

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.



Tuesday, June 9, 1998.

Met at eighteen minutes past one o'clock P.M.

Communication.

A communication from James J. Hartnett, Jr., Personnel Administrator, Human Resources Division (under the provisions of Section 61A of Chapter 31 and Section 5(3)(e) of Chapter 32 of the General Laws) submitting proposed changes in regulations with respect to initial medical and physical fitness standards tests for municipal public safety personnel (Senate, No. 2234) (received Friday, June 5, 1998),— **was referred to the committee on Public Service.**

Sent to the House for concurrence.

Petition.

Mr. Tarr presented a petition (subject to Joint Rule 12) of Bruce E. Tarr, Forrester A. Clark, Jr., and Harriett L. Stanley for legislation to accept the devise of certain land in Georgetown as part of the Georgetown-Rowley State Forest,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Reports of Committees.

By Mr. Moore, for the committee on Public Service, on petition, a Bill authorizing the city of Worcester to issue pension obligation bonds (Senate, No. 2220) [Local approval received];

Read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

By Mr. Bernstein, for the committee on Criminal Justice, on petition (accompanied by bill, Senate, No. 2223), an Order relative to authorizing the joint committee on Criminal Justice to sit during the recess of the General Court for the purpose of making an investigation and study of Senate document numbered 2223, relative to unlaw fully providing firearms to minors (Senate, No. 2235);

Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Papers from the House

The following reports (having been sent by the House to the Senate for its information) were severally returned to the House to be placed on file, to wit:

Semi-annual report of the Office of the Attorney General (under Section 99(k) of Chapter 398 of the Acts of 1991) relative to criminal prosecutions for insurance fraud and related crimes [covering the reporting period January 1, 1997 through June 30, 1997]; and

Semi-annual report of the Office of the Attorney General (under Section 99(k) of Chapter 398 of the Acts of 1991) relative to

criminal prosecutions for insurance fraud and related crimes[covering the reporting period July 1, 1997 through December 31, 1997].

Orders of the Day.

The Orders of the Day were considered, as follows:

The House Bill providing for recall elections in the town of Ayer (House, No. 4596),— **was read a second time and ordered to a third reading.**

The House bills

Relative to shade trees (House, No. 740);

Relative to the charter of the town of Eastham (House, No. 4661);

Relative to the Nantucket historic district commission (House, No. 4653);

Authorizing the Governor to designate an additional justice of the peace in the town of West Bridgewater (House, No. 293); and

Relative to the membership of the conservation commission of the town of West Tisbury (House, No. 5182);

Were severally read a third time and passed to be engrossed, in concurrence.

The Senate Bill relative to the issuance of firearm licenses to environmental police officers (Senate, No. 1113) (its title having been changed by the committee on Bills in the Third Reading),— was read a third time.

Pending the question on passing the bill to be engrossed, Messrs. Jajuga and Shannon moved that the bill be amended by substituting a new draft with the same title (Senate, No. 2236). The amendment was adopted.

The new draft (Senate, No. 2236) was then passed to be engrossed.

Sent to the House for concurrence.

The House Bill relative to fire departments (House, No. 990, amended),— was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Tarr moved that the bill be amended by adding after the word "private", the words "for profit". The amendment was adopted.

The bill, as amended, was then passed to be engrossed, in concurrence.

Sent to the House for concurrence in the amendments adopted by the Senate.

Distinguished Guests.

There being no objection, the President introduced, seated in the gallery, students from the Pierce Middle School in Milton. The students are the state champions of the Future Problem Solvers of America competition and will be representing Massachusetts this weekend in the international competition. The students were accompanied by Rachel Klugo, Melissa Hubert and Andria Gelerman. They were the guests of Senator Joyce.

Resolutions.

Resolutions (filed by Mr. Morrissey) "congratulating Mary Ellen (Gill) Johnson on the occasion of her one hundredth birthday celebration", 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. Lees, and adopted.

Resolutions (filed by Ms. Murray) "on the occasion of Wareham's Council on Aging Volunteer Recognition Day", 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. Lees, and adopted.

