

**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.



Thursday, July 2, 1998.

Met at nine minutes past eleven o'clock A.M.

### *Petition.*

Mr. Rauschenbach presented a petition (subject to Joint Rule 12) of Henri S. Rauschenbach, Therese Murray, Thomas S. Cahir, Eric Turkington and Thomas N. George for legislation relative to the Massachusetts Military Reservation Environmental Technology Center,—**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. Pacheco, for the committee on State Administration, on petition, a Bill authorizing the Division of Capital Planning and Operations to grant a strip of real property located in the town of Wakefield to the owner of the abutting parcel (Senate, No. 2246);

**Read and, under Senate Rule 27, referred to the committee on Ways and Means.**

By Ms. Fargo, for the committee on Local Affairs, on petition, a Bill authorizing the city of Marlborough to lease a certain parcel of recreational land (Senate, No. 2243) [Local approval received]; and

By the same Senator, for the same committee, on petition, a Bill establishing the position of town administrator in the town of Manchester-by-the-Sea (Senate, No. 2244) [Local approval received];

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

### *Committee Changes.*

The President announced the resignation of Senator Jacques of Norfolk, Bristol and Middlesex as a member of the committee on Bills in the Third Reading and the appointment of Senator Fargo of Fifth Middlesex to fill the vacancy.

### **Papers from the House**

#### **Bills**

Authorizing and directing the enrollment of Patricia M. Conroy as a member in service of the state employees' retirement system (House, No. 4996,— originally ought not to pass under Joint Rule 10, from the committee on Public Service);

Providing for an accelerated transportation development and improvement program for the Commonwealth (House, No. 5661, printed as amended ,— on the residue of House, No. 5432); and

Relative to compliance with life safety codes, remediation of environmental hazards, and the preservation and management of the Commonwealth's real property assets (House, No. 5669, printed as amended ,— on House, No. 14, in part);

**Were severally read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill relative to dental service corporations (House, No.5386,— on petition),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

#### Bills

Relative to real estate tax exemptions for certain veterans who reside in the city of Newton (House, No. 4544,— on petition) [Local approval received];  
Providing for an increase in the requirements for nomination as a candidate for elective office in the city of Malden (House, No. 4594,— on petition) [Local approval received];  
Providing for a four year term for the office of mayor of the city of Malden commencing in the year 2000 (House, No. 4595,— on petition) [Local approval received]; and  
Relative to the board of selectmen in the town of Boxborough (House, No. 5450,— on petition) [Local approval received];  
**Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

#### *Engrossed Bills.*

The following engrossed bills (both of which originated in the House), 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:

Providing for gender neutrality in the construction of statutes (see House, No. 4962); and  
Establishing a city or town aid to the elderly and disabled taxation fund (see House, No. 4984, amended).

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5676) of Arthur J. Broadhurst, other members of the General Court and another for legislation to regulate the use of government resources to promote ballot questions or candidates and to provide for the distribution of certain information to voters;

#### **Under suspension of Joint Rule 12, to the committee on Election Laws.**

Petition (accompanied by bill, House, No. 5670) of Raymond V. Mariano (mayor), Thomas R. Hoover (city manager), John J. Binienda, Guy Glodis, Vincent A. Pedone, Harriette L. Chandler and Matthew J. Amorello (with the approval of the city council) relative to the approval of Beano license applications in the city of Worcester;

#### **To the committee on Government Regulations.**

Petition (accompanied by bill, House, No. 5671) of Francis H. Duehay (mayor), Timothy J. Toomey, Jr., and others (with the approval of the city council) relative to authorizing the city of Cambridge to grant a surface easement over certain land comprising the water works and reservoir facilities of said city located in the city known as the town of Watertown;

#### **To the committee on Local Affairs.**

Petition (accompanied by bill, House, No. 5672) of Shirley Gomes and Henri S. Rauschenbach (by vote of the town) for legislation to authorize the town of Orleans to regulate and set speed limits on town roads in said town;

#### **To the committee on Public Safety.**

Petition (accompanied by bill, House, No. 5673) of Thomas N. George, Shirley Gomes and Henri S. Rauschenbach (by vote of the town) relative to the proceeds for the sale of tax title land in the town of Dennis; and

Petition (accompanied by bill, House, No. 5674) of Frank M. Hynes and Robert L. Hedlund (by vote of the town) relative to the taxation of real estate acquired from William H. Couch and others in the town of Marshfield;

**Severally to the committee on Taxation.**

#### *Resolutions.*

Resolutions (filed by Messrs. Montigny and Moore, Ms. Murray and Mr. Pacheco) "memorializing the Congress of the United States to rescind provisions of the Balanced Budget Act of 1997 related to an interim payment system of Medicare home health services", were referred, under the rule, to the committee on Rules.

**Subsequently, Mr. Tisei, 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. Moore, and adopted.**

Resolutions (filed by Ms. Melconian and Mr. Knapik) "on the occasion of the one hundred and fiftieth anniversary of the incorporation of Chicopee", were referred, under the rule, to the committee on Rules.

**Subsequently, Mr. Tisei, 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. Moore, and adopted.**

#### *Report of Committees.*

By Mr. Rosenberg, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Matthew J. Amorello and Paul K. Frost for legislation relative to the commercial exemption in cities and towns.

**Senate Rule 36 was suspended, on motion of Mr. Tisei, and the report was considered forthwith. Joint Rule 12 was**

suspended; and the petition (accompanied by bill) was referred to the committee on Taxation.  
Sent to the House for concurrence.

*Matter Taken Out of the Orders of the Day.*

There being no objection, the following matter was taken out of the Orders of the Day and considered, as follows:  
The House Bill designating a portion of state highway Route 20 in the town of Charlton as the JENS Memorial Highway (House, No. 5384),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

*Committee Changes.*

The President announced the resignation of Senator Fargo of Fifth Middlesex as a member of the committee on Bills in the Third Reading and the reappointment of Senator Jacques of Norfolk, Bristol and Middlesex thereto.

*Order Adopted.*

On motion of Ms. Melconian,—

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

On motion of Mr. Tisei, at fourteen minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Monday at eleven o'clock A.M.