

**JOURNAL OF THE HOUSE.**

Tuesday, July 31, 2001.

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, the Ultimate Source of Goodness and Wisdom, we depend upon You, Your guidance and assistance as we struggle to carry out conscientiously our legislative and personal responsibilities. Bless our efforts to be co-workers with You in addressing the human and spiritual needs of the people and our communities. Teach us to be fair, accurate and clear in articulating the content of the issues which come before us so that the electorate and society itself will be well-served and correctly informed. In dealing with people and with each other, grant us the good sense to be patient when patience is needed, courageous when courage is needed, and grateful when gratitude is needed.

Bestow Your blessings on the Speaker, the members and employees 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 Barrios of Cambridge.*

A statement of Mr. Barrios of Cambridge 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 will not be present in the House Chamber for the remainder of today's sitting due to official business outside of the State House. Any roll calls that I may miss today will be due entirely to the reason stated.

*Statement Concerning Representative Cleven of Chelmsford.*

A statement of Mr. Marini of Hanson concerning Mrs. Cleven of Chelmsford 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 Cleven of Chelmsford, 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.

*Statement Concerning Representative Festa of Melrose.*

A statement of Mr. DiMasi of Boston concerning Mr. Festa of Melrose 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 Festa of Melrose, was not present in the House Chamber for today's sitting due to a previously scheduled family vacation. Had he been present, he would have

voted in the affirmative on the taking of the yeas and nays on ordering to a third reading the House Bill relative to extending simulcast wagering of horse and dog racing.

*Statement Concerning Representative George of Yarmouth.*

A statement of Mr. Marini of Hanson concerning Mr. George of Yarmouth 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 George of Yarmouth, 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.

*Statement of Representative Golden of Boston.*

A statement of Mr. Golden of Boston 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 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.

*Statement Concerning Representative Verga of Gloucester.*

A statement of Mr. DiMasi of Boston concerning Mr. Verga of Gloucester 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 Verga of Gloucester, will not be present in the House Chamber for today's sitting due to his extended recovering after a heart attack. Any roll calls that he may miss today or has missed for the passed several weeks is due entirely to the reason stated.

*Resolutions.*

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

Resolutions (filed by Mrs. Canavan of Brockton) congratulating Dorothy Marie Doyle on the occasion of her ninetieth birthday;

Resolutions (filed by Mrs. Poirier of North Attleborough) on the occasion of the fortieth anniversary of the Horace Mann Educational Associates;

Resolutions (filed by Representatives Poirier of North Attleborough and Lepper of Attleboro) congratulating Steven Dennis on being named the 2001 Chamber of Commerce of the Attleboro Area Teacher of the Year; and

Resolutions (filed by Mr. Swan of Springfield) honoring Ruth Carter for her many accomplishments;

Ms. Harkins of Needham, 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 Mrs. Canavan, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Papers from the Senate.*

The engrossed Bill authorizing the commissioner of capital asset management and maintenance to acquire conservation restrictions to lands of the Springfield Water and Sewer Commission (see House, No. 4276) came from the Senate with certain amendments striking out section 1 and inserting in place thereof the following section:

“SECTION 1. The commonwealth, by and through the division of fisheries and wildlife, in consultation with the commissioner of capital asset management and maintenance, may take in accordance with chapter 79 of the General Laws or otherwise acquire, and the commissioners of the Springfield water and sewer commission may convey, fee interests, easements or lesser interests in land through conservation restrictions under sections 31, 32, and 33 of chapter 184 of the General Laws, to ensure the preservation and protection of wildlife and habitat, and for passive recreation and consistent purposes, in all or a portion of certain parcels of land of the Springfield water and sewer commission identified in section 2. The division shall not exercise the power of eminent domain under this act without the prior written consent of the commissioners of the Springfield water and sewer commission. These parcels were taken or acquired by the Springfield water and sewer commission and used for watershed and water supply purposes. The conservation restrictions authorized in this act shall allow for the continuation of these purposes on all or a portion of the parcels, but these conservation restrictions may restrict or regulate, but not unreasonably limit, the acts or uses associated with continuing these purposes. These conservation restrictions, if taken and not otherwise acquired, shall be subject to any easement or lesser interest in land held by any person or governmental agency, except for the Springfield water and sewer commission, that lawfully exists and that is recorded in the appropriate registry of deeds, unless the division of fisheries and wildlife, in consultation with the commissioner of capital asset management and maintenance, expressly takes the easement or lesser interest through eminent domain in accordance with said chapter 79.”; and striking out the title and inserting in place thereof the following title: “An Act authorizing the commonwealth to acquire conservation restrictions to lands of the Springfield water and sewer commission.”.