Resolutions (filed by Ms. Walsh) "congratulating Anthony V. Taurasi, Jr., on the occasion of his sixtieth 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. Lees, and adopted.

Papers from the House.

Committees of Conference.

The House Bill making appropriations for the fiscal year nineteen hundred and ninety-nine 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. 5501),— came from the House with the endorsement that the House had NON-concurred in the Senate amendments:

Striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2230; and by striking out the emergency preamble and inserting in place thereof the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is immediately to make appropriations for the fiscal year beginning July 1, 1998, and to make certain changes in law, each of which is immediately necessary or appropriate to effectuate said appropriations or for other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.", and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Haley of Weymouth, Stanley of West Newbury and Poirier of North Attleborough had been appointed the committee on the part of the House.

On motion of Mr. Berry, the Senate insisted on its amendments and concurred in the appointment of a committee of conference; and Senators Rosenberg, Travaglini and Rauschenbach were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

The House Bill making appropriations for the fiscal year 1998 to provide for certain capital and supplemental appropriations (House, No. 5427),— came from the House with the endorsement that the House had NON-concurred in the Senate amendments: Striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2233; and by striking out the emergency preamble and inserting in place thereof the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to make appropriations for various capital improvements and other one time costs and to make certain changes in law, each of which is immediately necessary or appropriate to effectuate said appropriations or for other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.", and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Haley of Weymouth, Stanley of West Newbury and Poirier of North Attleborough had been appointed the committee on the part of the House.

On motion of Ms. Fargo, the Senate insisted on its amendments and concurred in the appointment of a committee of conference; and Senators Rosenberg, Travaglini and Rauschenbach were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

Matter Taken Out of the Notice Section of the Calendar.

There being no objection, the following matter was taken out of the notice section of the calendar and considered, as follows: The Senate Bill relative to the appointment of Joseph Jackson, Jr., and Thomas F. Bamberry, Jr., to the fire department of the city of Quincy (Senate, No. 2221),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed.**

Sent to the House for concurrence.

Petition.

On motion of Ms. Melconian, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Mr. Travaglini (by request) (accompanied by bill) of Charles Livingstone for legislation relative to further regulating the sale of homeowner's insurance in the Commonwealth,— **and the same was referred to the committee on Insurance.**

Sent to the House for concurrence.

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 Michael W. Morrissey, Michael G. Bellotti, William R. Keating, Robert B. McCarthy, president, Professional Fire Fighters of Massachusetts, and other members of the General Court for legislation relative to enhanced emergency telephone systems.

Senate Rule 36 was suspended, on motion of Mr. Clancy, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Government Regulations.

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 Richard T. Moore, Edward G. Connolly, Kevin Poirier, George N. Peterson, Jr., and other members of the General Court for legislation to encourage environmental and economic enhancement in the Commonwealth.

Senate Rule 36 was suspended, on motion of Mr. Clancy, 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. Severally sent to the House for concurrence.

Papers from the House

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5589) of Shirley Gomes, Henri S. Rauschenbach and Thomas N. George relative to the

contributions of member towns to the Nauset Regional School District;
Under suspension of Joint Rule 12, to the committee on Education, Arts and Humanities.

Petition (accompanied by bill, House, No. 5590) of Mary Jeanette Murray and other members of the General Court for legislation to authorize the use of the Plymouth County correctional facility as a regional lockup facility within said county;
Under suspension of Joint Rule 12, to the committee on Public Safety.

Petition (accompanied by bill, House, No. 5587) of Mary Jane Simmons (with the approval of the mayor and city council) that the retirement board of the city of Leominster be authorized to pay a certain retirement allowance to John B. LaClair, a retired school custodian in said city;
To the committee on Public Service.

Orders Adopted.

Mr. Keating presented the following order, to wit:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until July 9, 1998 within which to make its final report on current Senate document numbered 2232, and House document numbered 5557.

