

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 18, 1999.

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

Distinguished Guests.

There being no objection, the President introduced, in the rear of the Chamber, Walter Gallo, Vice President, and Professor William Farrell of St. Anselm College. Vice President Gallo and Professor Farrell were accompanied by Representatives Nagle of Northampton and Fitzgerald of Boston. The President noted that Representatives Nagle and Fitzgerald, as well as the Senate Clerk, Patrick Scanlan, were once students of Professor Farrell's while attending St. Anselm College. They were the guests of Senator Rosenberg.

Petition.

Mr. Shannon presented a petition (accompanied by bill, Senate, No. 1793) of Charles E. Shannon, Patricia D. Jehlen, Timothy J. Toomey, Jr., Vincent P. Ciampa and others (with the approval of the mayor and city council) for legislation relative to the Somerville budget [Local approval received],— **and the same was referred, under Senate Rule 20, to the committee on Local Affairs.**

Sent to the House for concurrence.

Report of a Committee.

By Mr. Tolman, for the committee on Local Affairs, on petition, a Bill providing for the conveyance by the town of Rowley of conservation land (Senate, No. 1718) [Local approval received];

Read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

PAPERS FROM THE HOUSE.

The biennial report of the Commissioner of Revenue (under Section 10C of Chapter 58 of the General Laws) submitting an equalization and apportionment upon the several cities and towns of the amount of property and the proportion of every one thousand dollars of state or county tax which should be assessed upon each city and town (House, No. 1001) (having been sent by the House to the Senate for its information),— **was returned to the House to be placed on file.**

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4316) of Scott P. Brown, John H. Rogers and Jo Ann Sprague (by vote of the town) that the licensing authority of the town of Walpole be authorized to issue an additional license for the sale of wines and malt beverages to be drunk on the premises to Jimmy's Pizzeria;

To the committee on Government Regulations.

Petition (accompanied by bill, House, No. 4317) of Shirley Gomes and Henri S. Rauschenbach (by vote of the town) relative to authorizing the town of Provincetown to expend certain funds for affordable housing purposes; and
Petition (accompanied by bill, House, No. 4318) of Robert S. Hargraves (by vote of the town) relative to a certain elderly housing project in the town of Groton;

Severally to the committee on Housing and Urban Development.

Petition (accompanied by bill, House, No. 4319) of William C. Galvin and Brian A. Joyce (by vote of the town) relative to transferring a certain parcel of land from the conservation commission of the town of Canton to the board of selectmen of said town;

Petition (accompanied by bill, House, No. 4320) of Shirley Gomes and Henri S. Rauschenbach (by vote of the town) relative to the terms of bonds issued by the town of Provincetown for the repair of MacMillan Pier;

Petition (accompanied by bill, House, No. 4321) of Shirley Gomes and Henri S. Rauschenbach (by vote of the town) for legislation to amend the charter of the town of Truro;

Petition (accompanied by bill, House, No. 4322) of Robert S. Hargraves (by vote of the town) that the town of Groton be authorized to establish a growth accommodation fund and to impose an impact fee on building permits issued by said town; and
Petition (accompanied by bill, House, No. 4323) of Bradley H. Jones Jr., Richard R. Tisei and Paul C. Casey (by vote of the town) relative to authorizing the conservation commission of the town of Reading to transfer the care, custody and control of a certain parcel of land to the board of cemetery trustees of said town;

Severally to the committee on Local Affairs.

Petition (accompanied by bill, House, No. 4325) of Shirley Gomes and Henri S. Rauschenbach (by vote of the town) that the town of Provincetown be authorized to enter into contracts for the privatization of a wastewater facility for said town;

To the committee on Natural Resources and Agriculture.

Petition (accompanied by bill, House, No. 4326) of William C. Galvin and Brian A. Joyce (by vote of the town) relative to health insurance for retired employees of the town of Canton; and

Petition (accompanied by bill, House, No. 4327) of Peter W. Gubellini, John A. Locke, Cheryl A. Jacques and Cynthia Stone Creem (by vote of the town) that the position of deputy chief of the fire department in the town of Wellesley be exempt from the provisions of civil service law;

Severally to the committee on Public Service.

