (House, No. 3059).

By the same member, for the same committee, on a petition, a Bill removing the power of the Governor to make certain appointments (House, No. 4206).
By the same member, for the same committee, on a petition, a Bill clarifying the process by which certain laws or regulations are declared not to be effective in cities or towns (House, No. 4208).

By the same member, for the same committee, on House, No. 4020, a Bill clarifying provisions for listing sub-contractors in heating, ventilating and air conditioning sub-trade and in plumbing sub-trade (House, No. 5030).

By Ms. Brenton of Burlington, for the same committee, on House, No. 450, a Bill further regulating the public records law with respect to electronic data (House, No. 5031).

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. 1662) of Edward B. Teague III, Frank G. Cousins, Jr., and Brian S. Dempsey relative to the opening of retail stores on Sundays and certain holidays. Placed in the Orders of the Day for the next sitting, the question being on acceptance.

Engrossed Bills.

Engrossed bills
Relative to the Brewster Elementary School (see House bill printed as Senate, No. 1884);
Authorizing counties to issue refunding bonds and notes (see House, No. 502);
Providing for the annual observance of law enforcement memorial month (see House, No. 2662); and
Authorizing the county commissioners for Norfolk County to borrow money for the repair, renovation, and constructing, equipping and furnishing of buildings at Norfolk County Agricultural School in the town of Walpole (see House, No. 4568); (Which severally originated in the House);
Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the Speaker and sent to the Senate.

Orders of the Day.

The Senate Bill designating the boardwalk on the grounds of the Lynn Heritage State Park as the Mayor Antonio J. "Tony" Marino Boardwalk (Senate, No. 1813) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

The House Bill establishing a capital investment fund in the town of West Boylston (House, No. 577), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third
time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. Angelo of Saugus,—

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

Mr. Nagle of Northampton then moved that as a mark of respect to the memory of Jeremiah G. Lucey, a member of the House from Northampton in 1945 and 1946, the House adjourn; and the motion prevailed.

Accordingly, at seventeen minutes before twelve o’clock noon, 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 depend upon You for guidance in our struggle to remain faithful to our personal and legislative responsibilities. Grant us the wisdom to comprehend issues clearly and to focus our energies on addressing today's legislative challenges. Help us to build communities which are free of violence, racial tension and political turmoil. Bless our efforts to unite people in pursuing causes which respect the rights, the dignity and the political and religious beliefs of all individuals. Teach us to avoid inflammatory language and unreasonable statements which divide communities and undermine confidence in our institutions and each other.

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

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

Statement Concerning Representative Caron of Springfield.

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

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Caron of Springfield, will not be present in the House Chamber for today's sitting due to 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 Gray of Framingham.

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 Gray of Framingham, will not be present in the House Chamber for today's sitting due to previously scheduled events. 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 Concerning Representative Kelly of Dalton.

Before proceeding to consideration of the Orders of the Day, Mrs. Lewis of Bridgewater asked unanimous consent to make a statement; and, there being no objection, she addressed the House as follows:

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

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

Statement Concerning Representative Lewis of Dedham.

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 Lewis of Dedham, has been absent from the House Chamber since the sitting of Monday, May 15, due to the birth of her son, Patrick, and her convalescence since the birth. Any roll calls that she has missed since May 15, or may miss today or for the next few weeks of her maternity leave 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 Paulsen of Belmont.

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 Paulsen of Belmont, will not be present in the House Chamber for today's sitting due to illness. 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.

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 Mrs. Anne Pressman for her many years of inspiring service as a member of the Chelsea Public Library Board of Trustees;

Resolutions (filed by Mr. Casey of Winchester) congratulating Neal J. Harte on being awarded the Professional Service Award for nineteen hundred and ninety-five by the Massachusetts Society of Certified Accountants;
Resolutions (filed by Mr. Connolly of Everett) congratulating Lenore "Lee" Connolly on the occasion of her retirement from the Everett Public Schools;

Resolutions (filed by Mr. Fagan of Taunton) congratulating Mr. and Mrs. Andrew Marshall III on the occasion of their twenty-fifth wedding anniversary;

Resolutions (filed by Miss Garry of Dracut) congratulating Dr. Christos Daoulas on receiving the prestigious Dean Arthur Herbert Wilde Society Award;

Resolutions (filed by Mrs. Harkins of Needham) congratulating Arnold Shufro on the occasion of his seventy-fifth birthday;

Resolutions (filed by Ms. Kerans of Danvers) congratulating Barbara Remon on being chosen Danvers Community Council "Citizen of the Year 1994";

Resolutions (filed by Ms. Kerans of Danvers) congratulating Lois K. Rogers, M.D., on fifty years in practice in the town of Topsfield;

Resolutions (filed by Ms. Kerans of Danvers) congratulating Kenneth St. Pierre on being chosen as "Youth Volunteer of the Year 1994" by the Danvers Community Council;

Resolutions (filed by Ms. Kerans of Danvers) congratulating Elizabeth Trask on being chosen as "Youth Volunteer of the Year 1994" by the Danvers Community Council;

Resolutions (filed by Mr. Marzilli of Arlington) honoring Lorraine D. Cove;

Resolutions (filed by Messrs. McIntyre of New Bedford, Cabral of New Bedford and Koczera of New Bedford) on the proclaiming of the city of New Bedford a World War II Commemorative Community;

Resolutions (filed by Mr. Miceli of Wilmington) congratulating William J. DeGregorio on the occasion of his retirement as Principal of Tewksbury Memorial High School;

Resolutions (filed by Mrs. Simmons of Leominster) congratulating Chad A. Warner on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mrs. Sprague of Walpole) congratulating Paul W. Needham on the occasion of his eighty-fifth 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 the same member, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

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 Ms. Sylvia Richmond for her many years of dedication to the Chelsea Public Library and its patrons;

Resolutions (filed by Mr. Marini of Hanson) congratulating Geraldine Fleming on the occasion of her retirement;
Resolutions (filed by Mrs. Sprague of Walpole) congratulating Matthew M. Mertz on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mr. Straus of Mattapoisett) congratulating the Old Hammondtown Concert Band;

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

Communication.

A communication from the Clerk of the House of Delegates of the Commonwealth of Virginia, transmitting a copy of a "Resolution memorializing the Congress of the United States to propose an amendment to Article V of the Constitution of the United States to provide for the calling of limited national constitutional conventions", adopted by the General Assembly, was placed on file.

Petition.

Mr. Miceli of Wilmington presented a petition (accompanied by bill, House, No. 5055) of James R. Miceli (by vote of the town) for legislation to authorize the town of Wilmington to release an easement on a certain parcel of conservation land in said town; and the same was referred to the committee on Local Affairs. Sent to the Senate for concurrence.

Paper from the Senate.

A petition of Bruce E. Tarr and Anthony J. Verga for legislation to establish a selectmen and public works plan for the town of Rockport, came from the Senate referred, under suspension of Joint Rule 7B, 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. 1895) was referred, in concurrence, to the committee on Local Affairs.

Reports of Committees.

By Mrs. Menard of Somerset, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Bradley H. Jones, Jr., relative to the appointment of veterans' graves officers in cities and towns. Under suspension of Rule 42, on motion of Mr. Jones of North Reading, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Local Affairs. Sent to the Senate for concurrence.
By Mr. Caron of Springfield, for the committee on Public Safety, on Senate, No. 1232 and House, Nos. 1741, 2077, 2630, 4520 and 4526, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain Senate and House documents concerning the Registry of Motor Vehicles and the registration, testing and operation of motor vehicles and other related matters (House, No. 5035).

By the same member, for the same committee, on Senate, No. 1237, an Order relative to authorizing the committee on Public Safety to make an investigation and study of a certain Senate document regulating the disposal of abandoned aboveground storage tanks (House, No. 5036).

By the same member, for the same committee, on Senate, Nos. 1244, 1261 and 1294 and House, Nos. 607, 1917, 2074, 2432, 2439, 3024, 3200, 3990 and 4521, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain Senate and House documents concerning high speed pursuits, enforcement, arresting and jurisdictional powers of municipal and state police and other related matters (House, No. 5037).

By the same member, for the same committee, on Senate, Nos. 1264 and 1297 and House, Nos. 398, 2443, 3608 and 3983, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain Senate and House documents regulating the fees charged by the Registry of Motor Vehicles and of the renewal of licenses and registrations for elderly persons (House, No. 5038).

