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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



Thursday, September 16, 1999.

Met at twenty-one minutes before two o'clock P.M.

Distinguished Guests.

There being no objection, during the consideration of the Orders of the Day, the Chair (Ms. Melconian) introduced Laurence Babb, Director of the Film Bureau of the Slovak Republic, and three businessmen from Slovakia, Richard Hausknotz, Vit Gajdosech and Pavol Krist. The delegation is in the United States to help foster closer economic ties between America and the Slovak Republic. They were the guests of Senator Knapik.

Reports of a Committee.

By Mr. Joyce, for the committee on Public Service, on petition, a Bill Wampanoag Tribe of Gay Head (Aquinnah) (Senate, No. 1335) (Representative Casey of Winchester dissenting);
By the same Senator, for the same committee, on the recommitted petition, a Bill relative to creditable service (Senate, No. 1380) (Representative Casey of Winchester dissenting);
By the same Senator, for the same committee, on the recommitted petition, a Bill authorizing and directing the reinstatement of Robert Hanlon as a member in service of a Massachusetts retirement system (Senate, No. 1769) (Representative Casey of Winchester dissenting); and
By the same Senator, for the same committee, on petition, a Bill relative to creditable service for town moderators (printed as House, No. 1066) (Representative Casey of Winchester dissenting);
Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Mr. Glodis, for the committee on Election Laws, on petition, a Bill relative to raffles conducted by political committees (Senate, No. 326);

Read and, under Senate Rule 26, referred to the committee on Steering and Policy.

Committees Discharged.

Ms. Melconian, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration of the Senate Order relative to authorizing the joint committee on Health Care to make an investigation and study of certain Senate and House documents relative to nursing staffing levels (Senate, No. 1983),— and recommending that the same be referred to the Senate committee on Rules.

Under Senate Rule 36, the report was considered forthwith and accepted.

Matters Taken Out of the Orders of the Day.

There being no objection, the following matters were taken out of the Orders or the Day and considered, as follows:

The House bills

Authorizing the town of Norfolk to incur debt for the purpose of removing overhead utilities, replacing with underground facilities, and authorizing a surcharge to do the same (House, No. 692); and

Providing for the elimination of term limits in the town of Barnstable (House, No. 4232);

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

Orders of the Day.

The Orders of the Day were considered, as follows:

Bills

Relative to negative option mailings (Senate, No. 98);

Correcting the definition of political party (Senate, No. 315);

Requiring the filing of birth certificates in guardianship proceedings of minors (Senate, No. 778);

Relative to the estate of homestead (Senate, No. 782);

Relative to the siting of telecommunications facilities (Senate, No. 944);

Relative to providers of personal wireless services (Senate, No. 966);

Further regulating change of name or address notices to the Registry of Motor Vehicles (Senate, No. 1065);

Relative to distinctive initial plates (Senate, No. 1067);

Relative to the correspondence of inmates (Senate, No. 1090);

Relative to protecting the identity of a 911 caller (Senate, No. 1431);

Relative to the public records law (Senate, No. 1444);

Authorizing the Massachusetts Water Resources Authority to grant access to its sewer system to the Cambridge School, Inc. of Weston, MA (Senate, No. 1715);

Relative to the postponement or waiver of a parole hearing (Senate, No. 1792);

Relative to the issuance of seasonal licenses for the sale of alcoholic beverages (Senate, No. 1811);

Simplifying the approval of certain subdivisions (Senate, No. 1842);

Providing for the establishment of a traffic commission in the city of Lynn (Senate, No. 1860);

Clarifying wine and malt beverage tastings (Senate, No. 1895);

Limiting liability resulting from the use of automatic external defibrillation (Senate, No. 1918);

Relative to the crime of stalking (printed as House, No. 1898, changed);

Relative to the election of members to the Pension Reserve Investment Board (House, No. 113);

Authorizing the town of Grafton to issue an additional license for the sale of wine and malt beverages not to be drunk on the premises (House, No. 4136);

Relative to licenses issued by the Board of Registration of Hearing Instrument Specialists (House, No. 4155); and

Authorizing the town of Reading to transfer control of certain conservation land to the board of cemetery trustees (House, No. 4323);

Were severally read a second time and ordered to a third reading.

