

## **JOURNAL OF THE HOUSE.**

Tuesday, February 26, 2002.

Met at ten minutes after eleven o'clock A.M., with Mr. DiMasi of Boston in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

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

Almighty God, we take a moment to thank You for the blessings of this day, for the love and concern of our family, for the kindness and thoughtfulness of our colleagues and friends and for the material and human resources of this great nation. In utilizing these blessings, we pray for a wisdom more profound than our own, a wisdom more focused than our own, a generosity more embracing than our own and a compassion more extensive than our own. In addressing current legislative and governmental needs and policies, let our decisions be thoughtful and honorable, so that future generations will thank us for our sound, just and moral choices.

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

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

### *Statement Concerning Representative Dempsey of Haverhill.*

A statement of Mr. DiMasi of Boston concerning Mr. Dempsey of Haverhill was spread upon the records of 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 Dempsey of Haverhill, will not be present in the House Chamber for today's sitting due to a previous commitment in his district. Any roll calls that he may miss today will be due entirely to the reason stated.

### *Statement Concerning Representative Donovan of Woburn.*

A statement of Mr. DiMasi of Boston concerning Ms. Donovan of Woburn was spread upon the records of 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 official business outside of the State House. Any roll calls that she may miss today will be due entirely to the reason stated.

### *Statement Concerning Representative Hodgkins of Lee.*

A statement of Mr. DiMasi of Boston concerning Mr. Hodgkins of Lee was spread upon the records of 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 his attendance at a meeting in the town of Lee with the selectmen of said town and the town of Lenox. Any roll calls that he may miss today will be due entirely to the reason stated.

*Statement Concerning Representative Vallee of Franklin.*

A statement of Mr. Petrolati of Ludlow concerning Representative Vallee of Franklin was spread upon the records of 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 Vallee of Franklin, will not be present in the House Chamber for today's sitting due to his being called up for active military duty. Any roll calls that he may miss today or for the next two weeks will be due entirely to the reason stated.

*Statement of Representative Walrath of Stow.*

A statement of Mrs. Walrath of Stow was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was unable to be present in the House Chamber for the sitting of Friday, February 15, due to a pre-scheduled family commitment. Had I been present for the taking of the yeas and nays on passing to be enacted the engrossed Bill relative to the environmental protection of the Massachusetts Military Reservation (see Senate, No. 2180, amended), on ordering to a third reading and also on passing to be engrossed, in concurrence, the Senate Bill funding campaigns for public office (Senate, No. 2263) and the Senate Bill relative to public financing of campaigns for public office (Senate, No. 2262, amended), I would have voted, in each instance, in the affirmative. Any roll calls that I missed that day is due entirely to the reason stated.

*Quorum.*

Mr. Petrolati of Ludlow asked for a count of the House to ascertain if a quorum was present. The Speaker having taken the Chair and having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

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

**[\[See Yea and Nay No. 267 in Supplement.\]](#)**

Therefore a quorum was present.

*Resolutions.*

Mr. DiMasi of Boston being in the Chair,—

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

Resolutions (filed by Mr. Marini of Hanson) on the occasion of the eighty-fifth anniversary of the Girl Scouts of Duxbury;

Resolutions (filed by Ms. Rogeness of Longmeadow) congratulating Sergeant Andrew L. Morace, Jr., on the occasion of his retirement from the Longmeadow Police Department;

Resolutions (filed by Mr. Atsalis of Barnstable and other members of the House) honoring John O'Brien for his commitment and dedication to the Cape Cod Chamber of Commerce;

Resolutions (filed by Mr. Buoniconti of West Springfield) congratulating the 1952 West Springfield High School hockey team;

Resolutions (filed by Mr. Demakis of Boston) congratulating Stella Trafford on the occasion of her ninetieth birthday;

Resolutions (filed by Representatives Fox of Boston, Owens-Hicks of Boston, St. Fleur of Boston, Rushing of Boston, Barrios of Cambridge and Swan of Springfield) commemorating the 232nd anniversary of the "Boston Massacre" and the 37th annual Crispus Attucks Day by the Boston Equal Rights League;

Resolutions (filed by Ms. Fox of Boston) congratulating Karen Horton on the occasion of her retirement from the State Office of Minority and Women Business Assistance;

Resolutions (filed by Ms. Lewis of Dedham) congratulating Anica Chi-Ying Law on receiving a 2002 Prudential Spirit of Community Award;