Under suspension of Rule 35, on motion of Mr. Petrolati of Ludlow, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

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

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Banks and Banking be granted until Friday, September 28, 2001, within which to make its final report on current Senate documents numbered 10, 15, 17, 20, 21 and 128 and on current House documents numbered 11, 14, 16, 229, 394, 574, 575, 1150, 1721, 2279, 2467, 2828, 2829, 3034, 3036, 3242, 3480, 3481, 3664, 3665 and 3667.

Under suspension of the rules, on motion of Mr. Marini of Hanson, the order was considered forthwith.

Pending the question on adoption of the order, in concurrence, Messrs. DiMasi of Boston and Marini moved that it be amended by striking out the text thereof and inserting in place thereof the following:

*“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 Friday, September 28, 2001, within which to make reports on all matters referred to them.”.

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

#### Reports

Of the committee on Commerce and Labor, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 95) of David P. Magnani, Susan C. Fargo, David C. Bunker, Jr. and other members of the General Court for legislation to establish a microenterprise business development office to foster the development of owner-operated businesses; and

Of the petition (accompanied by bill, House, No. 3255) of the United Steelworkers of America, Martin J. Walsh, Joan M. Menard, Kathleen M. Teahan and Mark J. Carron for legislation to further define the term “employer” under the minimum wage laws of the Commonwealth;

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

Of the petition (accompanied by bill, Senate, No. 1084) of David P. Magnani, Susan W. Pope, Cynthia S. Creem and other members of the General Court for legislation to establish the open space acquisition revolving fund;

Of the recommitted petition (accompanied by bill, Senate, No. 1086) of Richard T. Moore, Pamela P. Resor, Carol A. Donovan, Mary Jane Simmons, other members of the General Court and another for legislation to establish areas of critical scenic preservation and for the acquisition of such development rights;

Of the recommitted petition (accompanied by bill, Senate, No. 1110) of Pamela P. Resor, Cory Atkins, Robert S. Creedon, Jr. and J. James Marzilli, Jr. for legislation to promote the use of integrated pest management techniques in the Commonwealth;

Of the recommitted petition (accompanied by bill, Senate, No. 1140) of Bruce E. Tarr, Anthony J. Verga, Mary Jeanette Murray and Bradford Hill for legislation to direct the Secretary of Environmental Affairs to establish a program to assist cities and towns in the treatment of wastewater; and

Of the recommitted petition (accompanied by bill, Senate, No. 1142) of Robert E. Travaglini for legislation relative to the Massachusetts Water Resources Authority bond cap;

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

Of the petition (accompanied by bill, Senate, No. 1344) of Robert A. Havern, Susan C. Fargo, Dianne Wilkerson and other members of the General Court for legislation to provide equal employment benefits for public sector employees;

Of the petition (accompanied by bill, Senate, No. 1350) of James P. Jajuga, Colleen M. Garry and Emile J. Goguen for legislation to increase certain retirement allowances for widows of deceased state police officers; and

Of the petition (accompanied by bill, Senate, No. 1353) of James P. Jajuga, Brian S. Dempsey and Bruce E. Tarr for legislation to authorize creditable service for retirement purposes for certain employees of Northern Essex Community College; and

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

Of the petition (accompanied by bill, Senate, No. 1552) of James P. Jajuga and Emile J. Goguen for legislation to authorize and direct the State Comptroller to create a scholarship fund at Northern Essex Community College to be funded by certain excess disability benefits; and

Of the petition (accompanied by bill, Senate, No. 1609) of Bruce E. Tarr, Susan W. Pope and George N. Peterson, Jr. for legislation to require the printing of the State Building Code to be on a certain paper stock;

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

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

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

Petition (accompanied by bill, Senate, No. 2086) of Jo Ann Sprague, William C. Galvin and Louis L. Kafka (by vote of the town) for legislation to authorize the town of Stoughton to join

the Massachusetts Water Resources Authority. To the committee on Housing and Urban Development.

