

**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 30, 1998.

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

### *Petition.*

Mr. Tolman presented a petition (subject to Joint Rule 12) of Warren E. Tolman and Steven A. Tolman for legislation relative to area code policy and consumer protection in the Commonwealth,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

### *Reports of a Committee.*

Mr. Berry, for the committee on Steering and Policy, reported that the following matters be placed in the Orders of the Day for the next session:

The Senate bills

To provide health insurance coverage for certain gynecological services (Senate, No. 717) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft with the same title, Senate, No. 2270);

Relative to enhanced emergency telephone systems (Senate, No. 2254);

Relative to designating March 31st of every year as the Civilian Conservation Corps Day (Senate, No. 2258); and

Relative to deterring illegal transfers of firearms, rifles and shotguns (Senate, No. 2264); and

The House bills

Relative to demands, tax title notice and record keeping services (printed as Senate, No. 2056);

Relative to the exclusion of certain students from public schools (House, No. 3985);

Relative to entering by false pretenses in the daytime (House, No. 4977, amended); and

Relative to justices of the peace performing marriages (House, No. 5337).

### *Orders of the Day.*

The Orders of the Day were considered, as follows:

The Senate Bill relative to the acceptance of streets in the town of Tolland (Senate, No. 2285),— **was read a second time and ordered to a third reading.**

The Senate Bill authorizing the release of certain easements in the city of Worcester (Senate, No. 2200),— **was read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

The House bills

Relative to self testing programs by banks (House, No. 4695, amended); and

Relative to personnel records (House, No. 5724);

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

The Senate Bill relative to veteran rehabilitation hospitals (Senate, No. 360),— was read a third time. Mr. Clancy, for the committee on Bills in the Third Reading, reported, recommending that the bill be discharged from further consideration thereof. The report was accepted.

Pending the question on passing the bill to be engrossed, Mr. Moore moved that the bill be amended by substitution of "Resolutions memorializing the Congress of the United States to build a veterans' rehabilitation hospital in central Massachusetts." (Senate, No. 2305). The amendment was adopted.

**The resolutions (Senate, No. 2305) were then adopted.**

The Senate Bill to protect the victims of crime (Senate, No. 897),— was read a third time.

Mr. Clancy, for the committee on Bills in the Third Reading, reported, recommending that the bill be discharged from further consideration thereof. The report was accepted.

Pending the question on passing the bill to be engrossed, Mr. Moore moved that the bill be amended by substituting a new draft entitled: "An Act relative to tort actions against victims of crime" (Senate, No. 2303).

The amendment was adopted. The new draft (Senate, No. 2303) was then passed to be engrossed.

Subsequently, Mr. Durand in the Chair, on motion of Mr. Moore, the Senate considered no action having been taken on the adoption of the new draft (Senate, No. 2303) and on the question on passing the bill to be engrossed.

Pending the recurring question on passing the bill to be engrossed, Mr. Moore moved that the bill be amended by substituting a new draft entitled: "An Act relative to protecting victims of crime." The amendment was adopted.

**The new draft (Senate, No. 2309) was then passed to be engrossed.**

**Sent to the House for concurrence.**

The President in the Chair, the House Bill providing protection for certain retirement accounts (House, No. 1355),— was read a third time.

There being no objection, the matter was temporarily laid aside by the Chair.

Subsequently, the bill was further considered.

**Pending the main question on passing the bill to be engrossed, on motion of Mr. Lees, the further consideration thereof was postponed until the next session.**

The Senate Bill relative to the refusal to reissue a credit card (Senate, No. 2169),— was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Clancy moved that the bill be amended by inserting after the words "months", in line 8, the following paragraph:—

"This subsection shall not be construed to prohibit such issuer from refusing to reissue such card on the basis that such card has not been used during the previous 12 months."

**The amendment was adopted. The bill (Senate, No. 2169, amended) was then passed to be engrossed.**

**Sent to the House for concurrence.**

### **Papers from the House.**

A Bill authorizing the town of Lunenburg to convey a certain parcel of conservation land (House, No. 5755,— on House, No. 5503, in part),— was read.

