

**JOURNAL OF THE HOUSE.**

Wednesday, November 21, 2001.

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

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

Gracious God, on the eve of Thanksgiving Day, we take a moment to pray for a spirit of deep faith in You, Our Creator, and trust in each other and in our basic institutions. We are thankful that You have made known to us a way of life, a set of values and a clear direction for achieving personal happiness and fulfillment in our daily lives. Thanksgiving Day is a unique family day, a time for reflection on the magnitude of our blessings, an occasion for celebrations at local football fields and the renewal of friendships. On this day, however, we struggle to make fair, thoughtful and difficult legislative choices. Guide our efforts to do the best we can with limited resources in meeting the current needs of people in our communities. On Thanksgiving Day, tomorrow, may our hearts and minds be filled with peace and gratitude.

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.

*Messages from the Acting Governor.*

A message from Her Honor the Lieutenant-Governor, Acting Governor, submitting recommendations for making recovery budget appropriations for the fiscal year ending June 30, 2002, before final action on the General Appropriation Bill for that fiscal year (House, No. 4763) was filed in the office of the Clerk on Monday, November 19.

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.

Subsequently Mr. Rogers of Norwood, for said committee, on the foregoing message, reported, in part, a Bill making certain appropriations for the fiscal year ending June 30, 2002, before final action on the General Appropriation Bill for that fiscal year (House, No. 4764) [Cost: \$1,000,000,000.00], which was read.

Under suspension of the rules, on motion of the same member, the bill was read a second and a third time forthwith; and it was passed to be engrossed. Mr. Rogers of Norwood moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill (House, No. 4764) then was sent to the Senate for concurrence.

A message from Her Honor the Lieutenant-Governor, Acting Governor, recommending legislation relative to further promoting public safety in the Commonwealth (House, No. 4759) was filed in the office of the Clerk on Tuesday, November 20.

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

A message from Her Honor the Lieutenant-Governor, Acting Governor, recommending

legislation relative to the terms of certain notes issued by the Commonwealth (House, No. 4765) was filed this day in the office of the Clerk.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Long-Term Debt and Capital Expenditures.

A message from Her Honor the Lieutenant-Governor, Acting Governor, recommending legislation relative to establishing an early retirement incentive program and making related appropriations for the fiscal year ending June 30, 2002 (House, No. 4767) was filed in the office of the Clerk on Monday, November 19.

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

*Special Communications.*

The following communication, together with returns of votes and schedules therein referred to, was received from the Secretary of the Commonwealth, to wit:—

COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

STATE HOUSE, BOSTON 02133

November 21, 2001.

*To the Honorable House of Representatives:*

I have the honor to lay before you the returns of votes cast at the special election held in this Commonwealth on the twenty-third day of November, 2001 for Representative in General Court, Fifth Worcester District, together with schedules showing the number of ballots which appear to have been cast for each person voted for.

These returns have been duly canvassed by the Governor and Council, and are now transmitted for examination by the House of Representatives, as required by the Constitution.

Very truly yours,

WILLIAM FRANCIS GALVIN,  
*Secretary of the Commonwealth.*

The communication was read; and, there being no objection, it was placed on file.

The following communication, together with returns of votes and schedules therein referred to, was received from the Secretary of the Commonwealth, to wit:—

COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY  
STATE HOUSE, BOSTON 02133

November 21, 2001.

*To the Honorable House of Representatives:*

I have the honor to lay before you the returns of votes cast at the special election held in this Commonwealth on the twenty-third day of November, 2001 for Representative in General Court, Seventh Worcester District, together with schedules showing the number of ballots which appear to have been cast for each person voted for.

These returns have been duly canvassed by the Governor and Council, and are now transmitted for examination by the House of Representatives, as required by the Constitution.

Very truly yours,

WILLIAM FRANCIS GALVIN,  
*Secretary of the Commonwealth.*

The communication was read; and, there being no objection, it was placed on file.