By the same member, for the same committee, on Senate, No. 1290 and House, No. 1742, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain Senate and House documents further regulating the use of all terrain vehicles in the Commonwealth (House, No. 5039).

By the same member, for the same committee, on Senate, No. 1316 and House, Nos. 395, 1205, 1353 and 2081, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain Senate and House documents concerning blasting operations, the installation of sprinklers and the certification of fire prevention officers and persons involved in the stopping of fires (House, No. 5040).

By the same member, for the same committee, on House, Nos. 1191, 1558, 2805 and 3595, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning the establishment of regional police lock-up facilities (House, No. 5041).

By the same member, for the same committee, on House, Nos. 1356, 1567 and 3987, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning traffic supervisors on state road projects, the speed limit and the transportation of animals (House, No. 5042).
By Mr. Hodgkins of Lee, for the committee on State Administration, on Senate, No. 1525 and House, Nos. 634, 638, 639, 640, 641, 833, 834, 835, 1030, 1235, 1402 and 2104, an Order relative to authorizing the committee on State Administration to make an investigation and study of certain Senate and House documents concerning public construction contracts in the Commonwealth (House, No. 5043).

By Mr. Cahir of Bourne, for the committee on Transportation, on Senate, Nos. 1730, 1733, 1735, 1736, 1737, 1739, 1748, 1753, 1754 and 1757 and House, Nos. 673, 861, 862, 863, 1938, 1939, 2315, 2316, 2317, 2498, 3278, 3480, 3481, 4037, 4039, 4040, 4229, 4230, 4410 and 4412, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain Senate and House documents concerning the Aeronautics Commission, the Port Authority, the Transportation Authority, the Turnpike Authority, and the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority (House, No. 5044).

Severally 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 Senate, Nos. 1330, 1336, 1343, 1347, 1349, 1354, 1374, 1387, 1397, 1403, 1413, 1418, 1425, 1439, 1440, 1442, 1443, 1446 and 1449 and on House, Nos. 201, 202, 619, 798, 804, 806, 807, 811, 816, 818, 825, 990, 996, 1002, 1012, 1209, 1212, 1213, 1214, 1219, 1364, 1367, 1368, 1382, 1387, 1388, 1389, 1390, 1392, 1393, 1394, 1395, 1398, 1573, 1584, 1589, 1590, 2093, 2095, 2095, 2102, 2254, 2267, 2463, 2464, 2469, 2469, 2808, 2811, 2816, 3034, 3053, 3206, 3211, 3212, 3216, 3219, 3221, 3223, 3226, 3230, 3232, 3233, 3234, 3235, 3236, 3237, 3238, 3240, 3249, 3251, 3255, 3257, 3259, 3443, 3791, 3801, 3997, 4004, 4005 and 4371, and on the residue of House, No. 3815, a Resolve providing for an investigation and study by a special commission relative to retirement benefits for public employees (House, No. 5045). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. DiMasi of Boston, for the committee on Banks and Banking, on House, Nos. 10 and 13, a Bill relative to certain multi-step transactions subject to approval by the Board of Bank Incorporation or the Division of Banks (House, No. 13, changed in section 1 by striking out, in lines 13, 14 and 15, the words “the merger, consolidation or asset purchase; and (ii) the transaction requires the approval of the commissioner under the General Laws” and inserting in place thereof the words “the merger, consolidation or asset purchase, and the acquisition requires the approval of the commissioner under the General Laws; provided, however, that the provisions of paragraph three of section four shall apply to any such acquisition, except that the notice required in said paragraph three of
By Mr. Kollios of Millbury, for the committee on Human Services and Elderly Affairs, on a petition, a Bill regarding the authority of the Disabled Persons Protection Commission (House, No. 2008).

By the same member, for the same committee, on a petition, a Bill to protect disabled persons (House, No. 3358) [Representative Lepper of Attleboro dissenting].

By the same member, for the same committee, on House, No. 916, a Bill relative to the care and protection of children and the reunification of the family (House, No. 5046).

By Mrs. Gray of Framingham, for the committee on Natural Resources and Agriculture, on a petition, a Bill further regulating the management of water use and conservation (House, No. 2407).

By Mrs. Menard of Somerset, for the committee on Rules, on a petition, a Resolve reviving and continuing the special commission established to make an investigation and study relative to a voluntary neonatal home visiting program (House, No. 4798).

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

Engrossed Bills.

Engrossed bills
Designating the boardwalk on the grounds of the Lynn Heritage State Park as the Mayor Antonio J. "Tony" Marino Boardwalk (see Senate, No. 1813) (which originated in the Senate); and

Further regulating the sale, packing, distribution and advertising of fruits, vegetables and turkeys (see House, No. 1168) (which originated in the House);

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

Recess.

At seventeen minutes after eleven o’clock A.M., on motion of Mr. Quinn of Dartmouth, the House recessed until the hour of one o’clock P.M.; and at that time the House was called to order.

Engrossed Bills — Land Takings.

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

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

[See Yea and Nay No. 117 in Supplement.]

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

The engrossed Bill authorizing the town of Easthampton to use a certain parcel of park land for highway purposes (see House, No. 4665) (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 147 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 118 in Supplement.]

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

The engrossed Bill authorizing the South Essex Sewerage District to acquire easements for the construction of certain sewerage facilities within the city of Beverly (see House, No. 4882) (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 145 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 119 in Supplement.]

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

Orders of the Day.

The motion of Miss Barsom of Wilbraham, that the vote be reconsidered by which the House, on Tuesday, April 4, accepted the House report of the committee on Health Care, ought NOT to pass, on the petition (accompanied by bill, House, No. 546) of John H. Rogers and other members of the House relative to patients' rights on obtaining information of increased risks of breast cancer in abortion proceedings, was negatived.

House bills
Relative to the trust fund commission of the town of Tewksbury (House, No. 368);
Relative to the Massachusetts Municipal Wholesale Electric Company (House, No. 1505, changed);
Further defining recommendations for purposes of Disabled Persons Protection Commission investigations (House, No. 2010) (its title having been changed by the committee on Bills in the Third Reading);

Relative to the classification of professional teacher status (House, No. 2340, changed) (its title having been changed by the committee on Bills in the Third Reading);

Relative to the requirement of approval for certain lands formerly appurtenant to railroad right of ways (House, No. 2497) (its title having been changed by the committee on Bills in the Third Reading);

Relative to the sale of tobacco products (House, No. 2509);

Establishing a sick leave bank for Jose Cruz, an employee of the Department of Social Services (House, No. 4775); and

Relative to domestic mutual insurance companies (House, No. 4969) (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 impact fees for the town of Franklin (House, No. 4778) 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 further regulating the penalty for entering a dwelling house in the nighttime and breaking and entering in the daytime (House, No. 1971) (its title having been changed by the committee on Bills in the Third Reading) was read a third time.

Said committee reported recommending that the bill be amended by striking out section 2 (as printed) and inserting in place thereof the following section:

"SECTION 1. Chapter 218 of the General Laws is hereby amended by striking out section 26, as most recently amended by section 23 of chapter 318 of the acts of 1994, and inserting in place thereof the following section:—

Section 26. The district courts and the municipal court of the city of Boston shall have original jurisdiction, concurrent with the superior court, of the following offenses, complaint of which shall be brought in the court of the district court department, or in the Boston municipal court department, as the case may be, within which judicial district the offense was allegedly committed or is otherwise made punishable:— all violations of by-laws, orders, ordinances, rules and regulations, made by cities, towns and public officers, all misdemeanors, except libels, all felonies punishable by imprisonment in the state prison for not more than five years, the crimes
listed in paragraph (1) of subsection (a) of section eight of chapter ninety B, subparagraph (1) of paragraph (a) of subdivision (1) of section twenty-four, paragraph (a) of section twenty-four G and paragraph (1) of section twenty-four L of chapter ninety, paragraph (a) of section thirty-two and paragraph (a) of section thirty-two A of chapter ninety-four C, and section thirty-two J of chapter ninety-four C, section one hundred and thirty-one E of chapter one hundred and forty, section fifteen A of chapter two hundred and sixty-five and sections sixteen, seventeen, eighteen, eighteen A, nineteen, twenty-eight, forty-nine and one hundred and twenty-seven of chapter two hundred and sixty-six, and the crimes of malicious destruction of personal property under section one hundred and twenty-seven of chapter two hundred and sixty-six, indecent assault and battery on a child under fourteen years of age, escape or attempt to escape from any penal institution, forgery of a promissory note, or of an order for money or other property, and of uttering as true such a forged note or order, knowing the same to be forged. They shall have jurisdiction of proceedings referred to them under the provisions of section four A of chapter two hundred and eleven."