There being no objection, the rules were suspended, on motion of Mr. Antonioni, and the bill was read a second time. Pending the question on ordering the bill to a third reading, Mr. Antonioni moved that the bill be amended in section 1, by inserting after the word "Lunenburg", in line 1, the following words:— "acting by and through the board of selectmen,"; in section 2, by adding the following two sentences:— "The parcel to be conveyed to the town by the said Barbara Brown shall be of equal or greater value to the parcel to be conveyed pursuant to section 1. The value of such parcels shall be determined by independent appraisals."; and in section 3, by adding the following sentence:— "Said Barbara Brown shall be responsible for the costs of appraisals, surveys, recordings and other expenses incurred as a result of the conveyance authorized by this act."

**The amendment was adopted. The bill, as amended, was ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

**Sent to the House for concurrence in the amendment.**

### **Report of a Committee.**

Mr. Rosenberg, for the committee on Ways and Means, that the House Bill relative to the creation of a revolving trust fund to aid in the financing of drinking water projects (House, No. 5114), reported, in part, a "Bill making certain appropriations and transfers for fiscal year 1998" (Senate, No. 2306).

[Direct Appropriation:	\$ 3,000,000
Tax reduction:	\$200,000,000
Teacher Quality Fund Transfer:	\$ 60,000,000
Additional Lottery Distribution:	\$ 62,900,000

Total Cost: \$325,900,000].

The bill was read. There being no objection, the rules were suspended, on motion of Ms. Melconian, and the bill was read a second time, ordered to a third reading and read a third time.

After debate, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at thirteen minutes before two o'clock P.M., on motion of Mr. Lees, as follows, to wit (yeas 39 — nays 0):

YEAS.

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

— 39.

NAYS. — 0.

**Ms. Melconian in the Chair,— the yeas and nays having been completed at eight minutes before two o'clock P.M., the bill was passed to be engrossed.**

**Sent to the House for concurrence.**

***Report 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 Marc R. Pacheco and William M. Straus (by vote of the town) for legislation to ratify certain actions of the annual town meeting in the town of Rochester in 1964 [Local approval received].

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

**Sent to the House for concurrence.**

**Papers from the House.**

The House Bill providing for the lease of Commonwealth land in the city of Quincy (House, No.5704,— on House, No. 5654,— being a message from His Honor the Lieutenant-Governor, Acting Governor,— was read.

There being no objection, the rules were suspended, on motion of Ms. Fargo, and the bill was read a second time.

Pending the question on ordering the bill to a third reading, Mr. Morrissey moved that the bill be amended in section 1, in the first paragraph, in the first sentence, by striking out the words "approved as to form by the attorney general"; and in section 1, in the first paragraph, in the second sentence, by striking out the after the words ", and acceptable to" the words "the commissioner and"; and in section 1, in the second paragraph, by striking out the first and second sentences, and inserting in place thereof the following two sentences:— The lease price to be paid by the foundation for said parcels shall be the full and fair market value of said land for use as public recreational space, taking into account the public benefits provided by the foundation and the use and affordability restrictions in section 3, as determined by the commissioner — based upon one or more independent professional appraisals commissioned by said division; provided that the commissioner may determine that less than fair market value may be paid by the foundation based upon the benefits to the public provided by the foundation's use, improvement, and operation of the parcels. The inspector general shall review and approve said appraisal, and said review and approval shall include an examination of the methodology utilized for said appraisal; in section 1, in the second paragraph, in the last sentence, by inserting after the words "of his review" the following words:— and approval; and by striking out section 5 and inserting in place thereof the following section:—

SECTION 5. In the event the parcels of lands described in section 2 cease to be used at any time for the purposes contained herein, said parcels shall revert to the commonwealth under the care and control of the metropolitan district commission and any further disposition of said parcels shall be subject to the provisions of sections 40E to forty J, inclusive, of chapter 7 of the General Laws and must have prior approval of the general court. In such event, the foundation shall continue to be responsible for all liabilities associated with the improvements to said parcels during the period of said foundation's interests in the parcels, and for all liabilities associated with the condition, use, improvements, operation and management of said parcels during said period.