Resolutions (filed by Ms. Lewis of Dedham) congratulating Daniel Nally on receiving a 2002 Prudential Spirit of Community Award;

Resolutions (filed by Mr. O'Brien of Kingston) congratulating Adam C. Dalton on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Messrs. O'Brien of Kingston and Flynn of Bridgewater) congratulating Steven Adam D'Souza on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mrs. Owens-Hicks of Boston) commending the Boston Alumnae Chapter of Delta Sigma Theta Sorority, Incorporated, on its unswerving commitment to public service and its participation in the International Day of Service on March 9, 2002;

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of

Mr. Casey of Winchester, 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. Koutoujian of Newton, petition (accompanied by bill, House, No. 4932) of David F. Gately (mayor), Peter J. Koutoujian, Thomas M. Stanley and others (with the approval of the city council) that the city of Waltham be authorized to appropriate funds for the continued operation of the Deaconess-Waltham Hospital or successor entity. To the committee on Health Care.

By Mr. Swan of Springfield, petition (accompanied by bill, House, No. 4933) of Benjamin Swan and other members of the General Court (with the approval of the mayor and city council) that the retirement board of the city of Springfield be authorized to pay certain surviving spouse benefits to Linda Gagne. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. DeLeo of Winthrop, petition (subject to Joint Rule 12) of Robert A. DeLeo and Robert E. Travaglini that the State Retirement Board be directed to pay certain retirement benefits to the surviving spouse of John Benker.

By Mr. Frost of Auburn, petition (subject to Joint Rule 12) of Paul K. Frost and Guy W. Glodis relative to authorizing the State Retirement Board to grant certain creditable service to Doreen F. Hardy.

By Mr. Miceli of Wilmington, petition (subject to Joint Rule 12) of James R. Miceli relative to exempting persons sixty-five years of age and older from payment of the motor vehicle excise tax.

By Mr. Murphy of Lowell, petition (subject to Joint Rule 12) of Kevin J. Murphy relative to further regulating abuse prevention orders and records.

By Mrs. Parente of Milford, petition (subject to Joint Rule 12) of Marie J. Parente and Richard T. Moore relative to providing for an assistant clerk in the Milford District Court.

By Mr. Swan of Springfield, petition (subject to Joint Rule 12) of Benjamin Swan and other members of the General Court (with the approval of the mayor and city council) relative to drag racing in the city of Springfield.

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

*Papers from the Senate.*

The House Bill promoting energy efficiency and conservation (House, No. 4006, amended) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 5 (inserted by amendment by the House) and inserting in place thereof the following two sections (as changed by the committee on Bills in the Third Reading):

“SECTION 5. Said section 2 of said chapter 166A, as so appearing in the 2000 Official Edition, is hereby amended by adding the following paragraph:-

As of December 31, 2001, and annually thereafter, the department shall report to the general court concerning the appeals that came before the division for that particular calendar year. The report shall detail the nature of each appeal and its outcome. Each annual report shall be filed with the clerks of the senate and house of representatives who shall forward the same to the joint committee on energy and the house and senate committees on ways and means. The report shall be made available to the public by the department.

SECTION 6. Section 4 shall take effect as of December 31, 2001.”.

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

The following order came from the Senate with the endorsement that it had been adopted by said branch:

*Ordered*, That, notwithstanding the provisions of an order previously adopted, the temporary Joint Rules of the General Court shall remain in effect until Thursday, February 28, 2002; and be it further ordered that, notwithstanding the provisions of Joint Rule 10, joint standing committees and the committees on Rules of the two branches, acting concurrently, be granted until Thursday, February 28, 2002, within which to make reports on matters referred to them.

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling

*Reports of Committees.*

By Mrs. Walrath of Stow, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2113; and inserting before the enacting clause the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is forthwith to authorize the financing of the production and preservation of affordable housing in the Commonwealth, and to make related changes in certain laws, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”) of the House Bill relative to authorizing the financing of the production and preservation of affordable housing in the Commonwealth (House, No. 4274), reports recommending that the House recede from its non-concurrence with the Senate in its amendments and concur therein with the following further amendment:

“By striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4930; and that the Senate concur in the further amendment.”