The amendment was adopted; and the bill (House, No. 1971, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill regulating the notification requirements of the Department of Social Services in child abuse cases (House, No. 4948) was read a third time.

The committee on Bills in the Third Reading reported recommending that the bill be amended by inserting after line 37 the following paragraph:

“The department shall within forty-five days after making such notification further notify the district attorney of the service plan, if any, developed for such child and his family. No provision of chapter sixty-six A, section one hundred and thirty-five of chapter one hundred and twelve, and sections fifty-one E and fifty-one F of this chapter relating to confidential data or confidential communications shall prohibit the department from making such notifications or from providing to the district attorney any information obtained pursuant to clause (1) or furnished pursuant to this clause. No person providing notification or information to a district attorney pursuant to the provisions of this clause shall be liable in any civil or criminal action by reason of such action. Nothing herein shall be construed to prevent the department from notifying a district attorney relative to any incidents reported to the department pursuant to section fifty-one A or to limit the prosecutorial power of a district attorney."

The amendment was adopted; and the bill (House, No. 4948, amended) was passed to be engrossed. Sent to the Senate for concurrence.
The House Bill relative to the referral of cases from the Disabled Persons Protection Commission (House, No. 2006) 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 reports of abuse of disabled persons (House, No. 5056), 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 prior notification to the Energy Facilities Siting Board (House, No. 4946) was ordered to a third reading.

House bills
Relative to the storage of apples (House, No. 127);
Relative to the Massachusetts “Lemon Law”, so-called (House, No. 222);
Regarding access to Department of Employment Security records by the Massachusetts Parole Board (House, No. 227);
Amending the Uniform Commercial Code to modify the definition of the term “security interest” (House, No. 278);
Further regulating the sale of fruit and vegetables (House, No. 292, changed);
Relative to licenses for the sale of second hand vehicles (House, No. 683);
Insuring the impartiality of administrative judges and administrative law judges under the Workers’ Compensation Act (House, No. 1065);
Relative to the Industrial Accident Board nominating panel (House, No. 1073);
Relative to retail sales (House, No. 1661);
To protect the public health by banning the public distribution of free smoking or tobacco products for commercial purposes (House, No. 1957);
Relative to the occupational blood lead registry (House, No. 1960);
Exempting yard sales from the Sunday laws (House, No. 1967);
Relative to the reporting of abuse on persons with disabilities (House, No. 2007);
Further defining participation by selectmen and mayors in self-insurance groups (House, No. 2666);
Providing for the regulation of trust funds (House, No. 2825);
Removing the power of the Governor to make certain appointments (House, No. 4206);
Relative to commission sales contracts (House, No. 4245, changed);
Providing that cigarette paper be considered drug paraphernalia (House, No. 5027);
Second reading bills.

Providing warranty repair reimbursement for motor vehicle parts at retail (House, No. 5028);
Further regulating certain premium increases in Medicare supplemental group coverage (House, No. 5029);
Clarifying provisions for listing sub-contractors in heating, ventilating and air conditioning sub-trade and in plumbing sub-trade (House, No. 5030); and
Further regulating the public records law with respect to electronic data (House, No. 5031);
Severally were read a second time; and they were ordered to a third reading.

House report.

The House report of the committee on Commerce and Labor, ought NOT to pass, on the petition (accompanied by bill, House, No. 1662) of Edward B. Teague III, Frank G. Cousins, Jr., and Brian S. Dempsey relative to the opening of retail stores on Sundays and certain holidays, was accepted.

Adoption agencies.

The House Bill further regulating adoption agencies (House, No. 2033), 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. Kollios of Millbury moved that it be amended by striking out, in line 5, the words "liability insurance" and inserting in place thereof the word "bond".

The amendment was adopted; and the bill (House, No. 2033, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Billerica,—
River Street Bridge.

The House Bill relative to the transfer of a certain bridge in the town of Billerica to the Department of Highways (House, No. 4559) was considered.

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

Minors,—
health.

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 after disposition of the remaining matters in the Orders of the Day.

Tobacco,—
sale.

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, 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 bicycle and pedestrian access in construction of public ways (House, No. 1940) was considered.

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

The House Bill relative to possession of marihuana for medical purposes (House, No. 2170) 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 further regulating real estate abatements for the elderly (House, No. 4550) 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 section:

"SECTION 2. Section 58 of Chapter 59 of the Massachusetts General Laws, as appearing in the 1992 Official Edition, is hereby amended by striking out said section in its entirety and inserting in place thereof the following new language:—

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 a city or town that has adopted the provisions of section 57C of Chapter 59, 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 provision of section 57C of said chapter, by August first or 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 ordered to a third reading.
Call firemen.

Inmates.

Speed limits.

Transportation,—
bonds.

House bills
To include call firemen to the Massachusetts Fire Training Council (House, No. 956);
Relative to correspondence of inmates (House, No. 1198);
Relative to speed limits on certain town ways (House, No. 1913);
and
Relating to transportation (House, No. 3605);
Severally were considered.

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

Order.

On motion of Mr. Ruane of Salem,—
Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.; when the House adjourns on Thursday, it adjourn to meet on Tuesday (May 30) at eleven o'clock A.M.; when the House adjourns on Tuesday, it adjourn to meet on Wednesday (May 31) at eleven o'clock A.M.; when the House adjourns on Wednesday, it adjourn to meet on Thursday (June 1) at eleven o'clock A.M.; and that, notwithstanding the provisions of House Rule 12, the Clerk be authorized to dispense with the printing of a Calendar for the sittings of Thursday, May 25; Tuesday, May 30 and Thursday, June 1.

Mr. Ruane 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 one minute after two o'clock P.M., the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.

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

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

God, Our Creator, the people of this country are preparing to observe Memorial Day, a day on which we remember in a special way the men and women who died in this nation’s wars. We, as a people, recall the heroic deeds, personal and family sacrifices, and the extraordinary hardship of those individuals who served this country. On Memorial Day we also recall the fond memories of deceased family members, friends and neighbors. Teach us to appreciate the good deeds and sacrifices of all people as we enjoy the blessings and benefits of those who have gone before us.

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.

Message from the Governor.

A message from His Excellency the Governor submitting requests for appropriations (under Section 7 of Chapter 150E of the General Laws) for the purpose of funding a collective bargaining agreement between the Commonwealth and the Coalition of Public Safety (Unit 5) (House No. 5070) was filed in the office of the Clerk on Wednesday, May 24.

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

Resolutions.

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

   Resolutions (filed by Mr. Binienda of Worcester) congratulating Barbara Andersen on the occasion of her retirement;

   Resolutions (filed by Mr. DeFilippi of West Springfield) congratulating Deputy Chief Robert E. Bailey of the West Springfield Fire Department on the occasion of his retirement;

   Resolutions (filed by Mr. Kafka of Sharon) congratulating James D. Bryant on the occasion of his retirement from the Stoughton Public Schools;
Richard L. Wilkins. Resolutions (filed by Mr. Kafka of Sharon) congratulating Richard L. Wilkins on the occasion of his retirement from the Stoughton Public Schools;

Brockton,— Whitman School. Resolutions (filed by Mr. Kennedy of Brockton) congratulating the Whitman Elementary School in the city of Brockton on the occasion of its one hundredth anniversary;

Rabbi Abraham Morhaim. Resolutions (filed by Ms. Kerans of Danvers) congratulating Rabbi Abraham Morhaim on the occasion of his retirement;

Father Roman Chwaliszewski. Resolutions (filed by Mr. Koczera of New Bedford) honoring Reverend Father Roman Chwaliszewski, Order of Franciscan Minor Conventual, on the occasion of the thirty-fifth anniversary of his ordination to the priesthood;