Reports of a Committee.

Mr. Montigny, for the committee on Ways and Means, that the House Bill authorizing the Division of Capital Asset Management and Maintenance to grant a conveyance of certain land in the city of Medford (House, No. 4301),— ought to pass.

There being no objection, the rules were suspended, on motion of Mr. Shannon, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Mr. Montigny, for the committee on Ways and Means, that the Senate Bill authorizing the change of custody and use of certain land held by the city of Worcester (Senate, No. 1720),— ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 1794).

Pending the main question on ordering the bill to a third reading, there being no objection, the rules were suspended, on motion of Mr. Bernstein, and the bill was considered forthwith and was amended, as recommended by the committee on Ways and Means. The new draft (Senate, No. 1794) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

The House Bill authorizing the town of Hopkinton to establish an open space preservation fund (House, No. 481),— came from the House with the endorsement that the House had concurred in the Senate amendments:—

In section 7, by inserting after the first sentence the following two sentences:— "The commission may shorten or waive the advertising requirements of section 16B of chapter 30B of the General Laws if the commission determines in writing that advertising will not benefit the commission's interest because of the unique qualities or location of the property. The commission shall comply with all other requirements of said chapter 30B for the acquisition of an interest in real property."; in section 8, by inserting after the word "otherwise", in line 5, the following words:— "pursuant to the procedures set forth in section 16 of chapter 30B of the General Laws"; and in section 12, by striking out the last sentence and inserting in place thereof the following sentence:— "An acceptable bid shall be an amount deemed sufficient by the town but in no event shall be less than the amount owed to the town to redeem the title.", — *with further amendments* striking out, in section 7, the two sentences (inserted by amendment by the Senate) and inserting in place thereof the following sentence: "The commission shall comply with the requirements of chapter 30B of the General Laws for the acquisition of an interest in real property."; and

In Section 12, by inserting after the sentence (inserted by amendment by the Senate) the following sentence:— "A vote of the

town at an annual or special town meeting taken before the passage of this act appropriating money into the Open Space Preservation Fund, established pursuant to section 6, is hereby ratified, validated and confirmed."

The rules were suspended, on motion of Mr. Magnani, and the further House amendments were considered forthwith and adopted, in concurrence.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4330) of J. Michael Ruane and another relative to the penalties for operating a motor vehicle after suspension or revocation of a license;

Under suspension of Joint Rule 12, to the committee on Criminal Justice.

Petition (accompanied by bill, House, No. 4331) of J. Michael Ruane and another relative to the visitation rights to certain minor children;

Under suspension of Joint Rule 12, to the committee on the Judiciary.

Petition (accompanied by bill, House, No. 4329) of Eric Turkington and Henri S. Rauschenbach (by vote of the town) relative to the terms of leases issued by the town of Oak Bluffs for the leasing of the timber bulkhead in Oak Bluffs Harbor;

Under suspension of Joint Rule 12, to the committee on State Administration.

Petition (accompanied by bill, House, No. 4328) of Anthony V. Salvo for legislation to provide for a separate school tax rate in cities and towns;

Under suspension of Joint Rule 12, to the committee on Taxation.

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 Edward J. Clancy, Jr., for legislation relative to the importation of tobacco products.

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 Commerce and Labor.

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 Richard T. Moore, the Massachusetts Nurses Association, by Gloria Craven, Cele Hahn, Carol A. Donovan and other members of the General Court for legislation to designate a plaque for Clara Barton.

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 State Administration. Severally sent to the House for concurrence.

Orders of the Day.