The Senate reports

Of the committee on Banks and Banking, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 15) of Bruce E. Tarr, the Massachusetts Mortgage Association, by Stephen E. Sousa, president, and Brian A. Joyce for legislation to further regulate the licensing of certain entities as collection agencies;

Of the committee on Election Laws, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 314) of Merton B. Baker for legislation to allow nominations by fee and funding clean elections; and

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 320) of Robert L. Hedlund for legislation to prohibit campaign contributions to General Court candidates by legislative agents unless the agent lives in the candidate's district;

Of the committee on Health Care, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 448) of Robert L. Hedlund and Jeffrey Tonello for legislation relative to the registration of orthopedic physician assistants;

Of the committee on Public Safety, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 1081) of Robert L. Hedlund and Jo Ann Sprague for legislation to modify the motorcycle safety fund;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 1082) of Robert L. Hedlund for legislation relative to the modification of the driver school law to include motorcycle rider education schools;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 1117) of Louis C. Marino for legislation relative to the operation of motor vehicles registered to dealers;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 1143) of Jeffrey Dropo for legislation relative to defining pyrotechnics;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 1161) of Henri S. Rauschenbach for legislation to increase the expenditure of the Barnstable County correctional facility;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 1170) of Bruce E. Tarr and Anthony J. Verga for legislation relative to volunteer, non-profit fire departments; and
Of the same committee, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 1174) of Bruce E. Tarr for legislation to allow for contracting with private entities for the labor of prisoners; and
Of the committee on Public Service, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 1277) of Richard T. Moore, Timothy J. Toomey, Jr., and Daniel E. Bosley for legislation to make technical changes in the optional retirement program;

Were severally considered; and they were accepted.

The Senate Bill relative to the use of headlights (Senate, No. 1104),— **was read a second time and ordered to a third reading.**

The Senate Bill to enable a community preservation fund to be established in certain municipalities (Senate, No. 1513),— was read a third time.

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

Ms. Walsh moved that the bill be amended by substituting a new draft entitled a "Bill relative to community preservation" (Senate, No. 1988).

Mr. Shannon moved that the pending new draft (Senate, No. 1988) be amended by striking out, in line 354, the figure "\$100,000" and inserting in place thereof the following figure:— \$300,000.

The amendment was *rejected*.

Mr. Tisei moved that the pending new draft (Senate, No. 1988) be amended by striking out, in lines 352 to 354, inclusive, clause (2).

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at eighteen minutes past two o'clock P.M., on motion of Mr. Tisei, as follows, to wit (yeas 8 — nays 26):

YEAS.

Hedlund, Robert L.

Knapik, Michael R.

Lees, Brian P.

Rauschenbach, Henri S.

Shannon, Charles E.

Sprague, Jo Ann

Tarr, Bruce E.

Tisei, Richard R. — 8.

NAYS.

Antonioni, Robert A.

Bernstein, Robert A.

Brewer, Stephen M.

Clancy, Edward J., Jr.

Creedon, Robert S., Jr.

Creem, Cynthia Stone

Montigny, Mark C.

Moore, Richard T.

Morrissey, Michael W.

Murray, Therese

Nuciforo, Andrea F., Jr.

Pacheco, Marc R.

Panagiotakos, Steven C.

Havern, Robert A.

Jacques, Cheryl A.

Jajuga, James P.

Joyce, Brian A.

Lynch, Stephen F.

Magnani, David P.

Resor, Pamela

Rosenberg, Stanley C.

Tolman, Steven A.

Travaglini, Robert E.

Tucker, Susan C.

Walsh, Marian

Wilkerson, Dianne — 26.

Paired.

YEAS.

Linda J. Melconian (present),
Thomas C. Norton (present),

NAYS.

Susan C. Fargo
Guy W. Glodis — 4.

ABSENT OR NOT VOTING.

Berry, Frederick E. — 1.

The yeas and nays having been completed at twenty-three minutes past two o'clock P.M., the amendment was *rejected*. Messrs. Lees, Tisei and Tarr moved that the pending new draft (Senate, No. 1988) be amended by striking out section 4 and inserting in place thereof the following section:

"Section 4. (a) Upon acceptance of this chapter, or upon acceptance of any amendment to the funding mechanism as set forth in subsection (b) of section 10 and upon notice of such acceptance given to the municipal tax collecting authority, the accepted tax shall be imposed. If the deed, instrument, writing, or tax on real property relates to realty in more than one city or town, the consideration allocable to each city or town shall be set forth separately therein.

