

**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, March 2, 1999.

Met at thirteen minutes past two o'clock P.M.

### Petition.

Mr. Jajuga presented a petition (subject to Joint Rule 12) of James P. Jajuga for legislation relative to certain employees of the Massachusetts Department of Fire Services,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

### Report of a Committee.

By Ms. Wilkerson, for the committee on State Administration, on petition (accompanied by bill, Senate, No. 1467), a Bill to further the redevelopment of the former Lawrence Mills property in the city of Lowell (Senate, No. 1726);  
**Read and, under Senate Rule 27, referred to the committee on Ways and Means.**

### PAPERS FROM THE HOUSE.

A Bill relative to antique and replica weapons (House, No. 4109,— on Senate, No. 1721),— 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 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 ten minutes before three o'clock P.M., on motion of Mr. Lees, as follows, to wit (yeas 37 — nays 0):

### YEAS.

Antonioni, Robert A.

Bernstein, Robert A.

Brewer, Stephen M.

Clancy, Edward J., Jr.

Creedon, Robert S., Jr.

Creem, Cynthia Stone

Fargo, Susan C.

Magnani, David P.

Melconian, Linda J.

Montigny, Mark C.

Moore, Richard T.

Morrissey, Michael W.

Murray, Therese

Norton, Thomas C.

Glodis, Guy W.  
Havern, Robert A.  
Hedlund, Robert L.  
Jacques, Cheryl A.  
Jajuga, James P.  
Joyce, Brian A.  
Knapik, Michael R.  
Lees, Brian P.  
Lynch, Stephen F.  
Tolman, Steven A.  
Travaglini, Robert E.  
Tucker, Susan C.

Nuciforo, Andrea F., Jr.  
Pacheco, Marc R.  
Panagiotakos, Steven C.  
Rauschenbach, Henri S.  
Rosenberg, Stanley C.  
Shannon, Charles E.  
Sprague, Jo Ann  
Tarr, Bruce E.  
Tisei, Richard R.  
Walsh, Marian  
Wilkerson, Dianne — 37.

**NAYS — 0.**

**ABSENT OR NOT VOTING.**

Berry, Frederick E. — 1.

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

**Emergency Preamble Adopted.**

There being no objection, during consideration of the Orders of the Day, an engrossed Bill relative to antique and replica weapons (see House, No. 4109), 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 23 to 0.**

**The bill was signed by the President and sent to the House for enactment.**

**Orders of the Day.**

The Orders of the Day were considered, as follows:

The Senate Bill authorizing the town of Natick to sell a certain building (printed as House, No. 693),— **was read a second time and ordered to a third reading.**

The Senate Bill increasing the minimum wage (Senate, No. 1706),— was considered. Pursuant to an order, previously adopted by the Senate, the bill was read a second time, ordered to a third reading and read a third time.

Messrs. Lees, Tisei, Knapik, Rauschenbach and Tarr and Mrs. Sprague moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following text:—

"SECTION 1. Section 1 of chapter 151 of the General Laws, as appearing in the 1996 Official Edition, is hereby amended by striking out, in lines 16 and 17, the words five dollars and twenty-five cents' and inserting in place thereof the following figure:— \$5.65.

SECTION 2. The second sentence of said section 1 of said chapter 151, as amended by section 1 of this act, is hereby further amended by striking out the figure \$5.65' and inserting in place thereof the following figure:— \$6.15.

SECTION 3. Section 1 of this act shall take effect on September 1, 1999.

SECTION 4. Section 2 of this act shall take effect on September 1, 2000."

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at six minutes past four o'clock P.M., on motion of Mr. Lees, as follows, to wit (yeas 7 — nays 30):

**YEAS.**

Hedlund, Robert L.	Sprague, Jo Ann
Knapik, Michael R.	Tarr, Bruce E.
Lees, Brian P.	Tisei, Richard R. — 7.
Rauschenbach, Henri S.	

**NAYS.**

Antonioni, Robert A.	Montigny, Mark C.
Bernstein, Robert A.	Moore, Richard T.
Brewer, Stephen M.	Morrissey, Michael W.
Clancy, Edward J., Jr.	Murray, Therese
Creedon, Robert S., Jr.	Norton, Thomas C.
Creem, Cynthia Stone	Nuciforo, Andrea F., Jr.
Fargo, Susan C.	Pacheco, Marc R.
Glodis, Guy W.	Panagiotakos, Steven C.
Havern, Robert A.	Rosenberg, Stanley C.
Jacques, Cheryl A.	Shannon, Charles E.
Jajuga, James P.	Tolman, Steven A.
Joyce, Brian A.	Travaglini, Robert E.
Lynch, Stephen F.	Tucker, Susan C.
Magnani, David P.	Walsh, Marian
Melconian, Linda J.	Wilkerson, Dianne — 30.

**ABSENT OR NOT VOTING.**

Berry, Frederick E. — 1.

The yeas and nays having been completed at ten minutes past four o'clock P.M., the amendment was *rejected*. Pending the question on passing the bill to be engrossed, Messrs. Lees, Tisei, Knapik, Rauschenbach and Tarr and Mrs. Sprague moved that the bill be amended by striking out section 4 in its entirety and by striking out the last sentence of section 5. Mr. Rosenberg in the Chair, after remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at fourteen minutes past four o'clock P.M., on motion of Mr. Lees, as follows, to wit (yeas 7 — nays 30):

**YEAS.**

Hedlund, Robert L.	Sprague, Jo Ann
Knapik, Michael R.	Tarr, Bruce E.
Lees, Brian P.	Tisei, Richard R. — 7.
Rauschenbach, Henri S.	

