

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.



Wednesday, January 5, 2000.

At a General Court of the Commonwealth of Massachusetts held on the first Wednesday, being the fifth day of January, in the year two thousand, and the two hundred and twenty-fourth of the independence of the United States of America, a quorum of the members of the Senate, elected for a term of two years at an election held on Tuesday next after the first Monday of November in the year 1998, assembled at ten minutes past twelve o'clock noon, in the Senate Chamber, and were called to order by the Honorable Thomas F. Birmingham, President of the Senate.

Order Adopted.

On motion of Ms. Melconian,—

Ordered, That a committee of the Senate be appointed to inform His Excellency the Governor, Her Honor the Lieutenant-Governor and the Honorable Council that the Senate is in session and awaits their presence for the swearing in of Joan M. Menard as Senator from the First Bristol district.

Senators Montigny, Creem, Bernstein and Tisei were appointed on the part of the Senate.

Subsequently, Mr. Montigny, for the committee, reported that His Excellency the Governor, Her Honor the Lieutenant-Governor and the Honorable Council would immediately attend upon the Senate. The committee was discharged.

Qualification of Senator Joan M. Menard.

The Honorable Joan M. Menard did, at twenty-two minutes past twelve o'clock noon, on Wednesday, January 5, 2000, before the Governor, the Lieutenant-Governor and Council, take and subscribe the oath of office as State Senator from the First Bristol district.

Seat Assignment.

The President announced the assignment of Senator Joan M. Menard to seat number twelve on his left.

Communication.

The Clerk read the following communication from the Secretary of the Commonwealth, to wit:

THE COMMONWEALTH OF MASSACHUSETTS
SECRETARY OF THE COMMONWEALTH
STATE HOUSE, BOSTON, MASSACHUSETTS 02133

December 29, 1999

To the Honorable Senate:

I have the honor to lay before you the returns of votes cast at the special election held in this Commonwealth on the twenty-first day of December, 1999 for Senator from the First Bristol District, together with the schedules showing the number of ballots which appear to have been cast for each person voted for.

These returns have been duly canvassed by the Governor and Council, and are now transmitted for examination by the Senate, as required by the Constitution.

Very truly yours,
WILLIAM FRANCIS GALVIN,
Secretary of the Commonwealth.

***FOR STATE SENATOR IN GENERAL COURT
FIRST BRISTOL SENATE DISTRICT
(to fill vacancy)***

Joan M. Menard of Somerset (Democratic) has 6,883 Votes

(And appears to be elected)

Scott S. Smith of Somerset (Unenrolled) has 627 "

Russell G. Winslow of Fall River (Independent) has 552 "

All Others 47 "

Blanks 34 "

Total Votes Cast 8,143

Order Adopted.

On motion of Mr. Rosenberg,—

Ordered. That the returns of votes for Senator to fill a vacancy in the First Bristol district be referred to a special committee to consist of three members of the Senate.

Senators Murray, Glodis and Knapik were appointed the committee.

Subsequently, Ms. Murray, for the committee, reported that, from an examination of the returns, it appears the Honorable Joan M. Menard of Somerset had been duly elected to said district.

The report was read and accepted.

Order Adopted.

On motion of Mr. Travaglini,—

Ordered. That a committee of members of the Senate, and the House of Representatives, be appointed to wait upon His Excellency the Governor, Her Honor the Lieutenant-Governor and the Honorable Council and inform them that the two branches of the General Court are now assembled and ready to proceed to business.

Senators Jacques, Moore and Tarr were appointed on the part of the Senate.

Sent to the House for concurrence.

Subsequently, the order was returned with the endorsement that the House had concurred and that Representatives Nagle of Northampton, Ruane of Salem, Kujawski of Webster, Hall of Westford, Sullivan of Braintree, Sullivan of Fall River, Mariano of Quincy, Frost of Auburn, Honan of Boston, Greene of Billerica, Cleven of Chelmsford, Keough of Springfield, Candaras of

Wilbraham, Caron of Springfield, Carron of Southbridge, Paulsen of Belmont, Travis of Rehoboth, Jones of North Reading, Petersen of Marblehead, Peterson of Grafton, Gauch of Shrewsbury, Speliotis of Danvers, Donnelly of Boston, Marini of Hanson, O'Brien of Kingston, Koczera of New Bedford, Miceli of Wilmington, Canavan of Brockton, Casey of Winchester, Broadhurst of Methuen, Rivera of Springfield and Parente of Milford were appointed to the committee on the part of the House. Ms. Jacques, for the committee, afterwards reported that it had attended to its duty and the committee was discharged.