(b) After receipt of notice of the tax by the municipal tax collecting authority, said authority shall collect the tax in the amount and according to the computation specified in such notices and shall pay the amounts so collected, not less frequently than quarterly or semi-annually, according to the schedule for the collection of property taxes for the tax on real property, to the city's or town's treasurer. The municipal tax collecting authority shall cause appropriate books and accounts to be kept with respect to such tax, which shall be subject to examination by the city or town upon reasonable request from time to time.

(c) The remedies provided by chapter 60 for the collection of taxes upon real estate shall apply to the tax on real property as created by this chapter.";

By striking out subsections (a), (b), (c) and (d) of section 10 and inserting in place thereof the following subsections:—

"(a) This chapter shall take effect in any city or town upon the approval of the funding mechanism as set forth in this section and its acceptance by the voters in a referendum as set forth in this section.

(b) Notwithstanding the provisions of chapter 59 or any other general or special law to the contrary, the legislative body may vote to accept this chapter by approving the following mechanism for funding community preservation: a tax on real property of not more than 3 per cent of the real estate tax levy against said property, as determined annually by the board of assessors. The amount of said additional tax shall not be included in any calculation of total taxes assessed for purposes of section 21C of chapter 59. All exemptions and abatements of real property authorized by chapter 59 or any other law for which a taxpayer qualifies as eligible shall not be affected by this chapter. Any amount of the additional tax not paid by the due date shall bear interest at the rate per annum provided in section 57 of chapter 59. Any taxpayer receiving an exemption or abatement of real property authorized by chapter 59 or any other law shall be exempt from any tax on real property established under this section.

(c) The local legislative body may also vote to accept one or more of the following exemptions from the funding mechanism: (1) for property owned and occupied as a domicile by persons who would qualify for low income or low income senior housing in that city or town; (2) for class three, commercial, or class 4, industrial, properties as defined in section 2A of chapter 59; (3) up to one-half of the real estate tax levy against said property, as determined annually by the board of assessors.

(d) Upon the approval of the mechanism for funding community preservation as set forth in subsection (b) of this section, by the legislative body, the actions of said body shall be submitted for acceptance to the voters of a city or town at the next regular state or municipal election. The city or town clerk or the state secretary shall place it on the ballot in the form of the following question:

"Shall this (city or town) accept chapter 40P of the General Laws, as approved by its legislative body, a summary of which appears below? (Set forth here a fair, concise summary and purpose of the law to be acted upon, as determined by the city solicitor or town counsel, as the case may be.) If a majority of the voters voting on said question vote in the affirmative, then said provisions shall take effect in said city or town, but not otherwise."

In section 10, in subsection (f), by striking out the words "a funding mechanism," in line 379, and inserting in place thereof the following:— the funding mechanism as set forth in subsection (b) of section 10 of this chapter,; in section 10, in subsection (h) by striking out the last sentence.

After debate, Ms. Melconian in the Chair, the question on adoption of the amendment was determined by a call of the yeas and nays, at nineteen minutes before four o'clock P.M., on motion of Mr. Lees, as follows, to wit (yeas 9 — nays 23):

YEAS.

Hedlund, Robert L.
Knapik, Michael R.
Lees, Brian P.
Moore, Richard T.

Shannon, Charles E.
Sprague, Jo Ann
Tarr, Bruce E.
Tisei, Richard R. — 9.

Morrissey, Michael W.

NAYS.

Bernstein, Robert A.

Brewer, Stephen M.

Clancy, Edward J., Jr.

Creedon, Robert S., Jr.

Creem, Cynthia Stone

Havern, Robert A.

Jacques, Cheryl A.

Jajuga, James P.

Lynch, Stephen F.

Magnani, David P.

Melconian, Linda J.

Montigny, Mark C.

Murray, Therese

Pacheco, Marc R.

Panagiotakos, Steven C.

Rauschenbach, Henri S.

Resor, Pamela

Rosenberg, Stanley C.

Tolman, Steven A.

Travaglini, Robert E.

Tucker, Susan C.

Walsh, Marian

Wilkerson, Dianne — 23.

Paired.

YEAS.

Andrea F. Nuciforo, Jr. (present),

Thomas C. Norton (present),

Brian A. Joyce (present),

NAYS.