The order was considered forthwith; and, there being no objection, it was adopted.

Sent to the House for concurrence.

Ms. Jajuga presented the following order, to wit:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Safety will be granted until June 16, 1998 within which to make its final reports on current Senate documents numbered 1966, 2059 and 2183, and House documents numbered 5218, 5227, 5259, 5260, 5286, 5333, 5382, 5443, 5474 and 5553.

The order was considered forthwith; and, there being no objection, it was adopted.

Sent to the House for concurrence.

Papers from the House

A message from His Honor the Lieutenant-Governor, Acting Governor, submitting recommendations for making appropriations for the fiscal year 1998 to provide for supplementing certain existing appropriations and for certain other activities and projects (printed in House, No. 5542),— came from the House referred to the committee on Taxation.

The Senate NON-concurred in the reference to the committee on Taxation. On motion of Mr. Lynch, the message was referred to the committee on Commerce and Labor.

Sent to the House for its action.

Engrossed Bill — Land Taking for Conservation, Etc.

An engrossed Bill authorizing the city of Fall River to use a certain parcel of land for school department and park department purposes (see Senate, No. 2129) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,— was put upon its final passage; and, 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, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-five minutes before two o'clock P.M., as follows, to wit (yeas 38 — nays 0):

YEAS.

Amorello, Matthew J.

Antonioni, Robert A.

Bernstein, Robert A.

Berry, Frederick E.

Brewer, Stephen M.

Clancy, Edward J., Jr.

Creedon, Robert S., Jr.

Durand, Robert A.

Fargo, Susan C.

Montigny, Mark C.

Moore, Richard T.

Morrissey, Michael W.

Murray, Therese

Norton, Thomas C.

Nuciforo, Andrea F., Jr.

O'Brien, John D.

Pacheco, Marc R.

Panagiotakos, Steven C.

Havern, Robert A.
Hedlund, Robert L.
Jajuga, James P.
Joyce, Brian A.
Keating, William R.
Knapik, Michael R.
Lees, Brian P.
Lynch, Stephen F.
Magnani, David P.
Melconian, Linda J.

Pines, Lois G.
Rauschenbach, Henri S.
Rosenberg, Stanley C.
Shannon, Charles E.
Tarr, Bruce E.
Tisei, Richard R.
Tolman, Warren E.
Travaglini, Robert E.
Walsh, Marian
Wilkerson, Dianne

— 38.

NAYS. — 0

ABSENT OR NOT VOTING.

Jacques, Cheryl A.

— 1.

The yeas and nays having been completed at sixteen minutes before two o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Acting Governor for his approbation.

Order Adopted.

On motion of Mr. Durand,—

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

Recess.

At fifteen minutes before two o'clock P.M., the President declared a recess subject to the call of the Chair.

At one minute past two o'clock P.M., members of the Senate proceeded to the Chamber of the House of Representatives, under the escort of the Sergeant-at-Arms, for the purpose of considering certain proposals for Amendments to the Constitution which had been called up for consideration by the Senate and House of Representatives.

***Joint Session of the Two Houses to Consider Specific
Legislative Amendments to the Constitution.***

At five minutes past two o'clock P.M., pursuant to assignment, the two Houses met in

JOINT SESSION

and were called to order by the Honorable Thomas F. Birmingham, President of the Senate

The proposal for a Legislative amendment to the Constitution relative to the compensation of members of the General Court (see Senate, No. 3) (which had been agreed to in joint session by the preceding General Court, see Senate, No. 3 of 1996),— was read. The question being on again agreeing to the amendment.

The proposal, as agreed to in said joint session of the preceding General Court, reads as follows:—

Proposal for a Legislative Amendment to the Constitution relative to the compensation of members of the General Court.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be

expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution.

ARTICLE OF AMENDMENT.