**NAYS.**

Antonioni, Robert A.	Clancy, Edward J., Jr.
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Bernstein, Robert A.  
Brewer, Stephen M.  
Fargo, Susan C.  
Glodis, Guy W.  
Havern, Robert A.  
Jacques, Cheryl A.  
Jajuga, James P.  
Joyce, Brian A.  
Lynch, Stephen F.  
Magnani, David P.  
Melconian, Linda J.  
Montigny, Mark C.  
Moore, Richard T.  
Morrisset, Michael W.

Creedon, Robert S., Jr.  
Creem, Cynthia Stone  
Murray, Therese  
Norton, Thomas C.  
Nuciforo, Andrea F., Jr.  
Pacheco, Marc R.  
Panagiotakos, Steven C.  
Rosenberg, Stanley C.  
Shannon, Charles E.  
Tolman, Steven A.  
Travaglini, Robert E.  
Tucker, Susan C.  
Walsh, Marian  
Wilkerson, Dianne — 30.

**ABSENT OR NOT VOTING.**

Berry, Frederick E. — 1.

The yeas and nays having been completed at eighteen minutes past four o'clock P.M., the amendment was *rejected*.  
The President in the Chair, after remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at twenty-eight minutes past four o'clock P.M., on motion of Mr. Glodis, as follows, to wit (yeas 36 — nays 1):

**YEAS.**

Antonioni, Robert A.  
Bernstein, Robert A.  
Brewer, Stephen M.  
Clancy, Edward J., Jr.  
Creedon, Robert S., Jr.  
Creem, Cynthia Stone  
Fargo, Susan C.  
Glodis, Guy W.  
Havern, Robert A.  
Hedlund, Robert L.  
Jacques, Cheryl A.  
Jajuga, James P.  
Joyce, Brian A.  
Knapik, Michael R.  
Lees, Brian P.  
Lynch, Stephen F.  
Magnani, David P.

Montigny, Mark C.  
Moore, Richard T.  
Morrisset, Michael W.  
Murray, Therese  
Norton, Thomas C.  
Nuciforo, Andrea F., Jr.  
Pacheco, Marc R.  
Panagiotakos, Steven C.  
Rosenberg, Stanley C.  
Shannon, Charles E.  
Sprague, Jo Ann  
Tarr, Bruce E.  
Tisei, Richard R.  
Tolman, Steven A.  
Travaglini, Robert E.  
Tucker, Susan C.  
Walsh, Marian

Melconian, Linda J.

Wilkerson, Dianne — 36.

**NAYS — 1.**

Rauschenbach, Henri S. — 1.

**ABSENT OR NOT VOTING.**

Berry, Frederick E. — 1.

**The yeas and nays having been completed at twenty-nine minutes before five o'clock P.M., the bill was passed to be engrossed.**

**Sent to the House for concurrence.**

**PAPERS FROM THE HOUSE.**

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

An engrossed Bill authorizing the town of Westford to transfer care, custody and control of a certain parcel of land from its water commission to its cemetery commission (see House, No. 4107) (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-eight minutes before five o'clock P.M., as follows, to wit (yeas 37 — nays 0):

**YEAS.**

Antonioni, Robert A.

Bernstein, Robert A.

Brewer, Stephen M.

Clancy, Edward J., Jr.

Creedon, Robert S., Jr.

Creem, Cynthia Stone

Fargo, Susan C.

Glodis, Guy W.

Havern, Robert A.

Hedlund, Robert L.

Jacques, Cheryl A.

Jajuga, James P.

Joyce, Brian A.

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.

Pacheco, Marc R.

Panagiotakos, Steven C.

Rauschenbach, Henri S.

Rosenberg, Stanley C.

Shannon, Charles E.

Sprague, Jo Ann

Tarr, Bruce E.

Tisei, Richard R.

Tolman, Steven A.

Travaglini, Robert E.

Tucker, Susan C.

Walsh, Marian

Wilkerson, Dianne — 37.

**NAYS — 0.**

## ABSENT OR NOT VOTING.

Berry, Frederick E. — 1.

**The yeas and nays having been completed at twenty-four minutes before five 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 Governor for his approbation.**

## Engrossed Bill.

engrossed Bill relative to antique and replica weapons (see House, No. 4109) (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 Governor for his approbation.**

## Reports of Committees.

By Ms. Melconian, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Dianne Wilkerson that provision be made for an investigation and study by a special commission (including members of the General Court) relative to the punishment of certain crimes committed against children.

**Senate Rule 36 was suspended, on motion of Ms. Melconian, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by resolve) was referred to the committee on Criminal Justice.**

By Ms. Melconian, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Dianne Wilkerson for legislation relative to public hearings of the Group Insurance Commission.

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

By Ms. Melconian, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Dianne Wilkerson for legislation to establish a pilot program to deliver comprehensive services to certain individuals under the care and supervision of the Department of Youth Services.

**Senate Rule 36 was suspended, on motion of Ms. Melconian, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Human Services and Elderly Affairs.**

**Severally sent to the House for concurrence.**

## Resolutions.

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:—  
Resolutions (filed by Mr. Antonioni) "congratulating the 1998 Massachusetts Junior Pistol Team."

## Order Adopted.

On motion of Ms. Melconian,—

*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.

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

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