*Members Qualified.*

The Speaker announced the appointment of Representatives Binienda of Worcester, Blumer of Framingham, Reinstein of Revere, Koczera of New Bedford, Story of Amherst, Provost of Sandwich, Atkins of Concord, Carron of Southbridge, Linsky of Natick, Speliotis of Danvers, Brown of Wrentham and Festa of Melrose as a special committee of the House to escort Her Honor the Lieutenant-Governor and the members of the Executive Council to the Chamber for the purpose of administering the oaths and affirmation of office to Anne M. Gobi of Spencer, member-elect from the Fifth Worcester District; and Karen Spilka of Ashland, member-elect from the Seventh Worcester District.

Subsequently Mr. Binienda, for the committee, reported that they had attended to the duty assigned them, and that the Acting Governor had stated that she would attend forthwith and administer the oaths of office.

Soon afterward Her Honor the Lieutenant-Governor, Acting Governor, Jane M. Swift, and the Honorable Council came in; the oaths and affirmation required by the Constitution and laws were administered by Her Honor to the members-elect then present, and were subscribed by them; after which Her Honor declared that the members were duly qualified to enter upon the discharge of their duties.

After brief remarks by each newly qualified member, the Speaker assigned Ms. Gobi to Seat No. 76, and Ms. Spilka to Seat No. 143.

Her Honor the Lieutenant-Governor, and the Honorable Councillors then departed the Chamber

under escort of the Sergeant-at-Arms.

*Appointments and Changes in Committees:*

The Speaker announced the following appointments:

That Representative DiMasi of Boston had been appointed Majority Leader to fill the existing vacancy;

That Representative DiMasi of Boston had been relieved of duty (at his own request) as Assistant Majority Leader and that Representative Harkins of Needham had been appointed to said position to fill the existing vacancy;

That Representative Harkins of Needham had been relieved of duty (at her own request) as Second Assistant Majority Leader and that Representative Petrolati of Ludlow had been appointed to said position to fill the existing vacancy; and

That Representative Petrolati of Ludlow had been relieved (at his own request) as a Floor Division Leader and that Representative Walrath of Stow had been appointed to said position to fill the existing vacancy.

The Speaker announced the following changes and appointments in House Committees:

That Representative Garry of Dracut had been relieved of duty (at her own request) from the committee on Ethics and that Representative Candaras of Wilbraham had been appointed to the first position on said committee to fill the existing vacancy;

That Representative Walrath of Stow had been relieved of duty (at her own request) from the committee on Long-Term Debt and Capital Expenditures and that Representative Parente of Milford had been appointed to the first position on said committee to fill the existing vacancy;

That Representative Bunker of Rutland had been relieved of duty (at his own request) from the committee on Long-Term Debt and Capital Expenditures and that Representative Murphy of Weymouth had been appointed to the ninth position on said committee to fill the existing vacancy; and

That Representative Murphy of Weymouth had been appointed to the ninth position on the committee on Post Audit and Oversight to fill the existing vacancy.

The Speaker announced the following changes and appointments in Joint Standing Committees:

That Representative Simmons of Leominster had been relieved of duty (at her own request) from the committee on Counties and that Representative Garry of Dracut had been appointed to the first position on said committee to fill the existing vacancy;

That Representative Parente of Milford had been relieved of duty (at her own request) from the committee on Local Affairs and that Representative Simmons of Leominster had been appointed to the first position on said committee to fill the existing vacancy, and that

Representative Gobi of Spencer had been appointed to the ninth position on said committee to fill the existing vacancy;

That Representatives Candaras of Wilbraham and Golden of Boston had been relieved of duty (at their own requests) from the committee on Public Service, that Representative Nangle of Lowell had been appointed to the second position on said committee, and that Representatives Gobi of Spencer and Spilka of Ashland had been appointed to the eight and ninth positions on said committee to fill existing vacancies; and

That Representative Spilka of Ashland had been appointed to the ninth position on the committee on State Administration to fill the existing vacancy.

#### *Guest of the House.*

During the session, the Chair (Mr. DiMasi of Boston) declared a recess subject to the call of the Chair, there being no objection; and introduced John Tobin, City Councillor-elect from the city of Boston. Mr. Tobin, a former legislative aide in the House of Representatives, was the guest of Representatives Honan of Boston, Fitzgerald of Boston, Malia of Boston, DeLeo of Winthrop, Petrolati of Ludlow and other members of the House.