Petition (accompanied by bill, Senate, No. 2087) of Michael W. Morrissey and Robert J. Nyman for legislation to provide coverage for hearing aids for children. To the committee on Insurance.

Petition (accompanied by bill, Senate, No. 2088) of Joan M. Menard for legislation relative to the removal of certain debris from motor vehicles using public ways. To the committee on Public Safety.

*Reports of Committees.*

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 following petitions:

Petition (accompanied by bill) of Barry R. Finegold relative to the repossession of motor vehicles by creditors. To the committee on Banks and Banking.

Petition (accompanied by bill) of Louise R. Moson relative to the penalties for illegally carrying a firearm in public buildings or on public grounds. To the committee on Criminal Justice.

Petition (accompanied by bill) of Stephen J. Buoniconti relative to the use of crossbows for hunting by certain disabled persons. To the committee on Natural Resources and Agriculture.

Petition (accompanied by bill) of Daniel E. Bosley and Andrea F. Nuciforo, Jr., that the Registrar of Motor Vehicles be authorized to issue a pharmacy assistance registration plate; and

Petition (accompanied by bill) of Paul E. Caron and other members of the House relative to the licensing and certification of swimming pool installers by the Department of Public Safety.

Severally to the committee on Public Safety.

Petition (accompanied by bill) of Gale D. Candaras that the teachers' retirement board be authorized to grant creditable service to Anna Catalanotto; and

Petition (accompanied by bill) of Reed V. Hillman and Stephen M. Brewer (by vote of the town) relative to authorizing the appointment of Steven E. Granlund as a police officer in the town of Ware, notwithstanding the maximum age requirements;

Severally to the committee on Public Service.

Petition (accompanied by bill) of Gale D. Candaras relative to designating demolition a separate trade for filed sub-bids;

Petition (accompanied by bill) of Mary Jane Simmons and others relative to designating the box turtle as the official turtle of the Commonwealth;

Petition (accompanied by bill) of Mary Jane Simmons and others relative to designating the fife and drum as the official instruments of the Commonwealth; and

Petition (accompanied by bill) of Mary Jane Simmons and others relative to designating the “Lyddie”, by Catherine Patterson, as the official book of the Commonwealth;

Severally to the committee on State Administration.

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

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 Thomas M. Finneran relative to the stabilization fund of the Commonwealth. Under suspension of the rules, on motion of Mr. Marini of Hanson, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Ways and Means. Sent to the Senate for concurrence in the suspension of Joint Rule 12.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of North Andover to settle certain lawsuits (House, No. 4272) [Local Approval Received] be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Torrisi of North Andover, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Rogers of Norwood, for the committee on Ways and Means, that the Bill relative to certain capital spending authorizations (House, No. 4313) ought to pass.

Under suspension of the rules, on motion of the same member, the bill was read a second time forthwith.

Pending the question on ordering the bill to a third reading, Mrs. Walrath of Stow moved that it be amended in section 1 by inserting after item number 2120-7957 the following: “2120-8861” and by inserting after item number 4000-9101 the following: “4010-8831”; and in section 2 by striking out item number 2120-8861.

The amendments were adopted; and the bill (House, No. 4313, amended) was ordered to a third reading.

By Ms. Stanley of West Newbury, for the committee on Health Care, on a petition, a Bill requiring the Commissioner of Administration and Finance to report the progress of the bulk purchase of a prescription drug program (House, No. 4386).

By Mr. Cahill of Beverly, for the committee on Housing and Urban Development, on a petition, a Bill establishing a trust fund within the Metropolitan District Commission for the planting of trees (House, No. 262).

By the same member, for the same committee, on a petition, a Bill relative to veterans' housing (House, No. 615).

