

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, February 8, 2000.

Met at twenty-nine minutes past one o'clock P.M.

Distinguished Guests.

The President introduced the Walpole High School Field Hockey Team. The team is the Division I State Champions. The team was accompanied by their coach, Penny Calf, and Allison Sprague, a member of the team who is also the granddaughter of Senator Jo Ann Sprague. They were the guests of Senator Sprague.

Report.

A report of the Attorney General (under the provisions of Section 99, Subsection R, of Chapter 272 of the General Laws) relative to warrants sought for wire and oral communications (received Tuesday, February 8, 2000),— **was read and sent to the House for its information.**

Petitions.

Petitions were presented and referred, as follows:

By Ms. Creem, a petition (subject to Joint Rule 12) of Cynthia S. Creem for legislation relative to parents' testimony against their children in criminal proceedings; and

By Ms. Resor, a petition (subject to Joint Rule 12) of Pamela P. Resor and Cory Atkins (by vote of the town) for legislation relative to sewer construction in the town of Acton [Local approval received];

Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

PAPERS FROM THE HOUSE.

An Initiative petition of Christopher Grace and others for the passage of "An Act to promote competition in the cable-based Internet access market" (House, No. 5006) (having been transmitted by the Secretary of the Commonwealth to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution, on Wednesday, January 5, 2000),— **was referred, in concurrence, to the committees on Government Regulations, House Science and Technology and Senate Science and Technology, acting jointly.**

A petition (accompanied by bill, House, No. 5007) of Charles A. Murphy and Susan C. Fargo (by vote of the town) for legislation to authorize the town of Bedford to establish a post retirement insurance liability fund,— **was referred, in concurrence, to the committee on Public Service.**

A Bill establishing a sick leave bank for Robert White, an employee of the Trial Court of the Commonwealth (House, No. 4961,— on petition),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Bills

Relative to dog guides (House, No. 3973,— on petition); and

Providing for the annual observance of the month of March as Irish-American Heritage Month (House, No. 4767,— on House, No. 4751, in part);

Were severally read and, under Senate Rule 26, referred to the committee on Steering and Policy.

Orders of the Day.

The Orders of the Day were considered, as follows:

Bills

Authorizing the town of Orleans to pay certain claims (House, No. 3720);

Authorizing the town of Hopkinton to pay certain health insurance premiums for retired employees (House, No. 4555); and

Relative to the election of selectmen in the town of Dartmouth (House, No. 4955);

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

The Senate bills

Authorizing creditable service for Carolyn M. Farley (Senate, No. 2090) (its title having been changed by the committee on Bills in the Third Reading); and

Authorizing the State Retirement Board to grant a pension to Arlenn officer (printed as House, No. 1635);

Were severally read a third time and passed to be engrossed.

Severally sent to the House for concurrence.

The House Bill relative to business loans (House, No. 2470),— **was read a second time and, after remarks, was ordered to a third reading.**

The Senate Bill relative to extending certain property tax exemptions to the surviving spouses of disabled veterans (Senate, No. 1534, amended),— was read a third time, the question being on passing the bill to be engrossed.

After remarks, the question thereon was determined by a call of the yeas and nays, at a quarter before two o'clock P.M., on motion of Ms. Jacques, as follows, to wit (yeas 38 — nays 0):

YEAS.

Antonioni, Robert A.

Bernstein, Robert A.

Berry, Frederick E.

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.

Menard, Joan M.

Montigny, Mark C.

Moore, Richard T.

Morrissey, Michael W.

Murray, Therese

Nuciforo, Andrea F., Jr.

Pacheco, Marc R.

Panagiotakos, Steven C.

Rauschenbach, Henri S.

Resor, Pamela

Rosenberg, Stanley C.

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

Shannon, Charles E.
Sprague, Jo Ann
Tarr, Bruce E.
Tisei, Richard R.
Tolman, Steven A.
Travaglini, Robert E.
Tucker, Susan C.
Walsh, Marian — 38.

NAYS — 0.

ABSENT OR NOT VOTING.

Wilkerson, Dianne — 1.

The yeas and nays having been completed at twelve minutes before two o'clock P.M., the bill was passed to be engrossed.

Sent to the House for concurrence.

The Senate Bill making appropriations for the fiscal year 2000 to provide for supplementing certain existing appropriations and for certain other activities and projects (Senate, No. 2089),— was read a third time, the question being on passing the bill to be engrossed.

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

YEAS.

Antonioni, Robert A.
Bernstein, Robert A.
Berry, Frederick E.
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.

Menard, Joan M.
Montigny, Mark C.
Moore, Richard T.
Morrisey, Michael W.
Murray, Therese
Nuciforo, Andrea F., Jr.
Pacheco, Marc R.
Panagiotakos, Steven C.
Rauschenbach, Henri S.
Resor, Pamela
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 — 38.

NAYS — 0.

ABSENT OR NOT VOTING.

Wilkerson, Dianne — 1.

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

Sent to the House for concurrence.

The House Bill relative to foothold traps and certain other devices (House, No. 4884),— was considered, the main question being on ordering it to a third reading.

Mr. Pacheco offered an amendment, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2094; 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 forthwith to protect persons from threats to human health and safety caused by certain animals, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.”; and this amendment was adopted.

The bill, as amended, was then ordered to a third reading.

Subsequently, there being no objection, the rules were suspended, on motion of Mr. Pacheco, and the bill was read a third time and, after debate, was passed to be engrossed, in concurrence.

Sent to the House for concurrence in the amendment.

Resolutions.

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

Resolutions (filed by Messrs. Bernstein, Glodis, Brewer, Antonioni, Moore and Ms. Resor) “commending Brian S. McNiff”.

PAPERS FROM THE HOUSE.

Engrossed bills.

The following engrossed bills (both of which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the President and laid before the Governor for his approbation, to wit:

Relative to the requirements for in-service physical fitness standards (see House, No. 81); and

Relative to the construction and maintenance of the statewide Vietnam veterans memorial at Green Hill Park in the city of Worcester (see House, No. 4481).

Emergency Preamble Adopted.

An engrossed Bill relative to the terms of certain bonds and notes issued by the Commonwealth (see House Bill, printed in House No. 4938), 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 7 to 0. The bill was signed by the President and sent to the House for enactment.**

A Bill relative to representative town meetings in the town of Braintree (House, No. 4859, changed,— on petition) [Local approval received],— was read.

There being no objection, the rules were suspended, on motion of Mr. Rosenberg, 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 town of Braintree to convey certain easements (House, No. 4860,— on petition) [Local approval received],— 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.

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.

***Adjournment in memory of
Shirley Palmer.***

Mr. Nuciforo moved that when the Senate adjourns today, it adjourn in memory of five-year old Shirley Palmer, who lost her life in the Housatonic River in Great Barrington on January 25, 2000. She will be greatly missed by all those who knew her but will live on in their hearts and the hearts of all who helped search for her. This motion prevailed. Accordingly, as a mark of respect to the memory of Shirley Palmer, at twenty-three minutes before three o'clock P.M., on motion of Mr. Lees, the Senate adjourned to meet again on the following Thursday at eleven o'clock A.M.