Catholic Memorial,— basketball team. Resolutions (filed by Mr. Mannering of Boston) congratulating the Catholic Memorial High School basketball team on a very successful season;

Catholic Memorial,— hockey team. Resolutions (filed by Mr. Mannering of Boston) congratulating the Catholic Memorial High School hockey team on winning the Massachusetts Division 1A Hockey Championship;

Anne Haskell. Resolutions (filed by Mr. Marini of Hanson) congratulating Anne Haskell on the occasion of her retirement;

Josephine Hatch. Resolutions (filed by Mr. Marini of Hanson) congratulating Josephine Hatch on being named “1994 Citizen of the Year” by the Pembroke Chamber of Commerce;

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

Catherine Souza. Resolutions (filed by Mr. Miceli of Wilmington) congratulating Catherine Souza on the occasion of her retirement from the Wilmington Public Schools;

Christopher W. Dow. Resolutions (filed by Mr. Naughton of Clinton) congratulating Christopher W. Dow on receiving the Eagle Award of the Boy Scouts of America;

Frederick L. Pape. Resolutions (filed by Mr. Naughton of Clinton) congratulating Frederick L. Pape on receiving the Eagle Award of the Boy Scouts of America;


Brian Vogel. Resolutions (filed by Ms. Resor of Acton) congratulating Brian Vogel on earning the prestigious rank of Eagle Scout;

Thomas Hazell. Resolutions (filed by Mr. Scaccia of Boston) honoring Thomas Hazell;

Ballroom Dance Week. Resolutions (filed by Mr. Thompson of Cambridge) on the proclaiming of the week of September fifteenth through September twenty-fourth, nineteen hundred and ninety-five as National Ballroom Dance Week in the Commonwealth;

Jose Moreira Figueiredo. Resolutions (filed by Mr. Toomey of Cambridge) congratulating Jose Moreira Figueiredo on receiving the “Global Educator of the Year” Award; and

Ellis Mayers. Resolutions (filed by Mr. Travis of Rehoboth) congratulating Ellis Mayers 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. Binienda, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

**Order.**

An Order (filed this day by Representatives Kollios of Millbury and Parente of Milford) relative to requesting the Department of Social Services to make an investigation and study of the foster care program administered by said department (House, No. 5069) was referred, under Rule 85, to the committee on Rules.

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

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

**Communications.**

Communications
From the Secretary of the Senate of the State of Oregon informing the Massachusetts House of Representatives that the Legislative Assembly had adopted a Resolution instructing the federal government to cease and desist all mandates outside the scope of its constitutionally delegated authority; and
From the Executive Office for Administration and Finance (under Section 3B of Chapter 7 of the General Laws as most recently amended by Sections 22 and 23 of Chapter 60 of the Acts of 1994) transmitting notice relative to the establishment of certain fees for certification of assisted living residences;
Severally placed on file.

**Special Report.**

A report of the State Lottery Commission (under Section 24 of Chapter 10 of the General Laws) relative to total revenues, prize disbursements and other expenses of the Arts Lottery and the Lottery for the month of April, 1995, was sent to the Senate for its information.

**Petitions.**

Petitions severally were presented and referred as follows:
By Ms. Chesky of Holyoke, petition (accompanied by bill, House, No. 5068) of Evelyn G. Chesky, Michael R. Knapik and Walter A. DeFilippi (with the approval of the mayor and city council) relative to preliminary elections in the city of Holyoke. To the committee on Election Laws.
By Mr. Caron of Springfield, petition (accompanied by bill, House, No. 5071) of Robert T. Markel (mayor), Paul E. Caron and other members of the General Court (with the approval of the mayor and city council) relative to authorizing the city of Springfield to lease a baseball stadium and related amenities for a period of twenty-five years;

By Mr. Nagle of Northampton, petition (accompanied by bill, House, No. 5072) of William P. Nagle, Jr., and Michael R. Knapik (by vote of the town) for legislation to authorize the town of Southampton to transfer a certain parcel of land to the board of library trustees of said town;

By Ms. Resor of Acton, petition (accompanied by bill, House, No. 5073) of Pamela P. Resor and Lucile P. Hicks (by vote of the town) for legislation to authorize the town of Concord to grant certain conservation restrictions;

By Mr. Teague of Yarmouth, petition (accompanied by bill, House, No. 5074) of Edward B. Teague III and Henri S. Rauschenbach (by vote of the town) for legislation to authorize the town of Dennis to establish the position of an appointed treasurer/collector;

By Mr. Turkington of Falmouth, petition (accompanied by bill, House, No. 5075) of Eric Turkington and another (by vote of the town) for legislation to provide an expedited betterment program for private road improvements within the town of Nantucket; and

By the same member, petition (accompanied by bill, House, No. 5076) of Eric Turkington and another (by vote of the town) relative to amending a certain conservation restriction in the town of Nantucket;

Severally to the committee on Local Affairs.
Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:
By Mr. Dempsey of Haverhill, petition (subject to Joint Rule 12) of Brian S. Dempsey, M. Paul Iannuccillo and Arthur J. Broadhurst relative to the payment of rents to landlords by the Department of Public Welfare.

By Mr. Giglio of Medford, petition (subject to Joint Rule 12) 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.

By Mr. Hall of Westford, petition (subject to Joint Rule 12) of Geoffrey D. Hall, James R. Miceli and another relative to exempting sales of the flag of the Commonwealth from provisions of the sales tax.

By Mr. Hodgkins of Lee, petition (subject to Joint Rule 12) of Christopher J. Hodgkins relative to school bus inspections.

By Mr. Reinsein of Revere, petition (subject to Joint Rule 12) of William G. Reinsein relative to requiring ambulances at boxing and sparring matches in the Commonwealth.

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

The engrossed Bill relative to the Brewster elementary school (see House bill printed as Senate, No. 1884) came from the Senate with the following amendment:

Striking out, in lines 3 and 4 (as engrossed), the words “all access ways to the elementary school to be constructed by the town of Brewster” and inserting in place thereof the words “the proposed construction and actual construction of an elementary school by the town of Brewster and to all access ways leading to and from such elementary school”.

Under suspension of Rule 35, on motion of Mr. Teague of Yarmouth, 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.

Reports of Committees.

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

Petition (accompanied by bill) of Thomas F. Reilly, Paul R. Haley and David P. Magnani relative to the suspension of licenses to operate motor vehicles of persons refusing to perform a field sobriety test. To the committee on Criminal Justice.

Petition (accompanied by bill) of Geoffrey D. Hall relative to the powers and duties of constables. To the committee on Local Affairs.

Petition (accompanied by bill) of Edward M. Lambert, Jr., for legislation to authorize the Department of Mental Health to establish a sick leave bank for Michael Sullivan, an employee of said department. To the committee on Public Service.

Petition (accompanied by bill) of Geoffrey D. Hall for legislation to authorize the Division of Capital Planning and Operations to acquire certain land in the town of Ayer for use by the Ayer District Court. To the committee on State Administration.

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

By Mr. Rushing of Boston, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Michael S. Slarskey, an employee of the Department of Correction (House, No. 5049), which was read.

Under suspension of the rules, on motion of Ms. Chandler 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.
Interstate banking.

By Mr. DiMasi of Boston, for the committee on Banks and Banking, on Senate, Nos. 6, 17 and 24 and House, Nos. 290, 486, 1941, 1942, 1944, 1953, 3295, 3296, 3299, 3859, 4240 and 4420, an Order relative to authorizing the committee on Banks and Banking to make an investigation and study of certain Senate and House documents concerning interstate banking (House, No. 5057).

By the same member, for the same committee, on Senate, Nos. 8, 11, 12, 13, 14, 20, 21, 22, 25 and 26 and House, Nos. 1461, 1462, 1463, 3082, 3856, 3861, 4234 and 4235, an Order relative to authorizing the committee on Banks and Banking to make an investigation and study of certain Senate and House documents concerning mortgage loans and other matters related to the granting of mortgages by banking institutions (House, No. 5058).

Banks, mortgage loans.

By Mr. Herren of Fall River, for the committee on Energy, on Senate, Nos. 109, 395, 396, 397 and 398 and House, Nos. 1096, 1294, 1818, 2550, 2716, 3325, 3534, 3704, 3705, 4112, 4113, 4114, 4279, 4280, 4450 and 4679, an Order relative to authorizing the committee on Energy to make an investigation and study of certain Senate and House documents concerning beverage containers, public utilities, petroleum and coal products, energy efficiency and other related matters (House, No. 5059).