#### *Resolutions.*

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

Resolutions (filed by Mrs. Pope of Wayland) congratulating the Wayland High School boys soccer team on the occasion of winning the Division 3 M.I.A.A. State Championship; and

Resolutions (filed by Mr. Travis of Rehoboth) congratulating Brenda Lee Crandall on the occasion of her retirement;

Mrs. 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 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.

#### *Papers from the Senate.*

The House Bill relative to unemployment insurance rates (House, No. 4531, amended) came from the Senate with the endorsement that said branch had insisted on its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2166) (in which the House had NON-concurred).

The bill bore the further endorsement that the Senate had concurred with the House in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Pacheco, Montigny and Hedlund had been joined as the committee on the part of the Senate.

The House Bill authorizing the town of Truro to convey certain conservation land (House, No. 4416) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 4.

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

A petition (accompanied by bill, Senate, No. 2191) of Charles E. Shannon and Paul C. Casey (by vote of the town) for legislation to authorize the town of Winchester to establish a retiree healthcare liability trust fund, was referred, in concurrence, to the committee on Local Affairs.

A petition of Marc R. Pacheco, Steven A. Tolman, Brian A. Joyce, Christine E. Canavan and other members of the General Court for legislation relative to open trenches and construction safety, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Safety.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2193) was referred, in concurrence, to the committee on Public Safety.

#### *Reports of Committees.*

By Mr. Rogers of Norwood, for the committee on Ways and Means, that the Bill authorizing and directing the reinstatement of Robert W. Aylward as a member in service of the teachers' retirement system (House, No. 4738) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kujawski of Webster, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Miceli of Wilmington, the bill was read a second time forthwith; and it 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. Sent to the Senate for concurrence.

Mr. Scaccia of Boston being in the Chair,—

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing certain amendments to the housing and employment exaction requirements (linkage) with respect to large-scale commercial real estate development (Senate, No. 2176) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Cahill of Beverly, 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. Fitzgerald of Boston, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, in concurrence. Mr. DiMasi of Boston moved that this vote be reconsidered; and the motion to reconsider was negatived.

*Engrossed Bill.*

The Speaker having returned to the Chair,—

The engrossed Bill authorizing the town of Wareham to release their interests in a certain parcel of land (see House, No. 4126) (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.

*Reconsideration.*

Mr. Bosley of North Adams moved that the vote be reconsidered by which the House, at the preceding sitting, passed to be engrossed the House Bill promoting energy efficiency and conservation (House, No. 4006, amended); and the motion to reconsider prevailed.

Pending the recurring question on passing the bill to be engrossed, it was recommitted to the committee on Bills in the Third Reading, on motion of Mr. Binienda of Worcester.

*Recess.*

At ten minutes before eleven o'clock A.M., on motion of Mr. Frost of Auburn, the House recessed until twelve o'clock noon; and at that time the House was called to order with the Speaker in the Chair.

*Engrossed Bills — Land Takings.*

The engrossed Bill relative to exchange of interests in land located in the town of Hingham and for an improved waterfront park and improved access to water transportation facilities (see House, No. 4102, 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 129 members voted in the affirmative and 24 in the negative.

**[See Yea and Nay No. 149 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 Sherborn to convey certain forest land (see House, No. 4191) (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 155 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 150 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 city of Peabody to use certain park land for school purposes (see House, No. 4301) (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 155 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 151 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 Edgartown to convey a certain parcel of land (see House, No. 4361) (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 153 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 152 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 Chatham to grant an easement in certain conservation land (see House, No. 4369) (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 154 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 153 in Supplement.]**

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

*Recess.*

At the hour of one o'clock P.M., the Speaker declared a recess until half past one o'clock; and at the hour of two o'clock the House was called to order with Mr. DiMasi in the Chair.

*Quorum.*

Mr. Jones of North Reading asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. DiMasi 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 156 members were recorded as being in attendance.