By the same member, for the same committee, on a petition, a Bill to assess the recreation and park needs of the Commonwealth (House, No. 821).

By the same member, for the same committee, on a petition, a Bill regulating advertisements and solicitations for time-shares (House, No. 1022).

By the same member, for the same committee, on House, No. 3320, a Bill relative to former state hospital property to be used for residential development for persons who are considered chronically mentally ill or mentally retarded (House, No. 4427).

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

*Emergency Measure.*

The engrossed Bill authorizing the Department of Environmental Management to acquire conservation restrictions in lands of the town of Hatfield and the Hatfield Water Commission (see Senate, No. 1985, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 57 to 0. Sent to the Senate for concurrence.

*Orders of the Day.*

The Senate Bill relative to the development of an athletic facility by the Assabet Valley Regional Vocational Technical School District (Senate, No. 1815, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment previously adopted by the House.

The Senate Bill authorizing the town of Andover to convey land to the Andover Village Improvement Society for a pedestrian easement (Senate, No. 1045), 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 Plymouth to use certain conservation land for sewer purposes (House, No. 4010); and

Authorizing the town of West Boylston to establish a department of public works (House, No. 4152);

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 the town of Grafton to convey a certain parcel of conservation land (House, No. 4426) was read a second time; and it was ordered to a third reading.

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

The House Bill designating a certain bridge in the town of Canton as the John E. Farrington Bridge (House, No. 1525) was read a second time; and it was ordered to a third reading.

*Recesses.*

At twenty-eight minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth, the House recessed until the hour of one o'clock P.M.; and at that time the House was called to order with Mr. Hynes of Marshfield in the Chair.

The House thereupon, on motion of Mr. Finneran of Boston, took a further recess until half past one o'clock P.M.; and at ten minutes before two o'clock the House was called to order with the Speaker in the Chair.

*Engrossed Bills — Land Takings.*

The engrossed Bill relative to telecommunications lines (see House, No. 1753, 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 147 members voted in the affirmative and 0 in the negative.

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

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

The engrossed Bill relative to a water supply easement held by the Massachusetts Water Resources Authority in the town of Southborough (see House, No. 1503) (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. 107 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 Andover to convey land to the Andover Village Improvement Society for a pedestrian easement (see Senate, No. 1045) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

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

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

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

The engrossed Bill authorizing the commissioner of capital asset management and maintenance to acquire conservation restrictions to lands of the Springfield Water and Sewer Commission (see House, No. 4276, 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 148 members voted in the affirmative and 0 in the negative.

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

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

*Orders of the Day.*

The House Bill relative to activities at election polling places (House, No. 2501) was considered.

Pending the question on ordering the bill to a third reading, Mr. Wagner of Chicopee moved that it be amended in lines 6 and 7 by striking out the words “for the purpose of greeting voters”.

The amendment was adopted; and the bill (House, No. 2501, amended) was ordered to a third reading.

The House Bill authorizing the conservation commission of the town of Dennis to establish fees for the employment of consultants (House, No. 4188) was ordered to a third reading.

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

Pending the question on ordering the bill to a third reading, further consideration thereof was postponed, on motion of Mr. Marini of Hanson, until the next sitting.

#### House reports

Of the committee on Taxation, ought NOT to pass, on the petition (accompanied by bill, House, No. 1702) of Francis L. Marini and other members of the House for legislation to provide a one-time tax credit for joining the organ donor program or for becoming certified to perform cardiopulmonary resuscitation; and

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4106) of a message from Her Honor the Lieutenant-Governor, Acting Governor, recommending legislation relative to promoting fiscal responsibility in the Commonwealth;

Severally were considered.

Pending the question, in each instance, on acceptance of the report, further consideration thereof was postponed, on motions of Mr. Marini of Hanson, until the next sitting.

#### House bills

Modifying the Governor’s Highway Safety Committee (printed as Senate, No. 1205, changed); and

Providing for the destruction of certain dogs (House, No. 1539);

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. Marini of Hanson, until the next sitting.

The House Bill relative to regional retirement systems (House, No. 2040) was considered.