Art. . The base compensation as of January first, nineteen hundred and ninety-six, of members of the general court shall not be changed except as provided in this article. As of the first Wednesday in January of the year two thousand and one and every second year thereafter, such base compensation shall be increased or decreased at the same rate as increases or decreases in the median household income for the commonwealth for the preceding two year period, as ascertained by the governor. The question on again agreeing to the amendment was taken by a call of the yeas and nays, as required by Article XLVIII of the Amendments to the Constitution, at six minutes past two o'clock P.M., as follows, to wit (yeas 149 — nays 41):

Yeas (149).

Senators.

Antonioni, Robert A.	Montigny, Mark C.
Bernstein, Robert A.	Moore, Richard T.
Berry, Frederick E.	Morrissey, Michael W.
Brewer, Stephen M.	Murray, Therese
Clancy, Edward J., Jr.	Norton, Thomas C.
Creedon, Robert S., Jr.	Nuciforo, Andrea F., Jr.
Durand, Robert A.	O'Brien, John D.
Fargo, Susan C.	Pacheco, Marc R.
Havern, Robert A.	Pines, Lois G.
Jajuga, James P.	Rauschenbach, Henri S.
Joyce, Brian A.	Rosenberg, Stanley C.
Keating, William R.	Shannon, Charles E.
Lees, Brian P.	Tisei, Richard R.
Lynch, Stephen F.	Tolman, Warren E.
Magnani, David P.	Travaglini, Robert E.
Melconian, Linda J.	Walsh, Marian
	Wilkerson, Dianne

— 33.

Representatives.

Binienda, John J.	Kulik, Stephen
Bosley, Daniel E.	Landers, Patrick F., III
Broadhurst, Arthur J.	Lane, Harold M., Jr.
Cabral, Antonio F. D.	Larkin, Peter J.
Cahill, Michael P.	LeDuc, Stephen P.
Cahir, Thomas S.	LeLacheur, Edward A.
Canavan, Christine E.	Lewis, Marianne
Candaras, Gale D.	Malia, Elizabeth A.
Caron, Paul E.	Mariano, Ronald
Casey, Paul C.	Marzilli, J. James, Jr.
Chandler, Harriette L.	McGee, Thomas M.
Chesky, Evelyn G.	McIntyre, Joseph B.
Clark, Forrester A., Jr.	McManus, William J., II

Cleven, Carol C.	Menard, Joan M.
Connolly, Edward G.	Merrigan, John F.
Correia, Robert	Miceli, James R.
Creedon, Geraldine	Murphy, Charles A.
DeFilippi, Walter A.	Murphy, Kevin J.
DeLeo, Robert A.	Nagle, William P., Jr.
Dempsey, Brian S.	Naughton, Harold P., Jr.
DiMasi, Salvatore F.	O'Brien, Janet W.
Donnelly, David T.	O'Flaherty, Eugene L.
Donovan, Carol A.	Owens-Hicks, Shirley
Fagan, James H.	Parente, Marie J.
Fallon, Christopher G.	Paulsen, Anne M.
Fennell, Robert F.	Pedone, Vincent A.
Finegold, Barry R.	Petersen, Douglas W.
Finnegan, Kevin L.	Petrolati, Thomas M.
Finneran, Thomas M.	Provost, Ruth W.
Fitzgerald, Kevin W.	Quinn, John F.
Flavin, Nancy	Richie, Charlotte Golar
Fox, Gloria L.	Rodrigues, Michael J.
Gallitano, Joseph R.	Rogeness, Mary S.
Galvin, William C.	Rogers, John H.
Gardner, Barbara	Rushing, Byron
Garry, Colleen M.	Scaccia, Angelo M.
George, Thomas N.	Serra, Emanuel G.
Giglio, Anthony P.	Simmons, Mary Jane
Goguen, Emile J.	Speliotis, Theodore C.
Golden, Thomas A., Jr.	Stanley, Harriett L.
Greene, William G., Jr.	Stasik, John H.
Hahn, Cele	Stefanini, John A.
Haley, Paul R.	Story, Ellen
Hall, Geoffrey D.	Sullivan, David B.
Hargraves, Robert S.	Sullivan, Joseph C.
Harkins, Lida E.	Swan, Benjamin
Hart, John A., Jr.	Teahan, Kathleen M.
Honan, Kevin G.	Thompson, Alvin E.
Iannuccillo, M. Paul	Tobin, A. Stephen
Jehlen, Patricia D.	Tolman, Steven A.
Kafka, Louis L.	Toomey, Timothy J., Jr.
Kaprielian, Rachel	Travis, Philip
Kennedy, Thomas P.	Turkington, Eric
Khan, Kay	Vallee, James E.
Knuuttila, Brian	Verga, Anthony J.
Koczera, Robert M.	Wagner, Joseph F.
Koutoujian, Peter J.	Walsh, Martin J.
Kujawski, Paul	Wolf, Alice K.