Placed in the Orders of the next sitting, the question being on acceptance.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Alice K. Wolf for legislation to authorize the District Court Department to establish a sick leave bank for Robin Tirrell McCree, an employee of said department. Under suspension of the rules, on motion of Mr. Casey of Winchester, 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. Greene of Billerica, for the committee on Commerce and Labor, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2836) of Daniel E. Bosley, other members of the General Court and another that the Corporation for Business, Work and Learning be directed to establish a self-sufficiency standard for incomes in the Commonwealth,— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the discharge of the committee.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Public Service to make an investigation and study of certain House documents concerning public employee retirement (House, No. 4046) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1672) of the Professional Fire Fighters of Massachusetts and Maryanne Lewis relative to cost of living adjustments for retired public employees,— and recommending that the same be recommitted to the committee on Public Service. Under Rule 42, the report was considered forthwith; and it was accepted.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Public Service to make an investigation and study of certain House documents concerning active and retired public employees (House, No. 4312) reported, in part, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 354) of Martin J. Walsh, Richard T. Moore and Steven A. Tolman relative to granting creditable service for retirement purposes for part-time faculty of institutions of higher education; and

Of the petition (accompanied by bill, House, No. 3177) of David Paul Linsky, David P. Magnani and Cheryl A. Jacques relative to the settlement of small retirement allowances;

And recommending that the same severally be recommitted to the committee on Public Service.

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

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Public Service to make an investigation and study of certain House documents

concerning active and retired public employees (House, No. 4655) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4390) of Kathleen M. Teahan, Robert S. Creedon, Jr., Reed V. Hillman and James P. Jajuga relative to authorizing the State Retirement Board to pay certain retirement benefits to the son of John A. Nee,— and recommending that the same be recommitted to the committee on Public Service. Under Rule 42, the report was considered forthwith; and it was accepted.

*Engrossed Bill.*

The engrossed Bill relative to the calculation of certain retirement contributions and benefits (see House, No. 2604) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Orders of the Day.*

The Senate Bill relative to the Ashland home rule charter (Senate, No. 2105, changed), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

House bills

Relative to the curriculum in public schools (House, No. 4409, amended) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the town of Bellingham to establish a tax stabilization fund (House, No. 4732);

Relative to elections in the town of Huntington (House, No. 4741, changed);

Providing for recall elections in the town of Huntington (House, No. 4742); and

Relative to the water and sewer commission of the town of Mattapoisett (House, No. 4843, amended) (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 terms of certain notes issued by the Commonwealth (printed in House, No. 4765) was read a second time; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mrs. Parente of Milford, 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.

The Senate bill relative to stealing registration plates and the possession of stolen registration plates (Senate, No. 1836); and

House bills

Eliminating the collection and dissemination of certain reports by the Division of Banks (House, No. 18);

Relative to dangerous dogs (House, No. 1168);

Relative to the election of survivor benefits (House, No. 4084);

Establishing an affordable housing trust fund in the town of Provincetown (House, No. 4145);  
and

Relative to John Robinson and Anne Robinson as residents of the town of Chelmsford (House, No. 4761);

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

The House Resolve establishing a John Adams memorial study commission (House, No. 4516) was read a second time.

The amendments previously recommended by the committee on Ways and Means,— that the resolve be amended in line 10 by inserting after the word “commission” the words “, in consultation with the Abigail Adams Historical Society of Weymouth”; and in line 12 by striking out the year “2001” and inserting in place thereof the year “2002”,— were adopted.

The resolve (House, No. 4516, amended) then was ordered to a third reading.

At four minutes after twelve o'clock noon, on motion of Mr. Rushing of Boston (Mr. DiMasi of Boston being in the Chair), the House recessed until one o'clock P.M.; and at a quarter after one o'clock the House was called to order with Mr. DiMasi in the Chair.

The House Bill relative to the assessment of local taxes (House, No. 376) was read a third time.

The committee on Bills in the Third Reading reported recommending that the bill be amended by adding at the end thereof the following two paragraphs:

“A lien filed pursuant to this section shall be subsequent to any liens securing a reverse mortgage, excepting shared appreciation instruments. The statement shall name the owner or owners and shall include a description of the land adequate for identification. Unless such a statement is recorded the lien shall not be effective with respect to a bona fide purchaser or other transferee without actual knowledge of such lien. The filing fee for such statement shall be paid by the city or town and shall be added to and become a part of the taxes due.