**The amendment was adopted. The bill, as amended, was ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

**Sent to the House for concurrence in the amendment.**

### ***Committee of Conference Report.***

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments to the House Bill relative to the development and preservation of affordable housing (House, No. 5291, amended) (*amended by the Senate* by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2155; and 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 provide forthwith for the development and preservation of affordable housing, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.",— recommending that the House recede from its non-concurrence with the Senate in its amendments and concur therein with a further amendment by striking out all after the enacting clause and inserting in place thereof the following (being the text contained in House document numbered 5760).

**The rules were suspended, on motion of Mr. O'Brien, and the report was considered forthwith, and accepted, in concurrence.**

### ***Matter Taken Out of the Notice Section of the Calendar.***

There being no objection, the following matter was taken out the Notice Section and considered, as follows:

The House Bill authorizing the city of Gloucester to contribute financial assistance for certain septic system costs (House, No. 4476, changed),— **was read a third time and passed to be engrossed, in concurrence.**

### **Papers from the House.**

The House Bill further regulating junior operator's licenses (House, No. 5339),— came from the House with the endorsement that the House had concurred with the Senate in its amendment (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2215),— *with a further amendment* striking out all after the enacting clause and inserting in place thereof the text of House document numbered 5759.

**The rules were suspended on motion of Mr. Jajuga, and the further House amendment was considered forthwith. After remarks, the Senate concurred in the further House amendment.**

### ***Report of a Committee.***

By Mr. Rosenberg, for the committee on Ways and Means, that the House Bill relative to the establishment of the Cape Cod open space land acquisition program (House, No. 5568), ought to pass, with an amendment, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2308.

There being no objection, the rules were suspended, on motion of Mr. Rauschenbach, 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 and read a third time.

After debate, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at eleven minutes past two o'clock P.M., on motion of Mr. Durand, as follows, to wit (yeas 39 — nays 0):

YEAS.

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

— 39.

NAYS. — 0.

**The yeas and nays having been completed at sixteen minutes past two o'clock P.M., the bill was passed to be engrossed, in concurrence.**

**Sent to the House for concurrence in the amendment adopted by the Senate.**

**Papers from the House.**

The Senate Bill relative to freedom of employment in the broadcasting industry (Senate, No. 76, amended),— came from the House passed to be engrossed, in concurrence, with an amendment, in section 1 by inserting after the word "employment", in line 11, the words "of the employee by the employer or by termination of the employment relationship by mutual agreement of the employer and the employee or by termination of the employment relationship by the expiration of the contract or agreement". The rules were suspended, on motion of Mr. Lynch, and the House amendment was considered forthwith.

After debate, the President in the Chair, the question on adoption of the House amendment was determined by a call of the yeas and nays, at twenty-eight minutes before three o'clock P.M., on motion of Mr. Lynch, as follows, to wit (yeas 38 — nays 1):

YEAS.

Amorello, Matthew J.	Melconian, Linda J.
Antonioni, Robert A.	Montigny, Mark C.
Bernstein, Robert A.	Moore, Richard T.
Berry, Frederick E.	Morrissey, Michael W.

Brewer, Stephen M.  
Clancy, Edward J., Jr.  
Creedon, Robert S., Jr.  
Durand, Robert A.  
Fargo, Susan C.  
Havern, Robert A.  
Hedlund, Robert L.  
Jacques, Cheryl A.  
Jajuga, James P.  
Joyce, Brian A.  
Keating, William R.  
Knapik, Michael R.  
Lees, Brian P.  
Lynch, Stephen F.  
Magnani, David P.