Susan C. Fargo.

Guy W. Glodis.

Robert A. Antonioni — 6.

ABSENT OR NOT VOTING.

Berry, Frederick E. — 1.

The yeas and nays having been completed at twelve minutes before four o'clock P.M., the amendment was *rejected*.

Mr. Tarr moved that the pending new draft (Senate, No. 1988) be amended by inserting after the word "structure", in line 28, the following word:— "vessel."

The amendment was adopted.

The pending new draft (Senate, No. 1988, amended) was then substituted.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at nine minutes before four o'clock P.M., on motion of Mr. Pacheco, as follows, to wit (yeas 35 — nays 0):—

YEAS.

Bernstein, Robert A.

Brewer, Stephen M.

Clancy, Edward J., Jr.

Creedon, Robert S., Jr.

Creem, Cynthia Stone

Havern, Robert A.

Hedlund, Robert L.

Magnani, David P.

Melconian, Linda J.

Montigny, Mark C.

Moore, Richard T.

Morrissey, Michael W.

Murray, Therese

Norton, Thomas C.

Jacques, Cheryl A.
Jajuga, James P.
Joyce, Brian A.
Knapik, Michael R.
Lees, Brian P.
Lynch, Stephen F.
Shannon, Charles E.
Sprague, Jo Ann
Tarr, Bruce E.
Tisei, Richard R.
Tolman, Steven A.

Nuciforo, Andrea F., Jr.
Pacheco, Marc R.
Panagiotakos, Steven C.
Rauschenbach, Henri S.
Resor, Pamela
Rosenberg, Stanley C.
Travaglini, Robert E.
Tucker, Susan C.
Walsh, Marian
Wilkerson, Dianne — 35.

NAYS. —0

ABSENT OR NOT VOTING.

Antonioni, Robert A.
Berry, Frederick E.

Fargo, Susan C.
Glodis, Guy W. — 4.

The yeas and nays having been completed at two minutes before four o'clock P.M., the bill (Senate, No. 1988, amended) was passed to be engrossed.

Sent to the House for concurrence.

The Senate report of the committee on Public Safety, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 1116) of Brian P. Lees, Dennis M. Murphy and Elizabeth A. Malia for legislation relative to the enforcement of the seat belt law,— was considered.

Pending the question on accepting the adverse report, on motion of Mr. Lees, the further consideration thereof was postponed until the next session.

Recess.

At two minutes past four o'clock P.M., at the request of the Minority Leader, the Chair (Ms. Melconian) declared a recess for a minority party caucus; and, at twenty-nine minutes past four o'clock P.M., the Senate reassembled, the President in the Chair.

Message from His Excellency the Governor,—

Items in Transportation Bond Bill Reduced or Disapproved.

So much of the message from His Excellency the Governor as relates to his reduction of item 6037-0019 contained in section 2B and his disapproval of section 2F (for message, see Senate, No. 1960) of the engrossed Bill providing for an accelerated transportation development program for the Commonwealth (see Senate, No. 1945) was considered. Item 6037-0019 contained in section 2B, which had been reduced, was considered, as follows:
SECTION 2B.

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION.
Department of Highways.

6037-0019 For construction and reconstruction of town and county ways pursuant to sections 2E and 2F 150,000,000.

[The Governor reduced the item to \$100,000,000.]

After debate, the question on passing item 6037-0019 (contained in section 2B), notwithstanding the reduction of His Excellency

the Governor, was determined by a call of the yeas and nays, as required by the Constitution, at thirteen minutes past five o'clock P.M., as follows, to wit (yeas 31 — nays 4):

YEAS.

Bernstein, Robert A.	Murray, Therese
Brewer, Stephen M.	Norton, Thomas C.
Clancy, Edward J., Jr.	Nuciforo, Andrea F., Jr.
Creedon, Robert S., Jr.	Pacheco, Marc R.
Creem, Cynthia Stone	Panagiotakos, Steven C.
Havern, Robert A.	Resor, Pamela
Hedlund, Robert L.	Rosenberg, Stanley C.
Jacques, Cheryl A.	Shannon, Charles E.
Jajuga, James P.	Sprague, Jo Ann
Joyce, Brian A.	Tarr, Bruce E.
Lynch, Stephen F.	Tolman, Steven A.
Magnani, David P.	Travaglini, Robert E.
Melconian, Linda J.	Tucker, Susan C.
Montigny, Mark C.	Walsh, Marian
Moore, Richard T.	Wilkerson, Dianne — 31.
Morrissey, Michael W.	