The Orders of the Day were considered, as follows:

The Senate bills

Relative to smoking in flea markets, so-called (Senate, No. 494);

Relative to the reporting of abuse of persons with disabilities (Senate, No. 581);

To provide local option for printing the annual report of the town on a fiscal year basis (Senate, No. 946);

Relative to municipal bonding for underground utilities (Senate, No. 949);

Relative to interest earned on landfill reserve funds (Senate, No. 950);

Requiring motor vehicle operators to activate the vehicle's interior lighting when stopped by a police officer during the nighttime (Senate, No. 1072);

Relative to designating March 31st of every year as the Civilian Conservation Corps Day (Senate, No. 1451, changed); and

Establishing a senior service corps (Senate, No. 1750);

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

The Senate reports

Of the committee on Counties, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 127) of Linda J. Melconian, Michael R. Knapik and Brian P. Lees for legislation relative to technical assistants employed by the Registry of Deeds;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 128) of Linda J. Melconian, Brian P. Lees, Michael R. Knapik, Benjamin Swan and Joseph F. Wagner for legislation to regulate the appointment and removal of a second assistant register of deeds for Hampden County;

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 129) of Linda J. Melconian, Brian P. Lees, Michael R. Knapik, Benjamin Swan and Joseph F. Wagner for legislation relative to designating a second assistant register of deeds for Hampden County;

Of the committee on Election Laws, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 316) of Merton B. Baker for legislation relative to ballot access practices in the commonwealth; and

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 319) of Robert A. Durand for legislation to provide for binding "none of the above" voter consent options in elections;

Were severally considered; and they were accepted.

The Senate Bill relative to the zoning of adult entertainment (Senate, No. 964),— **was read a second time and ordered to a third reading.**

Recesses.

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

The President thereupon declared a further recess, pursuant to the provisions of Senate Rule 13B, for a majority and minority caucus; and, at twenty-nine minutes past three o'clock P.M., the Senate reassembled, the President in the Chair.

PAPERS FROM THE HOUSE.

A Bill relative to the construction and financing of infrastructure and other improvements in the town of Foxborough and at Foxboro Stadium (printed in Senate, No. 1786,— being a message from His Excellency the Governor),— was read.

There being no objection, the rules were suspended, on motion of Ms. Wilkerson, and the bill was read a second time.

Pending the question on ordering the bill to a third reading, Ms. Wilkerson moved that the bill be amended by inserting after section 9 the following section:—

"SECTION 10. Notwithstanding any provision of sections 32F to 32S of chapter 140 of the General Laws or any other general or special law to the contrary, the developer may relocate any manufactured home and any other building, structure, fixture and equipment used in connection therewith, held or occupied by any person under a tenancy at will or other tenancy, however created, on any real property within the economic development area to another site within or adjacent to the economic development area or another suitable site licensed for a manufactured housing community under section 32B of said chapter 140 and may terminate such tenancy and any other right of a person to hold possession of or occupy such real property, upon not less than 180 days' written notice to the resident of such manufactured home and satisfaction of such other conditions as the board of health of the town may prescribe. The developer shall pay to any tenant so relocated, at the tenant's election, either (a) his actual relocation costs, which shall include the costs of disconnecting and moving the home to a new community, selected by the tenant, within a 100-mile radius of the current location, reconnecting the home with all the hookups so that it is substantially in the same condition as before the move and with any existing appurtenances and the reasonable costs of suitable lodging until said move and installation are completed; or (b) the appraised value of the tenant's manufactured home, which shall be the full and fair market value of the home and any existing appurtenances, but excluding the value of the underlying land, as determined by an independent appraiser agreed to by the developer and the tenant. The provisions of subsections (7A), (8) and (9) of section 32L of said chapter 140 and the provisions of section 32R of said chapter 140 shall not apply to a manufactured home or group of manufactured homes located in the economic development area. A committee consisting of a representative of the local board of health, the local board of selectmen and the department of housing and community development shall be formed to assist manufactured housing community residents who are affected by this section. Said assistance shall include issues regarding relocation and damages resulting therefrom."