**[See Yea and Nay No. 154 in Supplement.]**

Therefore a quorum was present.

*Order.*

An Order (filed this day by Mr. Scaccia of Boston) relative to the suspension on Joint Rule 12A to authorize the House and Senate to meet on December 5, 2001, to consider the General Appropriation Bill and proposed legislation establishing new Congressional Districts in the Commonwealth (House, No. 4760) was referred, under Rule 24, to the committee on Rules.

Mr. Scaccia of Boston, for said committee, reported, under the provisions of House Rule 7B, that the order ought to be adopted.

Pending the question on adoption of the order, Mr. Marini of Hanson and other members of the House moved that it be amended in lines 00 and 00 by striking out the words "and proposed legislation to establish new Congressional districts in the Commonwealth".

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. Marini; and on the roll call 74 members voted in the affirmative and 82 in the negative.

**[See Yea and Nay No. 155 in Supplement.]**

Therefore the amendment was rejected.

Mr. Marzilli of Arlington then moved that the order be amended by adding at the end thereof

the words “, and legislation to delay reductions in the taxation of personal income”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 59 members voted in the affirmative and 97 in the negative.

**[See Yea and Nay No. 156 in Supplement.]**

Therefore the amendment was rejected.

On the question on adoption of the order, the sense of the House was taken by yeas and nays, at the request of Mr. Marini of Hanson; and on the roll call 135 members voted in the affirmative and 22 in the negative.

**[See Yea and Nay No. 157 in Supplement.]**

Therefore the order was adopted (more than two-thirds of the members present and voting having voted in the affirmative, as required under Joint Rule 33). Sent to the Senate for concurrence.

#### *Engrossed Bills.*

Engrossed bills

Relative to deceased depositors (see House, No. 3479);

Validating the proceedings at an annual town election in the town of North Attleborough (see House, No. 4287); and

Authorizing the town of North Attleborough to continue the employment of Brian F. Coyle (see House, No. 4308);

(Which severally originated in the House);

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

#### *Engrossed Bill — Land Taking.*

The engrossed Bill authorizing the town of Truro to convey certain conservation land (see House, No. 4416, 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 157 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 158 in Supplement.]**

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

*Order.*

An Order (filed this day by Mr. Scaccia of Boston) relative to the printing of a Calendar containing only the proposed legislation relative to establishing Congressional districts in the Commonwealth (House, No. 4762) was referred, under Rule 24, to the committee on Rules.

Mr. Scaccia of Boston, for said committee, reported, under the provisions of House Rule 7B, that the order ought to be adopted.

Pending the question on adoption of the order, Mr. Marini of Hanson and other members of the House moved that it be amended, in line 00, by inserting after the word “commonwealth” the following: “and any proposed overrides of gubernatorial vetoes or reductions concerning the FY2002 General Appropriation Act, so called”.

After debate on the question on adoption of the amendment, Mr. Hodgkins of Lee moved the previous question on the main question.

On the question: “Shall the main question be now put?”, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 11 members voted in the affirmative and 144 in the negative.

**[See Yea and Nay No. 159 in Supplement.]**

Therefor the motion to order previous question on the main question was negatived.

On the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Marini of Hanson; and on the roll call 38 members voted in the affirmative and 118 in the negative.

**[See Yea and Nay No. 160 in Supplement.]**

Therefore the amendment was rejected.

On the question on adoption of the order, the sense of the House was taken, as required under the provisions of House Rule 12; and on the roll call 133 members voted in the affirmative and 22 in the negative.

**[See Yea and Nay No. 161 in Supplement.]**

Therefore the the order was adopted.

*Report of a Committee.*

By Mr. Rogers of Norwood, for the committee of conference on the disagreeing votes of the

two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 1901) of the House Bill making appropriations for the fiscal year 2002 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. 4101), reports, in part, a Bill making appropriations for the fiscal year 2002 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. 4800) [Direct appropriations: \$21,294,338,207; Retained Revenue: \$962,819,622; Total Appropriation: \$22,257,157,829].

The same member then moved that the rules be suspended in order that the report (having been approved by the committees on Bills in the Third Reading of the two branches, acting concurrently) might be considered forthwith.