Murray, Therese  
Norton, Thomas C.  
Nuciforo, Andrea F., Jr.  
O'Brien, John D.  
Pacheco, Marc R.  
Panagiotakos, Steven C.  
Pines, Lois G.  
Rosenberg, Stanley C.  
Shannon, Charles E.  
Tarr, Bruce E.  
Tisei, Richard R.  
Tolman, Warren E.  
Travaglini, Robert E.  
Walsh, Marian  
Wilkerson, Dianne

— 38.

NAYS.

Rauschenbach, Henri S.

— 1.

**The yeas and nays having been completed at twenty-one minutes before three o'clock P.M., the House amendment was adopted, in concurrence.**

A Bill further regulating the use of plowing equipment on motor vehicles (House, No. 2939, — on petition), — was read.  
**Mr. Panagiotakos requested unanimous consent to suspend the rules to allow the matter to be considered forthwith; but objection was made thereto, by Mr. Brewer.**  
**Under the rules, the bill was referred to the committee on Ways and Means.**

### ***Engrossed Bills.***

The following engrossed bills (all 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:

Relative to employee benefits in the city of Boston (see House, No. 2194);  
Relative to certain licenses to exhibit by movie theaters (see House, No. 5010); and  
Authorizing the town of Plymouth to establish a special reserve fund (see House, No. 5515).

### ***Engrossed Bill.***

An engrossed Bill relative to the payment of wages (see House, No. 5746, amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was put upon its final passage. The question on passing the bill to be enacted was determined by a call of the yeas and nays, at ten minutes before three o'clock P.M., on motion of Mr. Durand, as follows, to wit (yeas 39 — nays 0):

YEAS.

Amorello, Matthew J.  
Antonioni, Robert A.  
Bernstein, Robert A.

Montigny, Mark C.  
Moore, Richard T.  
Morrisey, Michael W.

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.  
Jacques, Cheryl A.  
Jajuga, James P.  
Joyce, Brian A.  
Keating, William R.  
Knapik, Michael R.  
Lees, Brian P.  
Lynch, Stephen F.  
Magnani, David P.  
Melconian, Linda J.

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

— 39.

NAYS. — 0.

**The yeas and nays having been completed at four minutes before three o'clock P.M., the bill was passed to be enacted and it was signed by the President and laid before the Acting Governor for his approbation.**

***Engrossed Resolve.***

An engrossed Resolve in favor of the widow of the late William G. Reinstein (see House, No. 5627) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed and was signed by the President and laid before the Acting Governor for his approbation.**

***Orders of the Day.***

The House Bill relative to banking laws (House, No. 35, changed),— was read a third time.

On motion of Mr. Magnani, the further consideration thereof was postponed until the remaining matters passed for consideration in the Orders of the Day had been disposed of.

Subsequently, the matters passed for consideration in the Orders of the Day having been disposed of, the bill was further considered.

After debate, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at five minutes past three o'clock P.M., on motion of Ms. Walsh, as follows, to wit (yeas 39 — 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.

Montigny, Mark C.  
Moore, Richard T.  
Morrissey, Michael W.  
Murray, Therese  
Norton, Thomas C.  
Nuciforo, Andrea F., Jr.  
O'Brien, John D.

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

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

— 39.

NAYS. — 0.

**Mr. Durand in the Chair,— the yeas and nays having been completed at thirteen minutes past three o'clock P.M., the bill was passed to be engrossed, in concurrence.**

#### **Papers from the House.**

A Bill relative to the disposition of certain state owned land in the city of Quincy (House, No. 5536,— on petition),— was read. **There being no objection, the rules were suspended, on motion of Mr. Morrissey, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

A Bill authorizing the Division of Capital Planning and Operations to convey certain parcels of land to the Franklin Regional Council of Governments for highway purposes (House, No. 1999, amended,— on petition),— was read. **There being no objection, the rules were suspended, on motion of Mr. Moore, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

#### ***Matters Taken Out of the Notice Section of the Calendar.***

There being no objection, the following matters were taken out of the Notice Section of the Senate Calendar and considered, as follows:

The House Bill providing for an increase in the requirements for nomination as a candidate for elective office in the city of Malden (House, No. 4594),— **was read a third time and passed to be engrossed, in concurrence.**

The House Bill providing for a four-year term for the office of mayor of the city of Malden commencing in the year 2000 (House, No. 4595),— **was read a third time and passed to be engrossed, in concurrence.**

#### ***Report 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 Mark C. Montigny for legislation relative to nuclear pharmacy.