In section 11, by striking out the last paragraph (inserted by amendment by the House); and

By striking out sections 12 and 13 (as amended by the House) and inserting in place thereof the following two sections:—

"SECTION 12. Notwithstanding the provisions of any general or special law to the contrary, the developer or stadium lessee may elect to convey the wastewater from the stadium and from the economic development area in the town of Foxborough for treatment to the town of Walpole within the Massachusetts Water Resources district at a rate to be agreed upon between the developer or stadium lessee and the Massachusetts Water Resources Authority. For this purpose, the developer or stadium lessee shall provide for the installation of a sufficient sewer line as an infrastructure improvement pursuant to section 4. Said town of Foxborough, subject to approval by the department of environmental protection, may require that the sewer line be of a larger capacity and that businesses which abut the sewer line in the town may connect to the sewer line at their own expense but the town of Foxborough shall pay the additional cost of such requirements as determined by the secretary of administration and finance. Said Massachusetts Water Resources Authority shall supervise and approve all aspects of the installation of the sewer line and shall establish rates for such business connections and insure that there are no adverse financial consequences for ratepayers in said town of Walpole.

SECTION 13. The developer and the stadium lessee shall prepare or cause to be prepared an environmental impact report regarding the stadium and infrastructure improvements required by this act. The environmental impact report shall be prepared jointly on behalf of the developer, stadium lessee, authority, department of highways and any other person or agency involved in the development work and infrastructure improvements. The environmental impact report shall be prepared in accordance with the provisions of section 62B of chapter 30 of the General Laws and, notwithstanding the provisions of any general or special law to the contrary, the secretary of environmental affairs shall require the developer and stadium lessee to prepare the report as a final environmental impact report without any prior draft thereof. The scope of the final environmental impact report shall be based upon the submission of an expanded environmental notification form by the developer and the comments of said secretary

made not later than 30 days after the submission of the expanded environmental notification form. Said secretary's comments shall determine the form, content, level of detail and alternatives required for the report. Notwithstanding the provisions of sections 62 to 62H, inclusive, of said chapter 30, the authority and other persons and agencies may take all actions including, but not limited to, expenditure of funds pursuant to this act which are necessary or appropriate or required for acquisition of easement interests within the economic development area as provided in this act prior to the publication of the final environmental impact report pursuant to this act and section 62C of said chapter 30."

Mrs. Sprague moved that the pending amendments be amended by striking out the proposed sections 10 and 13.

The further amendment was rejected.

After remarks, the pending amendments, previously offered by Ms. Wilkerson, were then considered and adopted.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendments.

Sent to the House for concurrence in the amendments.

Recess.

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

PAPERS FROM THE HOUSE.

Emergency Preambles Adopted.

An engrossed Bill relative to the construction and financing of infrastructure and other improvements in the town of Foxborough and at Foxboro Stadium (see printed in Senate, No. 1786, 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 13 to 0.**

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

An engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant a conveyance of certain land in the city of Medford (see House, No. 4301), 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 14 to 0.**

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

Engrossed Bills — Land Taking for Conservation, Etc.

An engrossed Bill authorizing the town of Hopkinton to establish an open space preservation fund (see House, No. 481, 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 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 nineteen minutes before seven o'clock P.M., as follows, to wit (yeas 37 — nays 0):

YEAS.

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.

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.

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.

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.

Antonioni, Robert A.

Norton, Thomas C. — 2.

The yeas and nays having been completed at a quarter before seven 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.

An engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant a conveyance of certain land in the city of Medford (see House, No. 4301) (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 fourteen minutes before seven o'clock P.M., as follows, to wit (yeas 37 — nays 0):

YEAS.

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.
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.
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.

Antonioni, Robert A.

Norton, Thomas C. — 2.

The yeas and nays having been completed at eleven minutes before seven 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 — Land Taking for Conservation, Etc.;
State Credit.***

An engrossed Bill relative to the construction and financing of infrastructure and other improvements in the town of Foxborough and at Foxboro Stadium (see printed in Senate, No. 1786, 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.

Statement of Senator Jo Ann Sprague.

Mrs. Sprague then addressed the Senate as follows:

Thank you, Mr. President . . . through you to my colleagues.

Through you, Mr. President, to my colleagues, I want to say how proud I am to have been elected to this august body.

To have been chosen to become the voice that speaks for over 100 thousand people on matters of important public policy is a high honor and a heavy responsibility.