Nays (41).

Senators.

Amorello, Matthew J.
Hedlund, Robert L.
Knapik, Michael R.

Panagiotakos, Steven C.
Tarr, Bruce E.

— 5.

Representatives.

Angelo, Stephen
Bellotti, Michael G.
Businger, John A.
Ciampa, Vincent P.
Cresta, Brian M.
Cuomo, Donna F.
Demakis, Paul C.
Frost, Paul K.
Gately, David F.
Gauch, Ronald W.
Glodis, Guy
Gomes, Shirley
Hodgkins, Christopher J.
Hynes, Frank M.
Jones, Bradley H., Jr.
Kaufman, Jay R.
Keenan, Daniel F.
Kelly, Shaun P.

Klimm, John C.
Lepper, John A.
Lewis, Jacqueline
Locke, John A.
Marini, Francis L.
Murray, Mary Jeanette
O'Brien, Thomas J.
Peters, David M.
Peterson, George N., Jr.
Poirier, Kevin
Pope, Susan W.
Resor, Pamela P.
Slattery, John P.
Sprague, Jo Ann
Stoddart, Douglas W.
Straus, William M.
Tuttle, David H.
Walrath, Patricia A.

— 36.

ABSENT OR NOT VOTING (5).

Senators.

Jacques, Cheryl A.

— 1.

Representatives.

Hyland, Barbara C.
Murphy, Dennis M.

Ruane, J. Michael
Scibelli, Anthony M.

— 4.

The yeas and nays having been completed at eighteen minutes past two o'clock P.M., the amendment was "again agreed to in joint session by a majority of all the members elected".

The vote on the agreement to the amendment was certified by the Clerk of the joint session to the Secretary of the

Commonwealth, in accordance with the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution.

Distinguished Guest.

The Speaker in the Chair, there being no objection, Representative Mary Jo McGuire, State Representative from the state of Minnesota, was introduced to the joint session. Representative McGuire was the guest of Representative Honan and Senator Lynch.

The President in the Chair, the Proposal for a Legislative Amendment to the Constitution relative to the effective date of state legislative and executive councillor redistricting (see Senate, No. 331) (with reference to which the committee on Election Laws had reported recommending that the amendment ought to pass),— was read twice in accordance with the provisions of the special rules.

The proposal reads as follows:—

Proposal for a Legislative Amendment to the Constitution relative to the effective date of state legislative and executive councillor redistricting.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

SECTION 1. Section 1 of Article CI of the Articles of Amendment to the Constitution is hereby amended by striking out the first paragraph, as amended by Article CXVII of said Articles of Amendment, and inserting in place thereof the following paragraph:—

The federal census shall be the basis for determining the representative districts for the ten year period beginning with the first Wednesday in the third January following the taking of said census.

SECTION 2. Section 2 of said Article CI is hereby amended by striking out the first sentence, as amended by said Article CXVII, and inserting in place thereof the following sentence:— Said federal census shall likewise be the basis for determining the senatorial districts and also the councillor districts for the ten year period beginning with the first Wednesday in the third January following the taking of said census.

The proposal was ordered to a third reading.