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

**Sent to the House for concurrence.**

#### **Papers from the House**

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5763) of Eric Turkington and Henri S. Rauschenbach relative to the budget of the Up-



Island Regional School District of Martha's Vineyard;  
**Under suspension of Joint Rule 12, to the committee on Education, Arts and Humanities.**

Petition (accompanied by bill, House, No. 5764) of Eric Turkington and Henri S. Rauschenbach for legislation to provide for the appointment of a clerk and treasurer of the Oak Bluffs Water District;  
**Under suspension of Joint Rule 12, to the committee on Local Affairs.**

Petition (accompanied by bill, House, No. 5765) of Shirley Gomes and Henri S. Rauschenbach (by vote of the town) for legislation to authorize the Division of Capital Planning and Operations to convey a certain utility easement to the town of Provincetown to be used for wastewater treatment purposes; and  
Petition (accompanied by bill, House, No. 5766) of Eric Turkington, Thomas S. Cahir and Therese Murray for legislation to authorize the Division of Capital Planning and Operations to convey a certain parcel of land in the town of Falmouth to the Falmouth Youth Hockey League, Inc.;

**Severally, under suspension of Joint Rule 12, to the committee on State Administration.**

### ***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 Senate Calendar and considered, as follows:

The House Bill authorizing the town of Natick to lease a certain building (House, No. 5624), — **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

### ***Resolutions.***

Resolutions (filed by Mr. Amorello) "Congratulating Chief Russell L. Messier of the Grafton Police Department on the occasion of his retirement", 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. Hedlund, and adopted.**

Resolutions (filed by Mr. Hedlund) "Honoring Bartlett's Hot Dog Factory and the town of Hull as the birthplace of the term hot dog", 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. Hedlund, and adopted.**

Resolutions (filed by Mr. Moore) "Congratulating the Milford Police Department Exploring Post #29", 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. Hedlund, and adopted.**

### ***Orders of the Day.***

The House Bill extending certain capital spending authorizations (printed in House, No. 5607), — **was considered; and it was passed to be engrossed, in concurrence, with the amendment previously adopted by the Senate.**

**Sent to the House for concurrence in the amendment previously adopted by the Senate.**

### ***Recess.***

At twenty-six minutes past three o'clock P.M., the President declared a recess subject to the call of the Chair; and, at twenty-six minutes past four o'clock P.M., the Senate reassembled, the President in the Chair.

### ***Recognition of Departing State Senators.***

The President recognized various Senators, who introduced those members of the Senate who are leaving, and who chose not to seek re-election to the State Senate. After they were recognized, Senators Keating, Pines, Amorello, Tolman and O'Brien each addressed the Senate, and each gave their farewell speech.

### ***Recognition of Chief Court Officer Joseph M. Foley, Sr.***

Upon the conclusion of the departing Senators' remarks, the President recognized Mr. Joseph M. Foley, Sr., Chief Court Officer and Assistant Sergeant-at-Arms of the Senate, who is retiring after over thirty-nine years of dedicated service to the Senate. The President acknowledged Chief Court Officer Foley's fine work record and his many contributions to the Massachusetts Senate.

The President recognized Joseph Foley's wife, Mary Ellen, and members of his family, who were seated in the rear of the Chamber.

The President then presented resolutions, offered by Mr. Amorello and all the members of the Senate, upon the retirement of Joseph M. Foley, Sr., Chief Court Officer and Assistant Sergeant-at-Arms of the Senate. The Clerk then read the text of the resolutions. The resolutions were referred to the committee on Rules. Subsequently, Mr. Norton, for the said committee on Rules, reported that the resolutions ought to be adopted. On motion of Messrs. Amorello and Bernstein, the rules were suspended, and the resolutions were considered forthwith, and adopted.

