

**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.



Thursday, August 3, 2000.

Met at five minutes past eleven o'clock A.M.

### *Reports of Committees.*

By Mr. Glodis, for the committee on Election Laws, on petition (accompanied by bill, Senate, No. 2064), a Bill relative to the annual street list (Senate, No. 2275);

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

Mr. Brewer, for the committee on Steering and Policy, reported that the following matters be placed in the Orders of the Day for the next session:

The House bills

Relative to the pronouncement of death by a nurse practitioner (House, No. 5057, changed); and

Relative to the recording of certain trust instruments (House, No. 5390).

### *Resolutions.*

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

Resolutions (filed by Mr. Brewer) "in recognition of Father Paul W. Lemire and his years of service to the people of the Worcester diocese and Worcester county as an educator and member of the Priesthood of Jesus Christ";

Resolutions (filed by Mr. Creedon) "congratulating Elizabeth Phillip Lindquist on the occasion of her eightieth birthday";  
Resolutions (filed by Mr. Creedon) "congratulating the Brockton Country Club on the occasion of its one hundredth anniversary";

Resolutions (filed by Mr. Montigny) "honoring Charles Sisson in appreciation of 20 years of dedicated service to senior citizens";

Resolutions (filed by Mr. Rauschenbach) "recognizing Monahan & Co., LTD"; and

Resolutions (filed by Mrs. Sprague) "on the occasion of the retirement of Warren McKay."

### *Communications.*

The Clerk read the following communication:

**COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE  
STATE HOUSE, BOSTON 02133-1053**

July 31, 2000.

Mr. Patrick F. Scanlan  
*Clerk of the Massachusetts Senate*  
State House, Room 335  
Boston, MA 02133

Dear Mr. Clerk:

I was delayed today in my arrival in the Senate Chamber due to a commitment outside the building and therefore, I was unable to be present for the first roll call taken on the following matter:

H-5271, Bill Authorizing the Commonwealth to Acquire Certain Park Land in the City of Chicopee.

Had I been present, I would have voted in the affirmative on the above matter. I would appreciate your assistance with the printing of this communication in today's Senate Journal. Thank you in advance for your assistance in this matter.

**Sincerely,**  
**ROBERT S. CREEDON, JR.**  
*State Senator,*  
*Second Plymouth and Bristol District.*

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

**COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE  
STATE HOUSE, BOSTON 02133-1053**

July 31, 2000.

Mr. Patrick F. Scanlan  
*Clerk of the Massachusetts Senate*  
State House, Room 335  
Boston, MA 02133

Dear Mr. Clerk:

On July 29, 2000, due to a prior commitment outside of the State House, I was unable to be present for several roll call votes. Had I been present, I would have voted in the affirmative on the following matters:

H. 5289, relative to compliance with life safety codes;

H. 1267, relative to the disposition of certain property in the Town of Upton;

H. 4785, to authorize DCAMM to convey a certain parcel of land in Grafton;

H. 5347, relative to a certain parcel of conservation land in the City of Boston;

H. 4140, to authorize the Town of Kingston to grant an easement in certain park land;

H. 5160, to authorize the city of Woburn to use certain park land for school purposes;

S. 2238, relative to providing for the collection of data relative to traffic stops;

S. 2211, to authorize the rebuilding the Julian D. Steele public housing development;

S. 2269, relative to the construction and financing of infrastructure around Fenway Park;

Motion that Senate rule 38A be suspended to continue in session beyond 8 o'clock P.M.

I would have voted in the negative on the following matter:

S. 2027, relative to charter schools.

I would appreciate your assistance with the printing of this communication in the Senate Journal. Thank you in advance for your cooperation.

Sincerely,  
**BRIAN A. JOYCE,**  
*State Senator.*

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

**COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE  
STATE HOUSE, BOSTON 02133-1053**

July 31, 2000.

Mr. Patrick F. Scanlan  
*Clerk of the Massachusetts Senate*  
State House, Room 335  
Boston, MA 02133

Dear Mr. Clerk:

On July 31, 2000, due to a conflict, I was unable to be present for the roll call vote on House Bill 5394, An Act To Promote Needlestick Injury Prevention. Had I been present, I would have voted in the affirmative.

I would appreciate your noting this for the record. Thank you for your assistance in this matter.

Sincerely,  
**CHERYL A. JACQUES,**  
*State Senator.*

**On motion of Ms. Melconian, the above statement was ordered printed in the Journal of the Senate.**

**COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE  
STATE HOUSE, BOSTON 02133-1053**

July 31, 2000.