NAYS.

Knapik, Michael R.	Rauschenbach, Henri S.
Lees, Brian P.	Tisei, Richard R. — 4.

ABSENT OR NOT VOTING.

Antonioni, Robert A.	Fargo, Susan C.
Berry, Frederick E.	Glodis, Guy W. — 4.

The yeas and nays having been completed at seventeen minutes past five o'clock P.M., item 6037-0019 (contained in section 2B) was passed, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present having approved the same.

Sent to the House for its action.

Section 2F, which had been disapproved, was considered as follows:

SECTION 2F. Notwithstanding the provisions of any general or special law to the contrary, the funds authorized in item 6037-0019 of section 2B shall be distributed according to the schedule listed below:—

ABINGTON \$291,772

ACTON \$520,102

ACUSHNET \$222,025

ADAMS \$237,940

AGAWAM \$519,250

ALFORD \$58,361

AMESBURY \$321,020

AMHERST \$603,950

ANDOVER \$1,018,727

AQUINNAH \$27,787
ARLINGTON \$633,674
ASHBURNHAM \$256,050
ASHBY \$181,288
ASHFIELD \$235,172
ASHLAND \$304,840
ATHOL \$402,515
ATTLEBOROUGH \$955,388
AUBURN \$453,494
AVON \$156,681
AYER \$180,666
BARNSTABLE \$1,571,849
BARRE \$350,102
BECKET \$190,580
BEDFORD \$467,966
BELCHERTOWN \$429,099
BELLINGHAM \$371,690
BELMONT \$414,012
BERKLEY \$167,400
BERLIN \$149,592
BERNARDSTON \$146,813
BEVERLY \$760,565
BILLERICA \$811,054
BLACKSTONE \$180,054
BLANDFORD \$207,088
BOLTON \$214,140
BOSTON \$11,013,879
BOURNE \$458,348
BOXBOROUGH \$128,317
BOXFORD \$321,266
BOYLSTON \$150,551
BRAintree \$805,579
BREWSTER \$248,152
BRIDGEWATER \$512,826
BRIMFIELD \$223,435
BROCKTON \$1,518,606
BROOKFIELD \$131,220
BROOKLINE \$748,861
BUCKLAND \$144,648
BURLINGTON \$709,942
CAMBRIDGE \$1,995,761
CANTON \$566,381
CARLISLE \$179,680
CARVER \$304,963
CHARLEMONT \$145,432
CHARLTON \$450,311
CHATHAM \$261,763
CHELMSFORD \$818,146
CHELSEA \$399,739
CHESHIRE \$161,356
CHESTER \$191,434
CHESTERFIELD \$175,417
CHICOPEE \$967,337
CHILMARK \$51,584
CLARKSBURG \$55,062
CLINTON \$256,740
COHASSET \$161,355
COLRAIN \$263,250
CONCORD \$535,167
CONWAY \$212,696
CUMMINGTON \$161,419
DALTON \$186,681

DANVERS \$687,114
DARTMOUTH \$833,785
DEDHAM \$497,270
DEERFIELD \$304,430
DENNIS \$541,254
DIGHTON \$218,211
DOUGLAS \$263,740
DOVER \$194,409
DRACUT \$570,074
DUDLEY \$326,474
DUNSTABLE \$126,516
DUXBURY \$399,188
EAST
BRIDGEWATER \$224,529
EAST
BROOKFIELD \$74,720
EAST
LONGMEADOW \$447,101
EASTHAM \$196,112
EASTHAMPTON \$375,543
EASTON \$488,725
EDGARTOWN \$178,476
EGREMONT \$124,000
ERVING \$66,685
ESSEX \$106,916
EVERETT \$464,968
FAIRHAVEN \$386,425
FALL RIVER \$1,619,754
FALMOUTH \$918,332
FITCHBURG \$927,375
FLORIDA \$130,060
FOXBOROUGH \$409,839
FRAMINGHAM \$1,432,989
FRANKLIN \$605,758
FREETOWN \$281,788
GARDNER \$482,264
GEORGETOWN \$214,633
GILL \$119,623
GLOUCESTER \$529,516
GOSHEN \$87,732
GOSNOLD \$7,411
GRAFTON \$351,916
GRANBY \$217,603
GRANVILLE \$213,312
GREAT
BARRINGTON \$335,211
GREENFIELD \$529,931
GROTON \$364,016
GROVELAND \$152,333
HADLEY \$274,352
HALIFAX \$173,699
HAMILTON \$194,451
HAMPDEN \$198,233
HANCOCK \$78,993
HANOVER \$351,310
HANSON \$212,380
HARDWICK \$293,096
HARVARD \$283,878
HARWICH \$488,048
HATFIELD \$205,523
HAVERHILL \$1,093,006
HAWLEY \$143,481