After remarks on the question on suspension of the rules, the sense of the House was taken by yeas and nays, at the request of Mr. Marini of Hanson; and on the roll call 134 members voted in the affirmative and 22 in the negative.

**[See Yea and Nay No. 162 in Supplement.]**

Therefore the rules were suspended.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of Ms. Rogeness of Longmeadow; and on the roll call (the Speaker being in the Chair) 115 members voted in the affirmative and 41 in the negative.

**[See Yea and Nay No. 163 in Supplement.]**

[Ms. Gobi of Spencer answered "Present" in response to her name.]

Therefore the report of the committee of conference was accepted. Mrs. Harkins of Needham moved that this vote be reconsidered; and the motion to reconsider was negatived. The report then was sent to the Senate for concurrence.

*Motions to Discharge Certain Matters in the Orders of the Day.*

Mr. Miceli of Wilmington moved that the House Bill authorizing the Division of Capital Asset Management and Maintenance to grant certain real property located in the town of Tewksbury to the Tewksbury Housing Authority (House, No. 733), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time.

Pending the question on passing the bill to be engrossed, the same member moved that it be amended by substitution of a Bill authorizing the Division of Capital Asset Management and

Maintenance to grant a certain easement in the town of Tewksbury to the Tewksbury Housing Authority (House, No. 4766), which was read.

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

Mr. Demakis of Boston moved the House Bill relative to the taxation of certain personal property (House, No. 4442), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

Pending the recurring question on passing the bill to be engrossed, the same member moved that it be amended by striking out all after the enacting clause and inserting in place thereof the following:

“Section 5 of chapter 59 of the General Laws, as appearing in the 2000 Official Edition, is hereby amended by inserting, in line 451, after the word ‘domicile’ the following words:— , or on loan to a charitable organization, provided, however, that no such property shall be exempt if it would not be exempt pursuant to the provisions of clause Third if such property were owned by such organization.”.

The amendment was adopted; and the bill, as amended, was passed to be engrossed. Mr. Scaccia of Boston moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill (House, No. 4442, amended) then was sent to the Senate for concurrence.

Mr. Atsalis of Barnstable moved the House Bill authorizing the town of Barnstable to convey certain land (House, No. 4708), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Peterson of Grafton moved the House Bill relative to civil service preference of the children of Alton Grindle for appointment for fire service in the Commonwealth (House, No. 4611), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Greene of Billerica moved the House Bill authorizing the conveyance to the town of Billerica of a certain parcel of land (House, No. 4747), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The bill (reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time.

Pending the question on passing the bill to be engrossed, Mr. DeLeo of Winthrop moved that it

be amended by adding at the end thereof the following section:

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

The amendment was adopted; and the bill (House, No. 4747, amended) was passed to be engrossed. Sent to the Senate for concurrence.

#### *Suspension of Rule 1A.*

The Speaker placed before the House the question on suspension of Rule 1A in order that the House might continue to meet beyond the hour of nine o'clock P.M.; and, there being no objection, Rule 1A was suspended.*Emergency Measures.*

The engrossed Bill authorizing the Department of Environmental Protection to grant a certain tideland construction license to the Boston Tea Party Ship, Inc. (see Senate, No. 1830, changed and amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 13 to 0. Sent to the Senate for concurrence.

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

The engrossed Bill making appropriations for the fiscal year 2002 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4800), 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 2 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 Speaker and sent to the Senate.

#### *Engrossed Bills.*

##### Engrossed bills

Authorizing certain amendments to the housing and employment exaction requirements (linkage) with respect to large-scale commercial real estate development (see Senate, No. 2176) (which originated in the Senate);

Relative to the charter of the town of Needham (see House, No. 3523); and

Making certain appropriations for the fiscal year ending June 30, 2002, before final action on the General Appropriation Bill for that fiscal year (see House, No. 4764);

(Which severally originated in the House);

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

*Order.*

On motion of Mr. Peterson of Grafton,—

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

Mr. Peterson then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at a quarter before ten o'clock P.M. (the Speaker being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.