By Mr. Angelo of Saugus, for the committee on Government Regulations, on Senate, Nos. 428, 435, 439, 440 and 487 and House, Nos. 36, 58, 59, 317, 534, 538, 716, 1295, 1980, 2164, 2364, 2365, 2724, 3536, 3708, 3717, 3900, 3903, 4116, 4285 and 4452, an Order relative to authorizing the committee on Government Regulations to make an investigation and study of certain Senate and House documents concerning the licensing of professions and other matters related to the operation of regulatory boards in the Commonwealth (House, No. 5060).

Regulatory boards, licensing.

By the same member, for the same committee, on Senate, Nos. 455, 456 and 457 and House, Nos. 36, 41, 43, 541, 542, 900, 1499, 1501, 1684, 1685, 1826, 1828, 2554, 2924, 3540 and 4119, an Order relative to authorizing the committee on Government Regulations to make an investigation and study of certain Senate and House documents concerning the sale of alcoholic beverages and other related matters (House, No. 5061).

Alcoholic beverages, sale.

By Ms. Buell of Greenfield, for the committee on Health Care, on Senate, No. 538 and House, No. 3112, an Order relative to authorizing the committee on Health Care to make an investigation and study of certain Senate and House documents concerning “health care workers” and the disability of such workers with HIV infection (House, No. 5062).

By the same member, for the same committee, on Senate, No. 513 and House, Nos. 3348, 3349 and 3351, an Order relative to authorizing the committee on Health Care to make an investigation and study of certain Senate and House documents prohibiting the sale of tobacco products in health care facilities, public buildings and in pharmacies (House, No. 5063).
By Mrs. Harkins of Needham, for the committee on Housing and Urban Development, on Senate, No. 566 and House, Nos. 911, 1994, 3919, 4126, 4129, 4293 and 4463, an Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning the ownership of condominiums in the Commonwealth (House, No. 5064).

By the same member, for the same committee, on Senate, Nos. 567, 570, 575, 584 and 585 and House, Nos. 326, 909, 1316, 1320, 1991 and 1993, an Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning rent subsidies and subsidized housing programs (House, No. 5065).

By the same member, for the same committee, on Senate, Nos. 571, 576, 580, 582, 583, 604 and 1811 and House, Nos. 325, 558, 733, 734, 735, 736, 737, 740, 908, 1319, 2374, 2375, 3549, 3735, 4124, 4125, 4297, 4612 and 4845, an Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning landlords and tenants, rental agreements, services, sanitary facilities, eviction procedures, security deposits and other related housing matters (House, No. 5066).

By the same member, for the same committee, on Senate, No. 588 and House, Nos. 559, 1520, 1697, 2187, 2942, 3115, 3116, 3545, 3550, 3734 and 4128, an Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning public housing in the Commonwealth and other related matters (House, No. 5067).

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

By Mrs. Menard of Somerset, for the committees on Rules of the two branches, acting concurrently, that the Resolve providing for an investigation and study of the serious odor problems at the Bondi's Island waste water treatment facility (House, No. 4354) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

At eleven minutes after eleven o'clock A.M., on motion of Mr. Verga of Gloucester, the House adjourned, to meet on Tuesday next at eleven o'clock A.M., in an Informal Session.

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

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

Eternal God, Our Creator, we depend upon You for the wisdom to serve faithfully both You and the people whom we represent. Inspire us to evaluate our political choices carefully so that our judgments will be sound and our decisions fair. Teach us as individuals and as a people to respect the political, philosophical and ethical views of others even when we disagree on fundamental issues. Help us to learn from each other as we discuss the political and religious values and principles which influence our own and the personal decisions of others. In Your goodness, strengthen our commitment to our own religious beliefs. Amen.

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

Resolutions.

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

Resolutions (filed by Messrs. Cahir of Bourne, Klimm of Barnstable, Teague of Yarmouth and Turkington of Falmouth) congratulating the Honorable John P. Curley, Jr., Justice of the District Court Department of the Trial Court, Barnstable Division, on the occasion of his retirement;

Resolutions (filed by Ms. Chandler of Worcester) congratulating Prudence Belliveau on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Mr. Cohen of Newton) congratulating Havi E. Stander on the occasion of her retirement;

Resolutions (filed by Mr. Fagan of Taunton) congratulating Mr. and Mrs. Thomas Reed on the occasion of their seventieth wedding anniversary;

Resolutions (filed by Mr. Greene of Billerica) congratulating Shirley H. Pearlman on the occasion of her retirement;

Resolutions (filed by Mr. Haley of Weymouth) congratulating Sulo Soini on the occasion of his retirement as Tax Collector for the town of Weymouth;

Resolutions (filed by Ms. Jehlen of Somerville) congratulating Ellen O'Brien on the occasion of her retirement;

Resolutions (filed by Mr. Kaufman of Lexington) congratulating Daniel P. Sigai on receiving the Eagle Award of the Boy Scouts of America;
Resolutions (filed by Mr. Lepper of Attleboro) commending Marjorie Castro for thirty years of dedicated service to the Attleboro School System;
Resolutions (filed by Mr. Lepper of Attleboro) commending Theresa Copes for thirty years of dedicated service to the Attleboro School System;
Resolutions (filed by Mr. Lepper of Attleboro) commending Thomas Crowe for thirty years of dedicated service to the Attleboro School System;
Resolutions (filed by Mr. Lepper of Attleboro) commending Kenneth Dean for thirty years of dedicated service to the Attleboro School System;
Resolutions (filed by Mr. Lepper of Attleboro) commending Arthur Kenyon for thirty years of dedicated service to the Attleboro School System;
Resolutions (filed by Mr. Lepper of Attleboro) commending Jane Nerney for thirty years of dedicated service to the Attleboro School System;
Resolutions (filed by Mr. Lepper of Attleboro) commending Ira Rice for thirty years of dedicated service to the Attleboro School System;
Resolutions (filed by Mr. Mannering of Boston) congratulating Roxbury Latin School on the occasion of its three hundred and fiftieth anniversary;
Resolutions (filed by Mrs. Sprague of Walpole) congratulating Joanne Fellows Damish on the occasion of her retirement;
Resolutions (filed by Mrs. Sprague of Walpole) honoring Dr. Margaret A. "Peg" Riley;
Resolutions (filed by Mr. Stefanini of Framingham) honoring Dr. William P. Castelli, M.D.; and
Resolutions (filed by Mr. Turkington of Falmouth) congratulating Ray Kenney on the occasion of his 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. Mannering, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Papers from the Senate.

The House Bill making appropriations for the fiscal year nineteen hundred and ninety-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) came from the Senate passed to be engrossed, in concurrence, with the following amendments:
Striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1997.
Under suspension of the rules, on motion of Mr. Finneran of Boston, the amendment was considered forthwith.

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

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

The House Bill relative to bond authorizations to meet certain capital emergencies of the Commonwealth (House, No. 4867) came from the Senate passed to be engrossed, in concurrence, with the following amendments:

Striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 1897; and by striking out the title and inserting in place thereof the following title: "An Act relative to bond authorizations for certain emergency capital projects of the Commonwealth."

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

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

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

The House Bill 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) came from the Senate passed to be engrossed, in concurrence, with the following amendment:

Striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1898.

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

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

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

The House Bill making appropriations for the fiscal year nineteen hundred and ninety-five to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4970) came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1891; and by striking out the title and inserting in place thereof the following title: “An Act making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-five to provide for supplementing certain existing appropriations and for certain other projects.”.

Under suspension of the rules, on motion of Mr. Finneran of Boston, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn, as changed) were considered forthwith; and they were adopted, in concurrence.

A Bill establishing an extended illness leave bank for state employees (Senate, No. 1837) (on a part of House, No. 4714), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Mr. Finneran of Boston, for said committee, then reported that the foregoing bill ought to pass with the following amendments:

By striking out all after the enacting clause and inserting in place thereof the text of House document numbered 5088; and by striking out the title and inserting in place thereof the following title: “An Act establishing an extended illness leave bank for certain employees of the Commonwealth.”. Placed in the Orders of the Day for the next sitting, with the amendments pending.