HEATH \$169,805
HINGHAM \$529,818
HINSDALE \$123,755
HOLBROOK \$195,801
HOLDEN \$452,221
HOLLAND \$123,030
HOLLISTON \$365,143
HOLYOKE \$840,929
HOPEDALE \$126,669
HOPKINTON \$351,443
HUBBARDSTON \$278,266
HUDSON \$445,444
HULL \$223,279
HUNTINGTON \$132,693
IPSWICH \$323,278
KINGSTON \$312,554
LAKEVILLE \$242,759
LANCASTER \$244,861
LANESBOROUGH \$173,700
LAWRENCE \$959,881
LEE \$225,030
LEICESTER \$329,089
LENOX \$226,880
LEOMINSTER \$868,303
LEVERETT \$119,851
LEXINGTON \$712,692
LEYDEN \$116,169
LINCOLN \$211,501
LITTLETON \$268,275
LONGMEADOW \$374,824
LOWELL \$1,419,023
LUDLOW \$470,811
LUNENBURG \$331,334
LYNN \$1,187,496
LYNNFIELD \$280,211
MALDEN \$748,167
MANCHESTER \$116,055
MANSFIELD \$487,322
MARBLEHEAD \$358,730
MARION \$108,373
MARLBOROUGH \$821,552
MARSHFIELD \$502,711
MASHPEE \$440,903
MATTAPOISETT \$163,559
MAYNARD \$216,541
MEDFIELD \$328,091
MEDFORD \$783,689
MEDWAY \$288,405
MELROSE \$431,627
MENDON \$175,077
MERRIMAC \$130,803
METHUEN \$859,325
MIDDLE-
BOROUGH \$620,772
MIDDLEFIELD \$123,975
MIDDLETON \$195,041
MILFORD \$560,815
MILLBURY \$303,820
MILLIS \$215,719
MILLVILLE \$71,980
MILTON \$477,023
MONROE \$53,519

MONSON \$371,064
MONTAGUE \$387,488
MONTEREY \$157,111
MONTGOMERY \$101,873
MOUNT
WASHINGTON \$56,751
NAHANT \$74,834
NANTUCKET \$458,009
NATICK \$729,985
NEEDHAM \$698,886
NEW ASHFORD \$37,363
NEW BEDFORD \$1,707,205
NEW BRAINTREE \$162,114
NEW MARL-
BOROUGH \$276,513
NEW SALEM \$125,783
NEWBURY \$204,450
NEWBURYPORT \$393,672
NEWTON \$1,748,560
NORFOLK \$273,397
NORTH ADAMS \$318,164
NORTH
ANDOVER \$614,970
NORTH ATTLE-
BOROUGH \$545,186
NORTH
BROOKFIELD \$252,212
NORTH
READING \$325,369
NORTHAMPTON \$813,343
NORTHBOROUGH \$356,368
NORTHBRIDGE \$314,059
NORTHFIELD \$232,558
NORTON \$367,584
NORWELL \$333,085
NORWOOD \$705,093
OAR BLUFFS \$136,986
OAKHAM \$147,568
ORANGE \$326,095
ORLEANS \$231,551
OTIS \$141,864
OXFORD \$375,999
PALMER \$398,639
PAXTON \$144,712
PEABODY \$743,159
PELHAM \$80,476
PEMBROKE \$363,335
PEPPERELL \$305,829
PERU \$108,442
PETERSHAM \$205,961
PHILLIPSTON \$150,533
PITTSFIELD \$1,115,470
PLAINFIELD \$155,154
PLAINVILLE \$198,098
PLYMOUTH \$996,448
PLYMPTON \$121,705
PRINCETON \$275,920
PROVINCETOWN \$93,896
QUINCY \$1,483,704
RANDOLPH \$544,762
RAYNHAM \$320,429
READING \$466,435