The rules were suspended, on motion of Mr. Nuciforo, and the proposal was read a third time, the committees on Bills in the Third Reading of the two houses, acting jointly, having reported it to be correctly drawn. The proposal, as corrected by the committees on Bills in the Third Reading of the two houses, acting jointly, reads as follows:

Proposal for a Legislative Amendment to the Constitution relative to the effective date of state legislative and executive councillor redistricting.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

SECTION 1. Section 1 of Article CI of the Articles of Amendment to the Constitution is hereby amended by striking out the first paragraph, as appearing in section 1 of Article CXVII of said Articles of Amendment, and inserting in place thereof the following paragraph:—

The federal census shall be the basis for determining the representative districts for the ten year period beginning with the first Wednesday in the third January following the taking of said census.

SECTION 2. Section 2 of said Article CI is hereby amended by striking out the first sentence, as appearing in section 2 of said Article CXVII, and inserting in place thereof the following sentence:— Said federal census shall likewise be the basis for determining the senatorial districts and also the councillor districts for the ten year period beginning with the first Wednesday in the third January following the taking of said census.

The question on agreeing to the amendment was taken by a call of the yeas and nays, as required by Article XLVIII of the Amendments to the Constitution, at twenty-nine minutes past two o'clock P.M., as follows, to wit (yeas 186 — nays 3):

Yeas (186).

Senators.

Amorello, Matthew J.
Antonioni, Robert A.
Bernstein, Robert A.
Berry, Frederick E.
Brewer, Stephen M.
Clancy, Edward J., Jr.
Creedon, Robert S., Jr.
Durand, Robert A.
Fargo, Susan C.
Havern, Robert A.
Hedlund, Robert L.
Jajuga, James P.
Joyce, Brian A.
Keating, William R.
Knapik, Michael R.
Lees, Brian P.
Lynch, Stephen F.
Magnani, David P.
Melconian, Linda J.

Montigny, Mark C.
Moore, Richard T.
Morrissey, Michael W.
Murray, Therese
Norton, Thomas C.
Nuciforo, Andrea F., Jr.
O'Brien, John D.
Pacheco, Marc R.
Panagiotakos, Steven C.
Pines, Lois G.
Rauschenbach, Henri S.
Rosenberg, Stanley C.
Shannon, Charles E.
Tarr, Bruce E.
Tisei, Richard R.
Tolman, Warren E.
Travaglini, Robert E.
Walsh, Marian
Wilkerson, Dianne

— 38.

Representatives.

Angelo, Steven
Bellotti, Michael G.
Binienda, John J.
Bosley, Daniel E.
Broadhurst, Arthur J.
Businger, John A.
Cabral, Antonio F. D.
Cahill, Michael P.
Cahir, Thomas S.
Canavan, Christine E.
Candaras, Gale D.
Caron, Paul E.
Casey, Paul C.
Chandler, Harriette L.
Chesky, Evelyn G.
Ciampa, Vincent P.
Clark, Forrester A., Jr.
Cleven, Carol C.
Connolly, Edward G.
Correia, Robert
Creedon, Geraldine
Cresta, Brian M.
Cuomo, Donna F.

Koutoujian, Peter J.
Kujawski, Paul
Kulik, Stephen
Landers, Patrick F., III
Lane, Harold M., Jr.
Larkin, Peter J.
LeDuc, Stephen P.
LeLacheur, Edward A.
Lepper, John A.
Lewis, Jacqueline
Lewis, Marianne
Locke, John A.
Malia, Elizabeth A.
Mariano, Ronald
Marini, Francis L.
Marzilli, J. James, Jr.
McGee, Thomas M.
McManus, William J., II
Menard, Joan M.
Merrigan, John F.
Miceli, James R.
Murphy, Charles A.
Murphy, Kevin J.