Order Adopted.

On motion of Mr. Clancy,—

Ordered, That a committee be appointed to inform the House of Representatives that the Senate is now assembled and ready to proceed to business.

Senators Morrissey, Walsh and Sprague were appointed the committee.

Subsequently, Ms. Walsh, for the committee appointed by the Senate to inform the House that the Senate was ready to proceed to business, reported that it had attended to its duty. The committee was then discharged.

Order Adopted.

On motion of Mr. Havern,—

Ordered, That the Clerk begin printing of the Journal of the Senate, as authorized by Senate Rule 6, and that the daily reading thereof be dispensed with; that, under the authority of Section 10 of Chapter 5 of the General Laws, such number of copies of the journal of the entire session as the committee on Rules shall determine be printed and bound with customary appendices and an index; and that a certified copy thereof be deposited with the Secretary of the Commonwealth as the official Journal of the Senate.

Matters Taken Out of the Orders of the Day.

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

The House Bill establishing a special revenue fund for the town of Monson for the purpose of acquiring open space and recreation land (House, No. 4148),— **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 the number of licenses for the sale of wines and malts in the city of Somerville (House, No. 4885),— **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 relative to the number of licenses for the sale of wines and malt beverages in the city of Somerville."**

The House Bill authorizing the city of Westfield to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4794),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

PAPER FROM THE HOUSE.

Engrossed Bill.

An engrossed Bill relative to the apportionment of sewer costs in the town of Stoughton (see House, No. 4554) (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.**

Senate Order Adopted.

Ms. Walsh offered the following order, to wit:

Ordered, That the joint committee on Taxation be granted an extension until Thursday, February 3, 2000 to give further consideration to Senate document numbered 1985, relative to authorizing the city of Leominster to establish an open space fund.

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

Sent to the House for concurrence.

Recess.

There being no objection, at a quarter past one o'clock P.M., the President declared a recess subject to the call of the Chair; and, at twenty-one minutes past two o'clock P.M., the Senate reassembled, Ms. Melconian in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

PAPER FROM THE HOUSE.

A Bill making appropriations for the fiscal year 2000 to provide for supplementing certain existing appropriations (printed in House, No. 4951,— being a message from His Excellency the Governor),— was read.

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

After remarks, the question on passing the bill, to be engrossed was determined by a call of the yeas and nays, at twenty-six minutes past two o'clock P.M., on motion of Mr. Lees, as follows, to wit (yeas 38 — nays 0):

YEAS.

Antonioni, Robert A.	Menard, Joan M.
Bernstein, Robert A.	Montigny, Mark C.
Berry, Frederick E.	Moore, Richard T.
Brewer, Stephen M.	Morrissey, Michael W.
Clancy, Edward J., Jr.	Murray, Therese
Creedon, Robert S., Jr.	Nuciforo, Andrea F., Jr.
Creem, Cynthia Stone	Pacheco, Marc R.
Fargo, Susan C.	Panagiotakos, Steven C.
Glodis, Guy W.	Resor, Pamela
Havern, Robert A.	Rosenberg, Stanley C.
Hedlund, Robert L.	Shannon, Charles E.
Jacques, Cheryl A.	Sprague, Jo Ann
Jajuga, James P.	Tarr, Bruce E.
Joyce, Brian A.	Tisei, Richard R.
Knapik, Michael R.	Tolman, Steven A.
Lees, Brian P.	Travaglini, Robert E.
Lynch, Stephen F.	Tucker, Susan C.
Magnani, David P.	Walsh, Marian
Melconian, Linda J.	Wilkerson, Dianne — 38

NAYS — 0.

ABSENT OR NOT VOTING.

Rauschenbach, Henri S. — 1.

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

Recess.

There being no objection, at half past two o'clock P.M., the Chair (Ms. Melconian) declared a recess subject to the call of the Chair; and, at seventeen minutes before three o'clock P.M., the Senate reassembled, Ms. Melconian in the Chair.

PAPER FROM THE HOUSE.

Engrossed Bill.

An engrossed Bill making appropriations for the fiscal year 2000 to provide for supplementing certain existing appropriations (see House Bill, printed in House, No. 4951) (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 Acting President and laid before the Governor for his approbation.**

Order Adopted.

On motion of Mr. Rosenberg,—

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

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