REHOBOTH \$430,136
REVERE \$569,858
RICHMOND \$135,439
ROCHESTER \$223,217
ROCKLAND \$321,131
ROCKPORT \$158,075
ROWE \$116,351
ROWLEY \$169,703
ROYALSTON \$228,787
RUSSELL \$85,396
RUTLAND \$236,804
SALEM \$665,110
SALISBURY \$165,975
SANDISFIELD \$268,836
SANDWICH \$564,448
SAUGUS \$479,782
SAVOY \$159,903
SCITUATE \$436,496
SEEKONK \$427,985
SHARON \$460,476
SHEFFIELD \$289,986
SHELBURNE \$178,758
SHERBORN \$183,277
SHIRLEY \$193,549
SHREWSBURY \$610,228
SHUTESBURY \$108,708
SOMERSET \$399,655
SOMERVILLE \$896,890
SOUTH HADLEY \$372,298
SOUTHAMPTON \$240,280
SOUTHBOROUGH \$271,622
SOUTHBRIDGE \$397,944
SOUTHWICK \$255,798
SPENCER \$394,966
SPRINGFIELD \$2,814,463
STERLING \$318,879
STOCKBRIDGE \$157,910
STONEHAM \$407,877
STOUGHTON \$606,267
STOW \$205,844
STURBRIDGE \$336,499
SUDBURY \$536,195
SUNDERLAND \$143,998
SUTTON \$326,391
SWAMPSCOTT \$238,306
SWANSEA \$441,956
TAUNTON \$991,124
TEMPLETON \$262,794
TEWKSBURY \$672,189
TISBURY \$104,350
TOLLAND \$129,143
TOPSFIELD \$213,623
TOWNSEND \$325,475
TRURO \$133,760
TYNGSBOROUGH \$263,534
TYRINGHAM \$83,090
UPTON \$233,655
UXBRIDGE \$343,954
WAKEFIELD \$515,790
WALES \$84,128
WALPOLE \$543,375
WALTHAM \$1,313,789

WARE \$344,782
WAREHAM \$510,907
WARREN \$236,891
WARWICK \$182,640
WASHINGTON \$137,200
WATERTOWN \$574,451
WAYLAND \$374,027
WEBSTER \$363,578
WELLESLEY \$669,584
WELLFLEET \$195,973
WENDELL \$159,078
WENHAM \$115,606
WEST BOYLSTON \$223,067
WEST
BRIDGEWATER \$250,039
WEST
BROOKFIELD \$184,702
WEST NEWBURY \$172,717
WEST
SPRINGFIELD \$664,736
WEST
STOCKBRIDGE \$123,828
WEST TISBURY \$59,099
WESTBOROUGH \$561,596
WESTFIELD \$886,126
WESTFORD \$579,774
WESTHAMPTON \$148,948
WESTMINSTER \$322,128
WESTON \$349,395
WESTPORT \$492,577
WESTWOOD \$398,436
WEYMOUTH \$884,467
WHATELY \$117,630
WHITMAN \$255,681
WILBRAHAM \$393,783
WILLIAMSBURG \$149,242
WILLIAMSTOWN \$245,961
WILMINGTON \$585,732
WINCHENDON \$359,171
WINCHESTER \$406,765
WINDSOR \$211,141
WINTHROP \$236,498
WOBURN \$947,775
WORCESTER \$3,153,319
WORTHINGTON \$191,969
WRENTHAM \$289,734
YARMOUTH \$677,870

TOTAL \$150,000,000

The question on passing section 2F, notwithstanding the objections of His Excellency the Governor, was determined by a call of the yeas and nays, as required by the Constitution, at eighteen minutes past five o'clock P.M., as follows, to wit (yeas 31 — nays 4):

YEAS.

Bernstein, Robert A.
Brewer, Stephen M.
Clancy, Edward J., Jr.

Murray, Therese
Norton, Thomas C.
Nuciforo, Andrea F., Jr.

Creedon, Robert S., Jr.
Creem, Cynthia Stone
Havern, Robert A.
Hedlund, Robert L.
Jacques, Cheryl A.
Jajuga, James P.
Joyce, Brian A.
Lynch, Stephen F.
Magnani, David P.
Melconian, Linda J.
Montigny, Mark C.
Moore, Richard T.
Morrisey, Michael W.