The warm welcome and cooperation from you, Mr. President, from my Republican leader, the gentleman from East Longmeadow, and from *all* of my colleagues, — have made it possible for my voice to be clearly heard on behalf of the people of the Norfolk, Bristol, Plymouth District.

And to you, Mr. President, and through you to my colleagues . . . I thank you for that warm welcome and I thank you for your help on behalf of my constituents.

The words I speak in this Chamber today, Mr. President, will be described as the "Maiden Speech" of the *Senator* from the Norfolk, Bristol, Plymouth District.

But, Mr. President, please let it be known to my colleagues that these words represent the voices of the *people* of the Norfolk, Bristol, and Plymouth District . . . the voices of the *people* who are most directly impacted by the important legislation that we discuss in this Chamber today.

Today we celebrate a homecoming . . . the Patriots are coming home to Massachusetts. The Patriots are coming home to the Norfolk, Bristol, and Plymouth District. The Patriots are coming home to Foxborough.

As we celebrate, Mr. President, may I ask, through you, that my colleagues pause for just a moment and listen to the voices of my constituents in Walpole and Foxborough who are the citizens of Massachusetts most directly impacted by this Homecoming.

Mr. President, if we would listen for just a moment we would hear the voices of my constituents in Walpole and Foxborough asking us to understand that the legislation that enables the Patriots' homecoming contains words that will directly impact their everyday lives.

The words which deal with the relocation of my constituents who presently live in the Mobile Home Park on the stadium owner's land could change forever a "way of life" which has existed for them for the past forty years. I would have wished that this legislation allowed them more time to reorder their lives, but I have been assured they will have input through Foxborough Selectmen, the Foxborough Board of Health and the Department of Housing and Community Development on issues regarding *relocation* and any damages resulting from relocation.

The words which deal with wastewater treatment could impact not only the physical but also the fiscal character of the Towns of Walpole and Foxborough forever.

The words which provide for taxation by the State on satellite parking will impose an economic penalty not only on those who own the parking lots but also on charities that benefit from the proceeds of this parking.

The words which provide for six thousand more fans, driving and walking through the Towns of Walpole and Foxborough can only add to the tremendous burden of traffic control and pedestrian safety which already exists for the people of Walpole and Foxborough.

Mr. President, as we debate the enactment of the Patriots Bill today, through you, I respectfully ask my colleagues to reflect on the direct impact that the words written in this bill have on the everyday quality of life of my constituents in Walpole and Foxborough.

Through you, Mr. President, I respectfully ask *again* that my colleagues *pause*, that they *study*, that they *understand* the impact of these written words and work with me for an implementation of this legislation that will present adverse physical or fiscal consequences for those who will be directly affected by our actions.

I have great confidence that you, Mr. President, and this body *will* listen closely to the voices of the people I represent. It is because of this confidence that I urge my colleagues to act favorably on Senate Bill No. 1786 which brings the Patriots back

home to Massachusetts, back home to the Norfolk, Bristol District, back home to Foxborough.

Mr. President, I ask that when a vote be taken on this matter, that the vote be taken by a call of the yeas and nays.

On motion of Mr. Lees, the above statement was ordered printed in the Journal of the Senate.

At the request of Mrs. Sprague 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, and also a bill that provided for the gift, loan or pledge of the credit of the Commonwealth, in accordance with the provisions of Section 1 of Article LXII 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 one minute before seven o'clock P.M., as follows, to wit (yeas 36 — nays 1):

YEAS.

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.

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.

Shannon, Charles E.

Sprague, Jo Ann

Tarr, Bruce E.

Tisei, Richard R.

Tolman, Steven A.

Travaglini, Robert E.

Tucker, Susan C.

Wilkerson, Dianne — 36.

NAYS.

Walsh, Marian — 1.

ABSENT OR NOT VOTING.

Antonioni, Robert A.

Norton, Thomas C. — 2.

The yeas and nays having been completed at three minutes past seven 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.

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 four minutes past seven o'clock P.M., the Senate adjourned to meet on the following Thursday at eleven o'clock A.M.