A Bill authorizing the Westborough treatment plant board to enter into certain contracts for the operation of the Westborough Wastewater Treatment Plant and related facilities and the disposition of certain equipment, and the extension of the life of the Westborough treatment plant board (Senate, No. 1104) (on a petition), passed to be engrossed by the Senate, was read; and it was placed in the Orders of the Day for the next sitting for a second reading.
Reports of Committees.

By Ms. Buell of Greenfield, for the committee on Health Care, on Senate, Nos. 491, 506 and 516 and House, Nos. 2568, 2734, 3542, 4290, 4458 and 4460, an Order relative to authorizing the committee on Health Care to make an investigation and study of certain Senate and House documents concerning the health and welfare of residents of the Commonwealth and various other matters related thereto (House, No. 5077).

By Mr. Caron of Springfield, for the committee on Public Safety, on Senate, Nos. 1210, 1242, 1249, 1260, 1281 and 1298 and House, Nos. 393, 605, 1354, 1355, 1360, 1568, 1905, 2411, 2452, 2453, 2800, 3198, 3204, 3433 and 3994, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain Senate and House documents further regulating the issuance of registration plates by the Registry of Motor Vehicles and other related matters (House, No. 5078).

By the same member, for the same committee, on Senate, No. 1280 and House, Nos. 1561, 1907, 1916, 2409, 2423, 2455, 2456, 2458 and 4699, an 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).

By the same member, for the same committee, on House, Nos. 2247, 2248, 2250, 2448, 2449, 2451 and 4361, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning the operation, inspection and the safe operation of motorcycles in the Commonwealth (House, No. 5080).

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

By Ms. Buell of Greenfield, for the committee on Health Care, on Senate, Nos. 539, 559 and 685 and House, Nos. 907, 1509, 2172, 2739, 3110, 3544, 3726, 4123 and 4607, a Resolve increasing the scope of the special commission established to make an investigation and study of methods for achieving universal health care coverage for residents of the Commonwealth (House, No. 5081). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Finneran of Boston, for the committee on Ways and Means, that the following bills ought to pass:

Authorizing and directing the reinstatement of John F. Driscoll as a member in service in the teachers' retirement system (House, No. 1375); and

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

Severally placed in the Orders of the Day for the next sitting for a second reading.
By Mr. Petrolati of Ludlow, for the committee on Local Affairs, on a petition, a Bill relative to the charter of the town of North Andover (House, No. 4991), changed by striking out section 31 and inserting in place thereof the following section:

"SECTION 31. Upon passage by the General Court, this proposal shall be put before the voters of the town at the next annual or special town election." [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to city and town accountants (House, No. 4992).

By the same member, for the same committee, on a petition, a Bill authorizing employment contracts for municipal auditors and accountants (House, No. 4993).

By Mr. Cahir of Bourne, for the committee on Transportation, on a petition, a Bill designating a certain bridge in the town of Natick as the Anthony and Francis Culcasi Memorial Bridge (House, No. 4968).

By Mr. Finneran of Boston, for the committee on Ways and Means, on House, No. 1641, a Bill providing for a program of capital improvements to the system of public higher education in the Commonwealth (House, No. 5082).

[Bond Authorizations: Section 2 - $640,009,200.00
Section 2A - $15,143,600.00
Total: $655,152,800.00].

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 the Brewster Elementary School (see House bill printed as Senate, No. 1884, 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 the compensation of the Upper Blackstone Water Pollution Abatement District's board members (House, No. 1883); and
Designating the third harbor tunnel as the Ted Williams Tunnel (printed in House, No. 4571);
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 tuition of certain non-resident students (House, No. 1275), 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, Mrs. Cleven of Chelmsford moved that it be amended by striking out the sentence contained in lines 3 to 8, inclusive, and inserting in place thereof the following sentence: "Notwithstanding the provisions of this section or any general or special law to the contrary, a school district may continue to accept a student, or his sibling or step sibling who no longer resides in that school district on a private tuition basis; provided, however, that either said student, sibling or step sibling attended said school district in the current or preceding school year."

The amendment was adopted; and the bill (House, No. 1275, amended) was passed to be engrossed. Sent to the Senate for concurrence.

At fourteen minutes after eleven o'clock A.M., on motion of Mr. Wagner of Chicopee, the House adjourned, to meet tomorrow at eleven o'clock A.M.

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

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

Gracious God, we are grateful for the material and spiritual blessings which You bestow upon us daily. We are thankful, too, that You have made known to us values which give meaning to our lives, and precepts which guide our choices and decisions. In Your kindness, help us to remain faithful to You, Your ways and Your expectations so that we will achieve, according to Your will, happiness and fulfillment. Grant us the patience and the wisdom to listen to the insights, views and experiences of others as we plan for the future of the people, our communities and this Commonwealth.

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

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

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to authorizing a capital outlay for the payment of certain court judgments (House, No. 5091) was filed in the office of the Clerk during today's sitting.

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

Resignation of Representative Vincent G. Mannering of Boston.

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:

This letter is intended to formally notify you of my resignation from the House of Representatives, effective May 31, 1995, at the close of the day's business.
Many thanks to you and your staff for all courtesies extended during my tenure in the House.

Sincerely,

VINCENT G. MANNERING,
State Representative.

Statement Concerning Representative Angelo of Brockton.

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 Angelo of Brockton, will not be present in the House Chamber for today’s sitting because he is receiving medical treatment for his 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 Kelly of Dalton.

Before proceeding to consideration of the Orders of the Day, Mrs. Lewis of Bridgewater asked unanimous consent to make a statement; and, there being no objection, she addressed the House as follows:

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

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

Statement Concerning Representative Kollios of Millbury.

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 Kollios of Millbury, is unable to be present in the House Chamber due to an injury sustained during the previous weekend. 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 McIntyre of New Bedford.

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 McIntyre of New Bedford, will not be present in the House Chamber for today's sitting due to business in his district. 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.

Resolutions.

Resolutions (filed with the Clerk by Mr. Brett of Boston) honoring Officer George M. Luongo (HD03) on his retirement from the Boston Police Department, were referred, under Rule 85, to the committee on Rules.

Mrs. Menard of Somerset, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of Rule 41, on motion of Mr. Brett, 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 Messrs. Casey of Winchester and Jones of North Reading) congratulating Ellen Svenson on receiving the "Global Educator of the Year" Award, were referred, under Rule 85, to the committee on Rules.

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

Order.

An Order (filed on May 24 by Mrs. Parente of Milford) relative to the appointment of a special committee of the House to make an investigation and study of the foster care program in the Commonwealth (House, No. 5089) was referred, under Rule 85, to the committee on Rules.

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

Mr. Finneran of Boston, for the committee on Ways and Means, reported that the order ought to be adopted. Under suspension of Rule 42, on motion of Mrs. Parente, the order was considered forthwith; and it was adopted.
The annual report of the Thrift Institutions Fund for Economic Development (under Section 8(g) of Chapter 485 of the Acts of 1984) of its activities and accomplishments for the year 1994, was sent to the Senate for its information.

Petitions.

Ms. Flavin of Easthampton presented a petition (accompanied by bill, House, No. 5092) of Nancy Flavin and Stanley C. Rosenberg (by vote of the town) for legislation to authorize the council on aging of the town of South Hadley to establish a separate fund for the purpose of accepting donations for the establishment of a senior center; and the same was referred to the committee on Local Affairs. Sent to the Senate for concurrence.

Mr. LeLacheur of Lowell presented a petition (subject to Joint Rule 12) of Edward A. LeLacheur, Thomas A. Golden, Jr., Steven C. Panagiotakos and Daniel P. Leahy (with the approval of the city council) relative to the Lowell arena commission; and the same was referred, under Rule 24, to the committee on Rules.

Reports of Committees.

By Mrs. Menard of Somerset, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Lida E. Harkins relative to creditable service for unpaid elected officials of a school committee or board of library trustees. Under suspension of Rule 42, on motion of Mrs. Harkins of Needham, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

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 Anthony M. Scibelli for legislation to authorize the county commissioners of Hampden County to conduct a feasibility study of certain court facilities in said county. Under suspension of Rule 42, on motion of Mr. Scibelli of Springfield, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Counties. Sent to the Senate for concurrence.