Pending the question on ordering the bill to a third reading, Mr. Dempsey of Haverhill moved that it be amended by substitution of a bill with the same title (House, No. 4438), which was read.

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

The House Bill relative to expediting state and federal funding (House, No. 3936) was ordered to a third reading.

The House Bill relative to the licensing of sign installers (House, No. 4067) was considered.

Pending the question on ordering the bill to a third reading, Mr. Marini of Hanson and other members of the House moved that it be amended in section 2 by adding at the end thereof the following sentence: "This chapter shall not apply to signs otherwise regulated under sections twenty-nine through thirty-three of chapter ninety-three of the General Laws.".

The amendment was adopted; and the bill (House, No. 4067, amended) was 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. 1533) of J. Joseph Lydon and George Rogers for legislation to regulate the issuance of bank checks or money orders, was considered.

Pending the question on acceptance of the report, further consideration thereof was postponed, on motion of Mr. Rogers of New Bedford, until the next sitting.

The House report of the committee on Natural Resources and Agriculture, ought NOT to pass, on a message from His Excellency the Governor recommending legislation relative to the reorganization of certain functions within the Executive Office of Environmental Affairs (accompanied by bill, House, No. 3029) was considered.

Pending the question on acceptance of the report, further consideration thereof was postponed, on motion of Mr. Marini of Hanson, until the next sitting.

The House Bill further regulating the use of non-public personal information by insurance companies (House, No. 2356) was considered.

Pending the question on ordering the bill to a third reading, further consideration thereof was postponed, on motion of Mr. Straus of Mattapoisett, until Wednesday, September 26, 2001.

The House Bill creating a presumption regarding the disability retirement of a certain firefighter in the town of Clinton (House, No. 4332) was read a second time; and it was ordered to a third reading.

*Paper from the Senate.*

The Speaker being in the Chair,—

The House Bill providing for improvements to the horse and greyhound racing industry in the Commonwealth and the regulation thereof (House, No. 4261) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2074; and it was referred, under Rule 35, to the committee on Ways and Means.

Mr. Rogers of Norwood, for said committee, on the foregoing then reported, in part, a Bill relative to extending simulcast wagering of horse and dog racing (House, No. 4435), which was read.

Under suspension of the rules, on motion of Mr. Bosley of North Adams, the bill was read a second time forthwith.

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. Travis of Rehoboth; and on the roll call 131 members voted in the affirmative and 14 in the negative.

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

[Representative Barrios of Cambridge answered “Present” in response to his name.]

Therefore the bill was ordered to a third reading.

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

The same member then moved 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 forthwith extend simulcast wagering of horse and dog racing, 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. 4435, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Subsequently the bill came from the Senate with the endorsement that it been passed to be engrossed, in concurrence, by said branch, with amendments in section 1, in line 00; in section 2, in line 00; in section 3, in line 00; in section 4, in line 00; and in section 5, in line 00, by striking out the following: “September 30” and inserting in place thereof, in each instance, the following: “August 15”.

Under suspension of Rule 35, on motion of Mr. Bosley, the amendments were considered forthwith; and they were adopted, in concurrence.

Mrs. Harkins of Needham being in the Chair,— Mr. Rogers of Norwood, for the committee on Ways and Means, on the residue of House, No. 4261, reported recommending that the House non-concur with the Senate in its amendment.

Under suspension of the rules, on motion of Mr. Bosley of North Adams, the report 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. Representatives Bosley, Ruane of Salem and Peterson of Grafton were appointed the committee on the part of the House. Sent to the Senate to be joined.

*Engrossed Bill — Land Taking.*

The engrossed Bill relative to the transfer of land in the town of Littleton (see House, No. 4189) (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. 111 in Supplement.]**

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

*Emergency Measure.*

The engrossed Bill relative to extending simulcast wagering of horse and dog racing (see House, No. 4435, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 26 to 0. Sent to the Senate for concurrence.

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

*Order.*

On motion of Mr. Finneran of Boston,—

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

At twenty minutes before seven o'clock P.M., on motion of Mr. Bosley of North Adams (Mrs. Harkins of Needham being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.