In addition to the remedies provided by this clause, the recorded statement of the assessors provided for in this clause shall have the same force and effect as a valid taking for nonpayment of taxes under the provisions of section 53 of chapter 60, except that: (1) interest shall accrue at the rate provided in this clause until the conveyance of the property or the death of the person whose taxes have been deferred, after which time interest shall accrue at the rate provided in section 62 of said chapter 60; (2) no assignment of the municipality's interest under this clause may be made pursuant to section 52 of said chapter 60; (3) no petition under section 65 of said

chapter 60 to foreclose the lien may be filed before the expiration of 6 months from the conveyance of the property or the death of the person whose taxes have been deferred.”.

The amendment was adopted; and the bill (House, No. 376, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Scaccia of Boston being in the Chair,—

The Senate Bill requiring religious officials to be mandated reporters of child abuse (Senate, No. 2230), 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, further consideration thereof was postponed until one o'clock P.M.

Subsequently, the noon recess having terminated, the bill was considered further.

Mr. Cabral of New Bedford then moved that the bill be amended by striking out all after the enacting clause and inserting in place thereof a new text.

Pending the question on adoption of the amendment, Mr. Tobin of Quincy moved that the proposed substitute text be amended by adding at the end thereof the following two sections:

“SECTION 4. Section 135A of Chapter 112 is hereby amended by inserting after ‘patient participant’ in line 72:—

(j) in a proceeding involving abuse of a child under the age of eighteen.

SECTION 5. Section 135B of Chapter 112 is hereby amended by adding after line 65:—

(i) in a proceeding involving abuse of a child under the age of eighteen.”.

The further amendment was adopted.

After debate on the question on adoption of the amendment offered by Mr. Cabral, as amended, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 148 members voted in the affirmative and 0 in the negative.

**[\[See Yea and Nay No. 268 in Supplement.\]](#)**

Therefore the amendment offered by Mr. Cabral, as amended (for text, see House document numbered 4934), was adopted.

The bill (Senate, No. 2230, amended) then was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

The engrossed Bill increasing the fee for admitting a person to bail (see House, No. 843, changed) (which had been returned to the House by Her Honor the Lieutenant-Governor, Acting

Governor, with recommendation of amendment) (for message, see House, No. 4869), was considered.

The committee on Bills in the Third Reading reported that the amendment recommended by the Acting Governor be considered in the following form:

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

“The state bail administrator, in consultation with the superior court bail committee justices, is authorized and directed to convene a commission to study and report upon the out-of-court bail administration system of the commonwealth and the method of compensating those persons authorized when court is not in session to take bail or release on personal recognizance persons arrested for any misdemeanor or felony. The commission shall consist of not more than seven members selected by the superior court bail committee, and shall include the state bail administrator and the following additional members or their designees: the secretary of the executive office of public safety, a justice of the superior court, a justice of the district court, and a district attorney of the commonwealth. Such study shall examine methods to: (1) ensure that the system of compensation operates in a manner that does not provide any incentive either for the release or retention of persons arrested; (2) continue to finance the out-of-court bail administration system through the collection of fees paid by defendants considered for bail outside of court; (3) provide a level of compensation commensurate with the responsibilities and working conditions of persons authorized to make bail decisions when court is not in session; (4) protect the rights of arrested persons to be considered for bail in accordance with legal requirements. The state bail administrator, no later than June 30, 2002, shall report to the general court and the governor of the commonwealth the results of such study together with recommendations for revision of the compensation system, including drafts of legislation necessary to carry its recommendations into effect.”.

The report was accepted.

The House refused to adopt the amendment recommended by the Acting Governor.

Mr. Marini of Hanson and other members of the House then moved 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 4931.

The amendment was adopted.

The bill (see House, No. 843, changed and amended) then was sent to the Senate for its action.

The House Bill relative to child passenger safety (House, No. 4199) was considered.

Pending the question on ordering the bill to a third reading, Messrs. Toomey of Cambridge and Nyman of Hanover moved that it be amended in section 2, in lines 4 and 5, by striking out the words “weighing eighty pounds or less” and inserting in place thereof the words “measuring less than fifty-seven inches in height”.

The amendment was adopted; and the bill (House, No. 4199, amended) was ordered to a third reading.

The House Bill relative to retirement systems (House, No. 2048, amended) was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended in line 5 by inserting after the word “others” the words “and to occupy any portion of said property which has been let or sublet”,— was adopted.