DeFilippi, Walter A.
DeLeo, Robert A.
Demakis, Paul C.
Dempsey, Brian S.
DiMasi, Salvatore F.
Donnelly, David T.
Donovan, Carol A.
Fagan, James H.
Fallon, Christopher G.
Fennell, Robert F.
Finegold, Barry R.
Finnegan, Kevin L.
Finneran, Thomas M.
Fitzgerald, Kevin W.
Flavin, Nancy
Fox, Gloria L.
Frost, Paul K.
Gallitano, Joseph R.
Galvin, William C.
Gardner, Barbara
Garry, Colleen M.
Gately, David F.
Gauch, Ronald W.
George, Thomas N.
Giglio, Anthony P.
Glodis, Guy
Goguen, Emile J.
Golden, Thomas A., Jr.
Gomes, Shirley
Greene, William G., Jr.
Hahn, Cele
Haley, Paul R.
Hall, Geoffrey D.
Hargraves, Robert S.
Harkins, Lida E.
Hart, John A., Jr.
Hodgkins, Christopher J.
Honan, Kevin G.
Hynes, Frank M.
Iannuccillo, M. Paul
Jehlen, Patricia D.
Jones, Bradley H., Jr.
Kafka, Louis L.
Kaprielian, Rachel
Kaufman, Jay R.
Keenan, Daniel F.

Murray, Mary Jeanette
Nagle, William P., Jr.
Naughton, Harold P., Jr.
O'Brien, Janet W.
O'Brien, Thomas J.
O'Flaherty, Eugene L.
Owens-Hicks, Shirley
Parente, Marie J.
Paulsen, Anne M.
Peters, David M.
Petersen, Douglas W.
Peterson, George N., Jr.
Petrolati, Thomas M.
Poirier, Kevin
Pope, Susan W.
Provost, Ruth W.
Quinn, John F.
Resor, Pamela P.
Richie, Charlotte Golar
Rodrigues, Michael J.
Rogeness, Mary S.
Rogers, John H.
Rushing, Byron
Scaccia, Angelo M.
Serra, Emanuel G.
Simmons, Mary Jane
Slattery, John P.
Speliotis, Theodore C.
Sprague, Jo Ann
Stanley, Harriett L.
Stasik, John H.
Stefanini, John A.
Stoddart, Douglas W.
Story, Ellen
Sullivan, David B.
Sullivan, Joseph C.
Swan, Benjamin
Teahan, Kathleen M.
Thompson, Alvin E.
Tobin, A. Stephen
Tolman, Steven A.
Toomey, Timothy J., Jr.
Travis, Philip
Turkington, Eric
Tuttle, David H.
Vallee, James E.

Kelly, Shaun P.
Khan, Kay
Klimm, John C.
Knuuttila, Brian
Koczera, Robert M.

Verga, Anthony J.
Wagner, Joseph F.
Walrath, Patricia A.
Walsh, Martin J.
Wolf, Alice K.

— 148.

Nays (3).

Senators — 0.

Representatives.

Kennedy, Thomas P.
McIntyre, Joseph B.

Straus, William M.

— 3.

ABSENT OR NOT VOTING (6).

Senators.

Jacques, Cheryl A.

— 1.

Representatives.

Hyland, Barbara C.
Murphy, Dennis M.
Pedone, Vincent A.

Ruane, J. Michael
Scibelli, Anthony M.

— 5.

**The yeas and nays having been completed at eighteen minutes before three o'clock P.M., the amendment was agreed to, a majority of all members elected having voted in the affirmative.
In accordance with the requirements of the Constitution, the amendment was referred to the next General Court.**

At seventeen minutes before three o'clock P.M., on motion of Mr. Norton, without taking further action on the matters duly and constitutionally assigned for consideration, the joint session was recessed until two o'clock P.M. on Tuesday, June 30, and the Senate returned to its Chamber, under the escort of the Sergeant-at-Arms.
At fourteen minutes before three o'clock P.M., the Senate reassembled, the President in the Chair.

Papers from the House.

Engrossed Bill.

An engrossed Bill relative to the eligible list for police service in the city of Boston (see House, No. 5397) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and was signed by the President and laid before the Acting Governor for his approbation.**

On motion of Mr. Lees, at twelve minutes before three o'clock P.M., the Senate adjourned to meet on the following Thursday at eleven o'clock A.M.