Pacheco, Marc R.
Panagiotakos, Steven C.
Resor, Pamela
Rosenberg, Stanley C.
Shannon, Charles E.
Sprague, Jo Ann
Tarr, Bruce E.
Tolman, Steven A.
Travaglini, Robert E.
Tucker, Susan C.
Walsh, Marian
Wilkerson, Dianne — 31.

NAYS.

Knapik, Michael R.
Lees, Brian P.

Rauschenbach, Henri S.
Tisei, Richard R. — 4.

ABSENT OR NOT VOTING.

Antonioni, Robert A.
Berry, Frederick E.

Fargo, Susan C.
Glodis, Guy W. — 4.

The yeas and nays having been completed at twenty minutes past five o'clock P.M., section 2F was passed, notwithstanding the objections of His Excellency the Governor, two-thirds of the members present having approved the same.

Sent to the House for its action.

PAPERS FROM THE HOUSE.

Engrossed Bills.

Mr. Rosenberg in the Chair, 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 Governor for his approbation, to wit:

Establishing the Scantic Valley Water District (see Senate, No. 1724);

Relative to the form of representative town government in the town of North Attleborough (see House, No. 424);

Further regulating the Baker Hill Road District in the town of Lanesborough (see House, No. 1986);

Establishing the position of town administrator in the town of Manchester-by-the-Sea (see House, No. 4138, amended);

Relative to the operation of the sewer system of the town of Ipswich (see House, No. 4192);

Abolishing term limits for elected public officials of the city of Lowell (see House, No. 4213);

Providing for the elimination of term limits in the town of Barnstable (see House, No. 4232); and

Providing for term limits for elected officials in the city known as the town of Methuen (see House, No. 4703).

A petition (accompanied by bill, House, No. 4749) of Ronny M. Sydney and other members of the General Court relative to automobile insurance surcharges,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Insurance.**

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 Andrea F. Nuciforo, Jr., for legislation to clarify the responsibility of motor vehicle liability insurers for claims arising from personal injury claimants who seek health care services outside those of an established network.

Senate Rule 36 was suspended, on motion of Mr. Travaglini, 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 Robert S. Creedon, Jr., and David T. Donnelly for legislation to minimize the effect of irrelevant lis pendens memoranda.

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

Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A Bill relative to disclosure of information to the state police violent fugitive arrest squad (House, No. 130,— on a part of House, No. 127),— was read.

Ms. Jacques requested unanimous consent to suspend the rules to consider the matter forthwith; but objection was made thereto by Mr. Lees. The matter was laid aside.

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:—

Resolutions (filed by Mr. Bernstein) "congratulating Rachel's Table on the occasion of its tenth anniversary";

Resolutions (filed by Mr. Knapik) "honoring Joseph C. Cassidy upon his retirement";

Resolutions (filed by Mr. Lees) "recognizing Kid's Day America in East Longmeadow";

Resolutions (filed by Ms. Melconian) "on the ordination of Timothy Baymon as Bishop of the Old Catholic Church of Utrecht";

Resolutions (filed by Mr. Montigny) "congratulating Lieutenant Colonel Gary A. Correia on the occasion of his retirement";

Resolutions (filed by Mr. Montigny) "congratulating David Crowley upon the occasion of his retirement";

Resolutions (filed by Mr. Pacheco) "congratulating Ronald F. Arieta";

Resolutions (filed by Mr. Pacheco) "congratulating Connor E. Gaudet of Mattapoissett upon his elevation to the rank of Eagle Scout";

Resolutions (filed by Ms. Wilkerson) "honoring P' Ann Wimberly".

Remarks on the Departure of Senator Thomas C. Norton.

The President recognized Senator Travaglini, who briefly addressed the Senate and paid tribute to Senator Thomas C. Norton, who is leaving the Massachusetts State Senate.

Subsequently, the President recognized Senator Thomas C. Norton, who briefly addressed the Senate and thanked the President, his fellow Senators and others for their support and friendship during his long tenure in the State House.

Order Adopted.

On motion of Mr. Lees,—

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. Norton, at eleven minutes before six o'clock P.M., the Senate adjourned to meet on the following Monday at eleven o'clock A.M.