The President invited Chief Court Officer Foley and his wife to the Senate rostrum and presented him a framed copy of the Senate resolutions honoring him, signed by the entire Senate, and a plaque commemorating his fine service to the Senate. Mr. Foley briefly addressed the Senate and thanked the President, the members and the staff for their support and friendship over the years.

### **Papers from the House.** ***Committee of Conference.***

The House Bill protecting consumers in managed care health plans and for the promotion of parity in the treatment of mental disorders (House, No. 5740), — 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 2304; and striking out the title and inserting in place thereof the following title: "An Act to protect consumers in managed care health plans in the Commonwealth.", and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Haley of Weymouth, Chandler of Worcester and Hahn of Westfield had been appointed the committee on the part of the House.

**On motion of Ms. Melconian, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Rosenberg, Montigny and Rauschenbach were appointed on the part of the Senate. The bill was returned to the House endorsed accordingly.**

### ***Recess.***

At twenty-four minutes past six o'clock P.M., the President declared a recess subject to the call of the Chair; and, at twenty-nine minutes before eight o'clock P.M., the Senate reassembled, the President in the Chair.

### ***Suspension of Senate Rule 38A.***

Mr. Brewer moved that Senate Rule 38A be suspended to allow the Senate to continue in session beyond the hour of eight o'clock P.M.; and the same Senator requested unanimous consent that the rules be suspended without a call of the yeas and nays. **There being no objection, the motion was considered forthwith and it was adopted.**

### ***Recess.***

At twenty-seven minutes before eight o'clock P.M., the President declared a recess subject to the call of the Chair; and, at twenty-eight minutes past eight o'clock P.M., the Senate reassembled, the President in the Chair.

### ***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 Bernstein of First Worcester to fill the vacancy.

### **Papers from the House.**

A Bill authorizing an exchange of real property between the Commonwealth and the city of Brockton (House, No. 5368, — on petition) [Local approval received], — was read.

**There being no objection, the rules were suspended, on motion of Mr. Creedon, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

### ***Matters Taken out of the Notice Section of the Calendar.***

There being no objection, the following matters were taken out of the Notice Section of the Calendar and considered, as follows: The House Bill authorizing the county of Nantucket to convey certain land to the town of Nantucket and the Massachusetts Audubon Society, Inc. (House, No. 4770) (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, Mr. Rauschenbach moved that the bill be amended by inserting after section 4 the following section:

"Section 4A. The provisions of section 3 shall be subject to the terms and conditions of the memorandum of agreement between the Nantucket county commissioners and the Massachusetts Audubon Society as agreed upon on January 24, 1997. If the land conveyed under section 3 ceases to be used at any time as set forth in said memorandum of agreement, said land, upon notice by the county of Nantucket to Massachusetts Audubon Society, shall revert to said county of Nantucket."

**The amendment was adopted.**

**The bill was then passed to be engrossed, in concurrence, with the above amendment.**

**Sent to the House for concurrence in the amendment.**

The House Bill authorizing the town of Hull to lease certain property (House, No. 5572), — **was read a third time and passed to be engrossed, in concurrence.**

### *Orders of the Day.*

The House Bill relative to compliance with safety codes, remediation of environmental hazards and the preservation and maintenance of the Commonwealth's real property assets (House, No. 5669), — was considered, the question being on passed it to be engrossed.

**On motion of Mr. Rosenberg, the further consideration thereof was postponed until the next session.**

### *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 election of the city clerk in the city of Springfield (Senate, No. 2140), — **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.**

### **Papers from the House.**

A Bill establishing a board of registration for hearing instrument specialists (House, No. 4760,— on House, No. 3816),— was read.

