

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, May 16, 2000.

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

Report.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) submitting an inspection of M.C.I.-Shirley Medium Facility (received Thursday, May 11, 2000),— **was read and sent to the House for its information.**

Petitions.

Petitions were presented and referred, as follows:

By Mr. Glodis, a petition (subject to Joint Rule 12) of Guy W. Glodis, John P. Fresolo and John J. Binienda for legislation relative to requiring local approval before reopening refuse disposal facilities; and

By Mr. Morrissey, a petition (subject to Joint Rule 12) of A. Stephen Tobin and Michael W. Morrissey (with the approval of the mayor and the city council) for legislation relative to the election of officials in the city of Quincy [Local approval received];
Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of a Committee.

By Ms. Wilkerson, for the committee on State Administration, on petition, a Bill relative to public libraries development grants (Senate, No. 2189);

Read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Ms. Wilkerson, for the committee on State Administration, on petition, a Bill establishing the month of April as the Commonwealth's public health month (Senate, No. 2190);

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

Committee Discharged.

Ms. Melconian, for the committee on Rules, to whom was referred the Senate Order relative to authorizing the joint committee on Public Service to make an investigation and study of various Senate documents relative to Group 4 of the retirement system (Senate, No. 1797), reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1329) of Marc R. Pacheco, Cheryl A. Jacques, Joan M. Menard, Jo Ann Sprague and other members of the General Court for legislation relative to the retirement rights of certain managers of the Department of Correction,— and recommending

that the same be recommitted to the committee on Public Service.

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

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5173) of Thomas N. George and Henri S. Rauschenbach (by vote of the town) relative to the election and terms of office of members of the historic district committee in the town of Dennis;

To the committee on Election Laws.

Petition (accompanied by bill, House, No. 5168) of Shirley Gomes and Henri S. Rauschenbach (by vote of the town) for legislation to authorize the town of Truro to establish a capital improvements fund;

Petition (accompanied by bill, House, No. 5169) of Shirley Gomes and Henri S. Rauschenbach (by vote of the town) for legislation to amend the charter of the town of Truro relative to the date for holding annual town meetings;

Petition (accompanied by bill, House, No. 5171) of Thomas N. George and Henri S. Rauschenbach (by vote of the town) that the town of Dennis be authorized to make certain deposits into the capital improvements fund of said town; and

Petition (accompanied by bill, House, No. 5174) of Thomas N. George and Henri S. Rauschenbach (by vote of the town) relative to the number of members on the board of cemetery commissioners of the town of Dennis;

Severally to the committee on Local Affairs.

A Bill relative to dental referral services (House, No. 3652, amended,— on petition),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

A Bill relative to the budget in the town of West Boylston (House, No. 4871,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Recess.

There being no objection, at twenty-three minutes before two o'clock P.M., the President declared a recess subject to the call of the Chair; and, at seventeen minutes before five o'clock P.M., the Senate reassembled, the President in the Chair.

Order Adopted.

Mr. Montigny offered the following order, to wit:—

Ordered, That when the Senate adjourns on Monday next it adjourn to meet on Tuesday at ten o'clock A.M., and that, under the provisions of Senate Rule 38A, the only matter to be placed on the Calendar shall be the General Appropriations Bill (House, No. 5101); and, that according to the provisions of Senate Rule 27A, all amendments, offered by members, will be considered third reading amendments, and must be filed with the Clerk no later than five o'clock P.M. on Friday, May 19th. Amendments may be submitted to the Clerk either electronically or in traditional hard copy format.

The order was considered forthwith; and, there being no objection, after remarks, it was adopted.

Recess.

There being no objection, at six minutes before five o'clock P.M., the President declared a recess subject to the call of the Chair; and, at twenty-three minutes past six o'clock P.M., the Senate reassembled, Mr. Rosenberg 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.

Committee of Conference Report.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment to the House Bill providing additional funding for the Central Artery/Tunnel project (House, No. 5104) (*amended by the Senate by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2178; and striking out the title and inserting in place thereof the following title: "An Act providing additional funding for the Central Artery/Ted Williams Tunnel Project and the statewide road and bridge program"*), recommending that the House recede from its non-concurrence in the Senate amendment and concur therein *with a further amendment* striking out all after the enacting clause and inserting in place thereof the text of House document numbered 5176 and that the Senate concur therein; and that the House recede from its non-concurrence in its amendment striking out the title and inserting in place thereof a new title,— came from the House, and was read.

The report was considered forthwith and accepted, in concurrence.

Resolutions.

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

Resolutions (filed by Mr. Brewer) “on the occasion of the twenty-fifth anniversary of the ordination of Reverend Charles H. Kuzmeski”; and

Resolutions (filed by Mr. Joyce) “on the retirement of Paul Alpert.”

PAPERS FROM THE HOUSE.

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 Acting President and laid before the Governor for his approbation, to wit:

Relative to certain insurance coverage for a former employee of the town of Townsend (see Senate, No. 2086);

Relative to the parking of motorcycles (see House, No. 2008); and

Establishing a sick leave bank for an employee of the Norfolk County Sheriff’s Office (see House, No. 5040).

A petition (accompanied by bill, House, No. 5177) of Brian Paul Golden and other members of the General Court relative to the appointment of police officers to the police department of the Massachusetts Bay Transportation Authority,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

Matter Taken Out of the Orders of the Day.

There being no objection, the following matter was taken out of the Orders of the Day and considered, as follows:

The House Bill relative to the issuance of certain bonds by the town of Auburn (House, No. 4939),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Recess.

There being no objection, at twenty-nine minutes past six o’clock P.M., the Chair (Mr. Rosenberg) declared a recess subject to the call of the Chair; and, at two minutes before seven o’clock P.M., the Senate reassembled, Mr. Rosenberg in the Chair.

Bill Recalled from the Governor.

On motion of Mr. Knapik, it was voted that a messenger be appointed to wait upon His Excellency the Governor, requesting the return to the Senate of the engrossed Bill relative to the annual observance of Candle Safety Day (see House, No. 5041). **Mr. Knapik was appointed the messenger. Subsequently, the bill was returned to the Senate.**

PAPERS FROM THE HOUSE.

Emergency Preamble Adopted.

An engrossed Bill providing additional funding for the Central Artery/Ted Williams Tunnel project and the statewide road and bridge program (see House, No. 5104, 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 9 to 0.**

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

Engrossed Bill — State Loan.

An engrossed Bill providing additional funding for the Central Artery/Ted Williams Tunnel project and the statewide road and bridge program (see House, No. 5104, 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.

After remarks, the President in the Chair, the question on passing it to be enacted was determined by a call of the yeas and nays, at thirteen minutes before eight o'clock P.M., as follows, to wit (yeas 36 — nays 0):

YEAS.

Antonioni, Robert A.
Bernstein, Robert A.
Berry, Frederick E.
Brewer, Stephen M.
Clancy, Edward J., Jr.
Creedon, Robert S., Jr.
Fargo, Susan C.
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.

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.
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 — 36.

NAYS — 0.

PAIRED.

YEA. NAY.

Mark C. Montigny,

Guy W. Glodis (present) — 2.

ABSENT OR NOT VOTING.

Creem, Cynthia Stone — 1.

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

Order Adopted.

On motion of Mr. Lees,—

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 eight minutes before eight o'clock P.M., the Senate adjourned to meet on the following Thursday at eleven o'clock A.M.