Pending the question on ordering the bill, as amended, to a third reading, Mr. Marini of Hanson and other members of the House moved that it be amended in line 5 by inserting after the word “sublet” (inserted by amendment) the words “; provided that, the board shall have a maximum of two times the square footage used for administration and transaction of business of the retirement board for rental or leasing purposes in any purchased building”.

The amendment was adopted; and the bill (House, No. 2048, amended) was ordered to a third reading.

The House Bill to ensure appropriate funding for certain telecommunications programs within the Commonwealth (House, No. 1751) was read a second time; and it was ordered to a third reading.

The House Bill relative to areas of critical environmental concern (House, No. 4479) was read a second time.

The amendments previously recommended by the committee on Ways and Means,— that the bill be amended in section 1, in line 3, by striking out the words “Prior to submitting” and inserting in place thereof the words “provided, however, that said policies shall include a requirement that prior to the submission of”; and by adding at the end thereof the following section:

“SECTION 2. Section 20 of chapter 21 of the General Laws, as appearing in the 2000 Official Edition, is hereby amended by adding at the end thereof the following new subsection:—

(15) To develop, in conjunction with the appropriate staff within the executive office of environmental affairs, a statewide policy regarding the acquisition, protection, and use of areas of critical environmental concern to the commonwealth; provided, however, that said policies shall include a requirement that prior to the submission of a nomination to designate an area as an area of critical environmental concern, the person or persons leading the nomination, as listed in the pertinent regulations shall, at a minimum, hold one public information meeting at least 30 days prior to submitting the nomination and that notice of such a meeting shall be given through any means reasonably likely to inform a reasonable number of residents to be affected by the nomination.”,— were considered.

Pending the question on adoption of the amendments recommended by the committee on Ways and Means, Mr. Peterson of Grafton moved that the amendments be amended by striking out proposed section 2.

The further amendment was adopted.

The amendment recommended by the committee on Ways and Means, as amended, then also was adopted; and the bill (House, No. 4779, amended) was ordered to a third reading.

The House Bill in connection with nuclear power plants (House, No. 4683) was read a second time.

Pending the question on adoption of the amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4913),— Mr. Pedone of Worcester and other members of the House moved that the proposed substitute bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4929.

The further amendment was adopted.

The amendment recommended by the committee on Ways and Means, as amended, then also was adopted; and the substituted bill (House, No. 4913, amended) was ordered to a third reading.

The House Bill making appropriations for the fiscal year 2002 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4914) was read a second time.

Pending the question on ordering the bill to a third reading, Mr. Dempsey of Haverhill moved that it be amended in section 1, in lines 11 and 12, and also in line 15, by striking out, in each instance the following: “who are at least 50 years of age but not yet 55 years of age”; and in section 4, in line 16, by striking out the date: “April 30, 2002” and inserting in place thereof the following: “not later than March 29, 2002”.

The amendments were adopted.

Representatives Dempsey, Wolf of Cambridge and Jehlen of Somerville then moved that the bill be amended in section 6, in line 18, by striking out the word “April” and inserting in place thereof the word “May”.

The amendment was adopted; and the bill (House, No. 4914, amended) was ordered to a third reading.

House bills

To require the take back of used cathode ray tubes (House, No. 4716);

Providing for the establishment and administration of rent regulations and the control of evictions in manufactured housing communities in the town of Kingston (House, No. 4845); and

Relative to zoning in the town of Kingston (House, No. 4847);

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

*Recess.*

At one minutes before three o'clock P.M., the Chair (Mr. Scaccia of Boston) declared a recess subject to the call of the Chair; and at two minutes before four o'clock the House was called to order with Mr. Scaccia in the Chair.

*Engrossed Bill — Land Taking.*

The engrossed Bill authorizing the town of Mashpee to convey a certain parcel of land (see House, No. 4299, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 146 members voted in the affirmative and 0 in the negative.

**[\[See Yea and Nay No. 269 in Supplement.\]](#)**

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

*Engrossed Bill.*

The engrossed Bill relative to motor homes (see Senate, No. 2178) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Order.*

On motion of Mr. Finneran of Boston,—

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

Mr. Coppola of Foxborough then moved that as a mark of respect to the memory of Garrett H. Spillane, Jr., a member of the House from Foxborough in 1961 and 1962, the House adjourn; and the motion prevailed.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at eight minutes after four o'clock P.M., on motion of Mr. Coppola (Mr. Scaccia of Boston being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M.