**There being no objection, the rules were suspended, on motion of Ms. Melconian, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act establishing a board of registration of hearing instrument specialists."**

### *Engrossed Bills — Land Taking for Conservation, Etc.*

An engrossed Bill authorizing the town of Lunenburg to convey a certain parcel of conservation land (see House, No. 5755) (which originated in the House), 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 fourteen minutes before nine o'clock P.M., as follows, to wit (yeas 39 — 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.

Havern, Robert A.

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.

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

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

— 39.

NAYS. — 0.

**The yeas and nays having been completed at seven minutes before nine 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.**

An engrossed Bill relative to the leasing of certain property by the town of Warwick (see Senate, No. 2082) (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 six minutes before nine o'clock P.M., as follows, to wit (yeas 39 — 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.  
Havern, Robert A.  
Hedlund, Robert L.  
Jacques, Cheryl A.  
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.  
Morrisey, 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

NAYS. — 0.

The yeas and nays having been completed at one minute before nine 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.

*Emergency Preamble Adopted.*

An engrossed Bill relative to the development and preservation of affordable housing (see House, No. 5291, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,— **was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted, in concurrence, by a vote of 13 to 0. The bill was signed by the President and sent to the House for enactment.**

*Engrossed Bills — Land Taking for Conservation, Etc.*

Mr. Durand in the Chair, an engrossed Bill authorizing the town of Lynnfield to convey certain land (see Senate, No. 2251) (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 one minute past nine o'clock P.M., as follows, to wit (yeas 39 — nays 0):

YEAS.

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

NAYS. — 0.

**The yeas and nays having been completed at five minutes past nine 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.**

An engrossed Bill authorizing the town of Hardwick to convey land to the Hardwick Farmers Co-operative Exchange (see Senate, No. 2280) (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 six minutes past nine o'clock P.M., as follows, to wit (yeas 39 — nays 0):

YEAS.

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

— 39.

NAYS. — 0.

**Ms. Melconian in the Chair, the yeas and nays having been completed at nine minutes past nine 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.**

The President in the Chair,—

The House Bill relative to the prevention of drug-induced rape and kidnapping (House, No. 5448),—came from the House with the endorsement that the House had concurred in the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2278); *with further amendments*:

By striking out sections 1A to 1F, inclusive (inserted by amendment by the Senate); and 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 prevent forthwith drug induced rape and kidnapping, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The rules were suspended, on motion of Mr. Montigny, and the House amendments were considered forthwith.

After remarks, the question on concurring in the House amendments was determined by a call of the yeas and nays, at twenty minutes past nine o'clock P.M., on motion of Mr. Montigny, as follows, to wit (yeas 39 — nays 0):

YEAS.

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

— 39.

NAYS. — 0.

**The yeas and nays having been completed at twenty-five minutes past nine o'clock P.M., the House amendments were adopted, in concurrence.**

The House Bill authorizing Franklin County to convey certain land in the town of Whately (House, No. 4317, amended,— on House, No. 252),— was read.

**There being no objection, the rules were suspended, on motion of Mr. Clancy, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act authorizing Franklin Regional Council of Governments to convey certain land in the town of Whately."**

The House Bill relative to the liability of certain landowners (House, No. 5586, amended,— on House, No. 4236, changed),— was read.

**There being no objection, the rules were suspended, on motion of Ms. Fargo, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to state chartered credit unions (House, No. 1439,— on petition),— was read.

**There being no objection, the rules were suspended, on motion of Ms. Melconian, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

*Engrossed Bill.*

An engrossed Bill validating the acts and proceedings of the annual and special town meetings held in the town of Stoughton (see House Bill, printed in House, No. 5640) (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, two-thirds of the members present having voted in the affirmative, and it was signed by the President and laid before the Acting Governor for his approbation.**

*Emergency Preamble Adopted.*

An engrossed Bill further regulating the powers of the Massachusetts State College Building Authority (see House, No. 5581, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,— **was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted, in concurrence, by a vote of 12 to 0. The bill was signed by the President and sent to the House for enactment.**

*Engrossed Bills.*

The following engrossed bills (the first 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 freedom of employment in the broadcasting industry (see Senate, No. 76, amended);  
Authorizing the city of Gloucester to contribute financial assistance for certain septic system costs (see House, No. 4476, changed);  
Relative to self testing programs by banks (see House, No. 4695, amended);  
Further regulating junior operators' licenses (see House, No. 5339, amended);  
Authorizing the town of Natick to lease a certain building (see House, No. 5624); and  
Relative to personnel records (see House, No. 5724).

