NOTICE: *While reasonable efforts have been made to assure the accuracy of the data herein, this is* ***NOT*** *the official version of Senate Journal. It is published to provide information in a timely manner, but has* ***NOT*** *been proofread against the events of the session for this day. All information obtained from this source should be checked against a proofed copy of the Senate Journal.*

UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.

Wednesday, April 1, 1998.
Met at nine minutes past eleven o'clock A.M.

Communication.

A communication from Senator Robert S. Creedon, Jr., in compliance with Massachusetts General Laws Chapter 268A (received March 31, 1998),— **was placed on file.**

Petitions.

Petitions were presented and referred, as follows:
By Mr. Havern, a petition (subject to Joint Rule 12) of Robert A. Havern for legislation to authorize and direct the Teachers Retirement Board to recalculate the pension allowance of a certain former employee of the Arlington public school system; and
By Mr. Morrissey, a petition (subject to Joint Rule 12) of Michael W. Morrissey and Michael G. Bellotti for legislation to increase the real estate tax abatement for senior citizens;
Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Report of a Committee.

Mr. Berry, for the committee on Steering and Policy, reported that the following matter be placed in the Orders of the Day for the next session:
The House Bill relative to the practice of acupuncture (House No. 4642).

Committee Discharged.

Mr. Keating, for the committee on the Judiciary, reported, asking to be discharged from further consideration of the recommitted petition (accompanied by bill, Senate, No. 829) of William R. Keating and Michael W. Morrissey for legislation to allow judicial members the same rights as others while speaking on matters of public policy,— and recommending that the same be referred to the Senate committee on Ways and Means.
Under Senate Rule 36, the report was considered forthwith and accepted.
Sent to the House for concurrence in the discharge of the joint committee.

Papers from the House.

A Bill providing protection for certain retirement accounts (House, No. 1355,— on petition,— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

A Bill relative to the town of Barre and a memorandum of understanding with Phoenix Plaza Corp. and Ware River Recreational Corp. (printed as Senate, No. 2070,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Matters Taken Out of the Orders of the Day.

There being no objection, the following matters were taken out of the Orders of the Day and considered, as follows:
The House Bill relative to the Massachusetts Congregational Charitable Society (House, No. 4849),— **was read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to the water supply and sewer systems of the town of Southbridge (House, No. 5342),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Communication.

There being no objection, the Clerk read the following communication:

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133
March 27, 1998.

Mr. Edward B. O'Neill
Clerk of the Massachusetts Senate
State House
Boston, Massachusetts 02133

Dear Mr. O'Neill:
Due to a scheduling conflict, I was unable to be present for the following roll call votes on March 26, 1998.
Had I been present, I would have voted in the affirmative on each of the following matters:
1) Acceptance of the conference committee report on S. 2154, relative to drinking water.
2) Concurrence on the House amendment on S. 2044, relative to child support enforcement.
3) Engrossment of S. 2150, relative to false claims.
4) Engrossment of S. 2152, relative to emergency medical services.
5) Engrossment of H. 5291, relative to affordable housing.
I would appreciate your noting this for the record. Thank for your assistance in this matter.

Sincerely,

EDWARD J. CLANCY, JR.,
State Senator.

On motion of Ms. Fargo, the above communication was ordered printed in the Journal of the Senate.

Reports of Committees.

By Mr. Norton, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Susan C. Fargo for legislation to require a public hearing before the expenditure of certain funds for the management and disposal of low-level radioactive waste.
Senate Rule 36 was suspended, on motion of Mr. Bernstein, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Natural Resources and Agriculture.

By Mr. Norton, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Marian Walsh, Stephen F. Lynch, David T. Donnelly, Paul C. Demakis and other members of the General Court for legislation relative to vehicular rental transaction contracts in the city of Boston.
Senate Rule 36 was suspended, on motion of Mr. Bernstein, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration.
Severally sent to the House for concurrence.

Resolutions.

Resolutions (filed by Mr. Lynch) "honoring Joseph E. Mullaney III on the occasion of his fortieth birthday", were referred, under the rule, to the committee on Rules.
Subsequently, Mr. Norton, for the said committee, reported, recommending that the resolutions ought to be adopted; and they were considered forthwith, under a suspension of the rules, moved by Mr. Rauschenbach, and adopted.

Resolutions (filed by Mr. Rosenberg) "honoring the contributions of the Scots to the Commonwealth", were referred, under the rule, to the committee on Rules.
Subsequently, Mr. Norton, for the said committee, reported, recommending that the resolutions ought to be adopted; and they were considered forthwith, under a suspension of the rules, moved by Mr. Rauschenbach, and adopted.

Resolutions (filed by Ms. Wilkerson) "in recognition of Benjamin Healthcare Center's 71 years of dedicated long-term care service to Boston's culturally diverse population", were referred, under the rule, to the committee on Rules.
Subsequently, Mr. Norton, for the said committee, reported, recommending that the resolutions ought to be adopted; and they were considered forthwith, under a suspension of the rules, moved by Mr. Rauschenbach, and adopted.

Papers from the House
Engrossed Bills.

The following engrossed bills (the first two of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the President and laid before

the Acting Governor for his approbation, to wit:
Relative to the Cape Cod, Martha's Vineyard and Nantucket Regional Employment Board (see Senate, No. 1732);
Relative to children born out of wedlock (see Senate, No. 1797); and
Relative to the issuance of tax bills in the city of Lawrence (see House, No. 5306).

Reports of a Committee.

By Mr. Rosenberg, for the committee on Ways and Means, that the House Bill providing for certain insurance benefits for cancer patients (House, No. 5190), ought to pass.
There being no objection, the rules were suspended, on motion of Ms. Melconian, and the bill was read a second time and ordered to a third reading.

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill relative to certain health care benefits (Senate, No. 1877), ought to pass, with an amendment, substituting a new draft with the same title (Senate, No. 2160).
There being no objection, the rules were suspended, on motion of Mr. Norton, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means. The new draft (Senate, No. 2160) was then ordered to a third reading.

By Messrs. Rosenberg and Nuciforo, for the committee on Ways and Means, that the House Bill relative to environmental cleanup and promoting the redevelopment of contaminated property (House, No. 5299), ought to pass, with an amendment, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2161 (Direct Appropriation — $95,000,000.00; Annual Impact — $8,300,000.00: Total — $103,300,000.00).
There being no objection, the rules were suspended, on motion of Mr. Bernstein, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means. The bill, as amended, was then ordered to a third reading.

Order Adopted.

Mr. Norton offered the following order, to wit:
Ordered, That, when the Senate adjourns today, it adjourn to meet tomorrow at one o'clock P.M.; and that, notwithstanding the provisions of any rule to the contrary, full consideration shall be allowed by the Senate on Thursday, April 2, on House Bill No. 5299, a "Bill relative to environmental cleanup and promoting the redevelopment of contaminated property". All amendments, offered by members, shall be third reading amendments and should contain a short descriptive title. Amendments must be filed in the office of the Clerk of the Senate no later than Thursday, April 2, at eleven o'clock A.M.
There being no objection, the order was considered forthwith and adopted.

On motion of Mr. Norton, at seventeen minutes past eleven o'clock A.M., the Senate adjourned to meet on the following day at one o'clock P.M.