By Mrs. Menard of Somerset, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration of the Bill relative to municipal fraud audits (House, No. 2837),— and recommending that the same be referred to the committee on Counties on the part of the House. Under Rule 42, the report was considered forthwith; and it was accepted.
Engrossed Bill.

The engrossed Bill making appropriations for the fiscal year ending June thirtieth, nineteen hundred and ninety-five to provide for supplementing certain existing appropriations and for certain other projects (see House, No. 4970) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Orders of the Day.

House bills
Relative to underage drinking (House, No. 38);
Relative to the classification of prisoners (House, No. 235) (its title having been changed by the committee on Bills in the Third Reading);
Further regulating commitment for aid in sentencing evaluations (House, No. 240);
Relative to licenses for the sale of second hand vehicles (House, No. 683);
Relative to fire departments and fire districts (House, No. 1206);
Relative to the licensing of private detectives (House, No. 2759);
Relative to the mailing of tax payments and documents (House, No. 2857) (its title having been changed by the committee on Bills in the Third Reading); and
Relative to fair competition requirements in the business of insurance (House, No. 4950) (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 penalty for insufficient funds checks paid to municipalities (House, No. 373) was read a third time.

The committee on Bills in the Third Reading reported recommending that the bill be amended by substitution of a bill with the same title (House, No. 5090), which was read.

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

The Senate Bill authorizing the Westborough treatment plant board to enter into certain contracts for the operation of the Westborough Wastewater Treatment Plant and related facilities and the disposition of certain equipment, and the extension of the life of the Westborough treatment plant board (Senate, No. 1104) was read a second time; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Gauch of Shrewsbury, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.
time; and it was passed to be engrossed, in concurrence, its title having been changed by said committee to read: An Act relative to the Westborough treatment plant board.

The House Bill authorizing and directing the reinstatement of John F. Driscoll as a member in service in the teachers' retirement system (House, No. 1375) was read a second time; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mrs. Menard of Somerset, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time forthwith; and it was passed to be engrossed, its title having been changed by said committee to read: An Act authorizing and directing the reinstatement of John F. Driscoll of the town of Somerset as a member in service in the teachers' retirement system. Sent to the Senate for concurrence.

The House Bill establishing a sick leave bank for Robin Wright, an employee of the Department of Social Services (House, No. 4937) was read a second time; and it was ordered to a third reading.

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

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 social services, 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. 4937, amended) was passed to be engrossed. Sent to the Senate for concurrence.

House bills
Relative to possession of marihuana for medical purposes (House, No. 2170);
Relating to transportation (House, No. 3605); and
Relative to business education (House, No. 4984);
Severally were ordered to a third reading.

House bills
Further regulating labor disputes (House, No. 3300);
Designating a certain bridge in the town of Natick as the Anthony and Francis Culcasi Memorial Bridge (House, No. 4968);
Relative to the charter of the town of North Andover (House, No. 4991, changed); and
Authorizing employment contracts for municipal auditors and accountants (House, No. 4993);
Severally were read a second time; and they were ordered to a third reading.
The House Bill further regulating the open meeting law (House, No. 3268), 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. Stefanini of Framingham moved that it be amended by inserting after the word “conditions”, in line 5, the words “thereof, if such discussion may have a detrimental effect on the negotiating position of a governmental body”.

The amendment was adopted; and the bill (House, No. 3268, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The Senate Bill designating a certain ice skating rink as the Honorable Charles J. Buffone Skating Rink (Senate, No. 1826, 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, in concurrence, Mr. Cohen of Newton moved that it be amended by striking out after the article “a”, in line 4, the word “democratic” (previously inserted by amendment by the House).

The amendment was adopted; and the bill (Senate, No. 1826) was passed to be engrossed, in concurrence.

The House Bill relative to the Board of Registration of Barbers (House, No. 3535, changed), 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. Angelo of Saugus and Kafka of Sharon moved, there being no objection, that it be amended by striking out all after the enacting clause and inserting in place thereof the following:

“Section 87H of chapter 112 of the General Laws as appearing in the 1992 Official Edition is hereby amended by striking out, in line 41, the words ‘one year’ and inserting in place thereof the following words:— ‘three years’; and by striking out, in line 44, the word ‘year’ and inserting in place thereof the following words:— ‘three years’.”

The amendment was adopted; and the bill (House, No. 3535, changed and amended) was passed to be engrossed. Sent to the Senate for concurrence.

At twenty-three minutes after eleven o’clock A.M., on motion of Mr. Casey of Winchester, the House recessed until the hour of one o’clock P.M.; and at that time the House was called to order.
The House Bill providing for a program of capital improvements to the system of public higher education in the Commonwealth (House, No. 5082) was read a second time.

Pending the question on ordering the bill to a third reading, further consideration thereof was postponed, on motion of Mr. Finneran of Boston, until the hour of one o'clock P.M.

Subsequently, the noon recess having terminated, the bill was considered further.

Mr. Bosley of North Adams then moved that the bill be amended in section 2 by inserting after item 7113-1951 the following item:

"7113-1952  For the upgrade and acquisition of computers and related equipment ................................................................. 30,000."

The amendment was adopted.

There being no objection,— Representatives Garry of Dracut, Golden of Lowell, LeLacheur of Lowell, Panagiotakos of Lowell, Dempsey of Haverhill and Cuomo of North Andover moved that the bill be amended in section 2A by inserting after item 7220-2951 the following item:

"7220-2952  For artificial turf for the women's field hockey and soccer fields, and for a rubberized surface track for the women's track team, including any necessary study, design, field tests and borings ............... 1,450,000."

The amendment was adopted.

There being no objection,— Messrs. Finneran of Boston and Scaccia of Boston moved that the bill be amended in section 2 by inserting after item 7452-2952 the following item:

"7452-2953  For the replacement of HVAC and security computers, the upgrade of the electrical system and to acquire a tractor for the archives building located on the Boston campus .................................................. 106,000."

The amendment was adopted.

There being no objection,— Representatives Finneran of Boston and Story of Amherst moved that the bill be amended in section 2 by striking out, in item 7410-0951, the figures “6,800,000” and inserting in place thereof the figures “800,000”; and by inserting after item 7410-1954 the following two items:

"7410-1955  For environmental compliance projects .............................................. 350,000

7410-1956  For the rehabilitation, replacement, repair and renovation to the W.E.B. DuBois Library, including the deck ................................................. 6,000,000."

The amendments were adopted.

There being no objection,— Representative Kennedy of Brockton, Canavan of Brockton and Lewis of Bridgewater moved that the bill be amended in section 2 by striking out items 7109-0951, 7109-0954, 7109-0955, 7109-1951, 7109-1955 and 7109-2955; and in item 7109-0957 by striking out the figures “1,140,000” and inserting in place thereof the figures “750,000”; in item 7109-
0959 by striking out the figures "3,640,000" and inserting in place thereof the figures "1,640,000"; in item 7109-1953 by striking out the figures "2,600,000" and inserting in place thereof the figures "545,000"; in item 7109-1959 by striking out the figures "1,580,000" and inserting in place thereof the figures "750,000"; in item 7109-2952 by striking out the figures "2,600,000" and inserting in place thereof the figures "1,200,000"; in item 7109-2954 by striking out the figures "574,000" and inserting in place thereof the figures "1,100,000"; in item 7109-2957 by striking out the figures "1,980,000" and inserting in place thereof the figures "1,500,000"; and by inserting after item 7109-2957 the following two items:

"7109-2958 For the planning, design and construction of an athletic field house, including the cost of equipment and furnishings .................................................. 15,700,000

7109-2959 For the planning, design and construction of a specialized academic building for use in connection with the programs in communications and aviation science, including the cost of equipment and furnishings .................................................. 7,400,000."

The amendments were adopted.

There being no objection,— Representative Kulik of Worthington and Buell of Greenfield moved that the bill be amended in section 2 by striking out, in item 7505-0951, the figures "445,000" and inserting in place thereof the figures "340,000"; by striking out, in item 7505-0956, the figures "656,000" and inserting in place thereof the figures "413,000"; by striking out item 7505-1950; and by striking out, in item 7505-1952, the figures "897,000" and inserting in place thereof the figures "847,000".

The amendments were adopted.