*Engrossed Bills — Land Taking for Conservation, Etc.*

An engrossed Bill authorizing the Division of Capital Planning and Operations to convey certain parcels of land to the Franklin Regional Council of Governments for highway purposes (see House, No. 1999, amended) (which originated in the House), 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 ten o'clock P.M., as follows, to wit (yeas 39 — nays 0):

YEAS.

Amorello, Matthew J.	Montigny, Mark C.
Antonioni, Robert A.	Moore, Richard T.
Bernstein, Robert A.	Morrissey, Michael W.
Berry, Frederick E.	Murray, Therese
Brewer, Stephen M.	Norton, Thomas C.
Clancy, Edward J., Jr.	Nuciforo, Andrea F., Jr.
Creedon, Robert S., Jr.	O'Brien, John D.
Durand, Robert A.	Pacheco, Marc R.
Fargo, Susan C.	Panagiotakos, Steven C.
Havern, Robert A.	Pines, Lois G.
Hedlund, Robert L.	Rauschenbach, Henri S.
Jacques, Cheryl A.	Rosenberg, Stanley C.
Jajuga, James P.	Shannon, Charles E.
Joyce, Brian A.	Tarr, Bruce E.
Keating, William R.	Tisei, Richard R.
Knapik, Michael R.	Tolman, Warren E.



Lees, Brian P.  
Lynch, Stephen F.  
Magnani, David P.  
Melconian, Linda J.

Travaglini, Robert E.  
Walsh, Marian  
Wilkerson, Dianne

— 39.

NAYS. — 0.

**The yeas and nays having been completed at seventeen minutes before ten 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.**

An engrossed Bill authorizing the city of Marlborough to lease a certain parcel of recreational land (see Senate, No. 2243) (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 seventeen minutes before ten o'clock P.M., as follows, to wit (yeas 39 — 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.  
Havern, Robert A.  
Hedlund, Robert L.  
Jacques, Cheryl A.  
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.  
Morrisey, 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

— 39.

NAYS. — 0.

**The yeas and nays having been completed at thirteen minutes before ten 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.**

*Engrossed Bill — State Loan.*

An engrossed Bill relative to the development and preservation of affordable housing (see House, No. 5291, amended) (which originated in the House), 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 borrowing of money, in accordance with the provisions of Section 3 of Article LXII 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 twelve minutes before ten o'clock P.M., as follows, to wit (yeas 39 — nays 0):

YEAS.

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

— 39.

NAYS. — 0.

The yeas and nays having been completed at seven minutes before ten 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.

*Emergency Preamble Adopted.*

An engrossed Bill relative to the disposition of certain state owned land in the city of Quincy (see House, No. 5536), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,— **was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted, in concurrence, by a vote of 8 to 0. The bill was signed by the President and sent to the House for enactment.**

The House Bill requiring certain instructions in the public schools of the Commonwealth (House, No. 3629, amended,— on petition),— was read.

**There being no objection, the rules were suspended, on motion of Ms. Melconian, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

***Engrossed Bill.***

An engrossed Bill relative to early intervention programs for injured public employees (see House, No. 5020) (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.**

***Committee Changes.***

The President announced the resignation of Senator Bernstein of First Worcester 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 Mr. Berry,—

*Ordered*, That when the Senate adjourns today, it adjourn to meet again tomorrow at twelve o'clock noon, and that the Clerk be directed to dispense with the printing of a calendar.

On motion of Mr. Lees, at one minute past ten o'clock P.M., the Senate adjourned to meet on the following day at twelve o'clock noon.