Mr. Kennedy of Brockton then moved that the bill be amended in section 2 by inserting after item 7508-0959 the following thirteen items:

"7508-1950 For the acquisition, purchase, renovation of space for the expansion and housing of the Culinary Arts, Hotel/Motel Management, Travel and Tourism Programs and the creation of Massasoit Conference Center for Business and Industry .................................................. 2,500,000

7508-1951 For the expansion, renovations and repairs to the present Day Care Facilities .................................................. 500,000

7508-1952 For automation of catalogs and circulation, installation of security systems and expansion of book stack area .................................................. 267,997

7508-1953 For the replacement of carpeting, floor tile various buildings and replacement of toilet partitions campus wide .................................................. 305,000
Higher education—capital improvements.

7508-1954 For repaving and resurfacing parking lots and roadways, repair and install granite curbing and for the design and construction of sidewalks and a new parking lot .............................................. 1,000,000

7508-1955 For the replacement, repair and installation of HVAC systems in various buildings on campus .......................................... 340,000

7508-1956 For construction of Maintenance storage building and Campus Entrance Security/Info Building .... 600,000

7508-1957 For the improvement/enhancement of campus exterior lighting ...................................................... 170,000

7508-1958 For installation, expansion of academic computing distribution system to include: electronic distribution of media material to classrooms, establishment of multi-media and interactive classrooms, expansion of media holding area as well as the upgrading and enhancement of the multimedia distribution and production area, establishment of telecommunications systems for satellite campuses and between Brockton and Canton Campuses and Internet interface and distribution system ........................................................................... 947,430

7508-1959 For repair and renovations to tennis courts to include: drainage, resurfacing, resetting of posts, and repairs to fencing ........................................... 240,000

7508-2950 For the replacement, renovations and modifications to lighting to include electronic signage .............. 70,000

7508-2951 For modifications, renovations and installation related to safety in existing microbiology, parasitology, phlebotomy and prep rooms .......... 200,000

7508-2952 For modification, renovations to existing Greenhouse to include: expansion, repairs and modernization to controls, automating windows ... 175,000;

and in section 2A by adding at the end thereof the following item:

"Massasoit Community College.

7508-9950 For modifications to present athletic fields to include: drainage, expansion and crowning of fields, reconfiguring layout of fields to provide additional game and practice space, modification to and repair of fencing, installation, renovations and repairs to dugouts, backstops, electrical and water systems to address gender equity issues ................................................. 800,000".

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

Under suspension of the rules, on motion of Mr. Finneran of Boston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time forthwith.
Pending the question on passing the bill to be engrossed, Mr. Bosley of North Adams moved that it be amended in section 2 by inserting after item 7113-1952 (inserted by amendment) the following item:

"7113-1953 For the purpose of authorizing the purchase and renovation of land and buildings thereon in the city of North Adams; provided that the commissioner of the division of capital planning and operations, acting on behalf of the commonwealth, is hereby authorized, notwithstanding and without application of the provisions of section 40E through 401, inclusive, of chapter 7 of the General Laws, to acquire Temple Beth Israel and the parcel of land, located at 265 Church Street, by purchase or by eminent domain, under the provisions of chapter seventy-nine of the General Laws, provided that no payment shall be made for the purchase of said property until independent appraisals of the value of the property have been made by qualified disinterested appraisers, for campus development 1,000,000".

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 the same member; and on the roll call 150 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 120 in Supplement.]

Therefore the bill was passed to be engrossed. The bill (House, No. 5094, printed as amended) then was sent to the Senate for concurrence.

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

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

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

The House Bill further regulating certain agricultural marketing and animal health (House, No. 1169), 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. Brewer of Barre moved that it be amended by striking out section 2 and inserting in place thereof the following section:

"SECTION 2. Section 44 of chapter 129 of the General Laws, as appearing in the 1992 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the fol-
The House Bill increasing the police powers of parole officers (House, No. 3191), 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 substitution of a Bill broadening the police powers of parole officers (House, No. 5093), 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 transfer of a certain bridge in the town of Billerica to the Department of Highways (House, No. 4559) was considered.

Pending the question on ordering the bill to a third reading, it was recommitted to the committee on Transportation, on motion of Mrs. Lewis of Bridgewater.

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 Ms. Buell of Greenfield, until after disposition of the remaining matters in the Orders of 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, further consideration thereof was postponed, on motion of Ms. Kerans of Danvers, until after disposition of the remaining matters in the Orders of the Day.

The House Bill relative to bicycle and pedestrian access in construction of public ways (House, No. 1940) was considered.

Pending the question on ordering the bill to a third reading, Mr. Peters of Charlton moved that the bill be amended by striking out, in line 6, the words "or maintenance"; by inserting after the
article “the”, in line 8, the words “chief engineer, in conjunction with the”; by inserting after the word “bikeways”, in line 9, the words “or pedestrian ways”; and by inserting after the word “quality,”, in line 11, the words “is not economically feasible.”.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 17 members voted in the affirmative and 132 in the negative.

[See Yea and Nay No. 121 in Supplement.]

Therefore the amendments were rejected.

Mrs. Paulsen of Belmont then moved that the bill be amended by inserting after the word “bikeways”, in line 9, the words “and pedestrian access”; and the amendment was adopted.

The bill (House, No. 1940, amended) then was ordered to a third reading.

The House Bill to include call firemen to the Massachusetts Fire Training Council (House, No. 956) 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, further consideration thereof was postponed, on motion of Mr. Caron of Springfield, 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, 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 read a second time.

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 making certain changes in the law regulating rental equipment (House, No. 1961) was read a second time; and it was ordered to a third reading.

The House Bill establishing a fair share zoning bylaw impact fee (House, No. 2069) was read a second time.

Pending the question on ordering the bill to a third reading, Messrs. Peters of Charlton and Petrolati of Ludlow moved, there being no objection, that it be amended by inserting after section 2 the following section:
"SECTION 2A. Notwithstanding any general or special law to the contrary, the Speaker shall appoint a committee to be cochaired by the chairman of the house local affairs committee, or his designee, and the chairman of the house ways and means committee or his designee, and consisting of the Minority Leader or his designee and one representative from the following organizations: the Metropolitan Area Planning Council, the Massachusetts Municipal Association, the Massachusetts Realtors Association, the National Association of Industrial and Office Parks, the American Planning Association, the Massachusetts Federation of Planning and Appeals Boards and the Home Builders Association of Massachusetts.

The committee will be responsible for evaluating and developing comprehensive legislation to enact an impact fee system which may be adopted by municipalities to pay the costs associated with new development.

The committee will report its findings and proposed legislation to the local affairs committee by October first, nineteen hundred and ninety-five."

The amendment was adopted; and the bill (House, No. 2069, amended) was referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

House bills
Making certain changes in the law regulating the rental of equipment (House, No. 3059); and
Relative to the establishment of workplace safety committees (House, No. 4057);
Severally were read a second time; and they were 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 read a second time.

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 relative to racial or ethnic classification (House, No. 4575, changed) 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 striking out the paragraph contained in lines 10 to 15, inclusive.

The amendment was adopted; and the bill (House, No. 4575, changed and amended) was ordered to a third reading.

The Senate Bill establishing an extended illness leave bank for state employees (Senate, No. 1837) 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 by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5088; and by striking out the title and inserting in place thereof the following title: "An Act establishing an extended illness leave bank for certain employees of the Commonwealth."— and the main question on ordering the bill to a third reading, Mr. Peters of Charlton moved that the proposed new text be amended by striking out sections 2 and 3.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Coon of Andover; and on the roll call 9 members voted in the affirmative and 137 in the negative.

[See Yea and Nay No. 122 in Supplement.]
Therefore the further amendment was rejected.

The amendments previously recommended by the committee on Ways and Means, then were adopted; and the bill (Senate, No. 1837, amended) was ordered to a third reading.

The House Bill authorizing the State Retirement Board to grant a pension to Arlenn Officer (House, No. 1752) was read a second time; and it was ordered to a third reading.

The House Bill relative to city and town accountants (House, No. 4992) was read a second time.

Pending the question on ordering the bill to a third reading, it was recommitted to the committee on Local Affairs, on motion of Mr. Petrolati of Ludlow.

Mr. Mannering of Boston 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 eighteen minutes before three o’clock P.M., the House adjourned, to meet tomorrow at eleven o’clock A.M., in an Informal Session.