Mr. Patrick F. Scanlan  
*Clerk of the Massachusetts Senate*  
State House, Room 335  
Boston, MA 02133

Dear Mr. Clerk:

On July 27, due to a death in my family, I was unable to attend the formal session of the Senate. I missed several roll call votes. If I had been in attendance I would have voted in the *affirmative* on all of the following matters:

S.2260, Establishing Enhanced Wireless 911 Services. (On the amendment offered by Senator Pacheco.)

S.2260, Establishing Enhanced Wireless 911 Services. (On engrossment.)

H.5308, Providing for the Emergency Maintenance of Environmental Assets of the Commonwealth. (On engrossment.)

H.5271, Authorizing the Commonwealth to Acquire Certain Park Land in the City of Chicopee. (On engrossment.)

S.2082, Relative to the Crime of Criminal Harassment. (On enactment.)

H.1988, Authorizing the Town of Concord to Convey a Certain Parcel of Land Located in the Town of Acton. (On enactment.)

H.4924, Authorizing the Conservation Commission of the Town of Andover to Grant an Easement. (On enactment.)

H.4990, Authorizing the Conveyance to the Town of Billerica of a Certain Parcel of Land to be Used for Construction of a Water Treatment Plant. (On enactment.)

I respectfully request that this communication be printed in the Journal.

Thank you for your consideration.

Sincerely,  
**RICHARD R. TISEI,**  
*State Senator.*

**COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE  
STATE HOUSE, BOSTON 02133-1053**

July 31, 2000.

Mr. Patrick F. Scanlan  
*Clerk of the Massachusetts Senate*  
State House, Room 335  
Boston, MA 02133

Dear Mr. Clerk:

On July 29, due to a death in my family, I was unable to attend the formal session of the Senate. I missed several roll call votes. If I had been in attendance I would have voted in the *affirmative* on the following roll calls:

H.5289, Relative to Compliance with Life Safety Codes, Remediation of Environmental Hazards and the Preservation and Management of the Commonwealth's real property assets. (Engrossment.)

H.5405, Relative to the Construction and Financing of Infrastructure and Other Improvements in the City of Boston and Around Fenway Park (hereinafter "Fenway Bill"). (On the amendment offered by Senator Rosenberg, et al., creating a Massachusetts Tourism Fund.)

H.5405, Fenway Bill. (On the amendment offered by Senator Antonioni.)

H.5405, Fenway Bill. (On engrossment.)

S.2129, Authorizing the town of Clinton to use a certain parcel of land for safe drinking water purposes. (On enactment.)

H.5389, Relative to the Use of the Town Forest in the Town of North Attleborough. (On enactment.)

H.5350, Authorizing Certain Amendments to the Housing and Employment Exaction requirements (Linkage) with Respect to Large Scale Commercial Real Estate Development. (On engrossment.)

H.1267, Relative to the Disposition of Certain Property in the Town of Upton. (On enactment.)

H.4785, Authorizing the Division of Capital Asset Management and Maintenance to Convey a Certain Parcel of Land in the Town of Grafton to Robert and Abby McInnis. (On enactment.)

H.5347, Relative to a Certain Parcel of Conservation Land in the City of Boston. (On enactment.)

S.2027, Re Relative to Charter Schools. (On accepting the Conference Committee Report.)

H.4140, Authorizing the Town of Kingston to Grant an Easement in Certain Park Land (On enactment.)

H.5160, Authorizing the City of Woburn to Use Certain Park Land for School Purposes. (On enactment.)

S.2238, Providing for the Collection of Data Relative to Traffic Stops. (On enactment.)

S.2211, Authorizing the Rebuilding of the Julian D. Steele Public Housing Development in the City of Lowell. (On enactment.)

S.2269, Relative to the Construction and Financing of Infrastructure and Other Improvements in the City of Boston and Around Fenway Park. (On enactment.)

I would have voted in the *negative* on the following matter:

On Suspension of Senate Rule 38A.

I respectfully request that this communication be printed in the Journal.

Thank you for your consideration.

Sincerely,  
**RICHARD R. TISEI,**  
*State Senator.*

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

***Order Adopted.***

Mr. Lynch presented the following order, to wit:

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Commerce and Labor be granted until Thursday, September 28, 2000 the time within which to make its final report on current Senate documents numbered 2268 and 2257.

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

**Sent to the House for concurrence.**

*Bill Recalled from the Governor.*

On motion of Mr. Tisei, 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 charter of the town of Walpole (see Senate, No. 2062).

**Mr. Tisei was appointed the messenger. Subsequently the bill was returned to the Senate.**

***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 establishing a building reserve fund in the town of Lynnfield (House, No. 5234, amended),— **was read a third time and passed to be engrossed, in concurrence.**

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

Establishing a municipal police training committee (see Senate, No. 2221, amended);

Further regulating the civil commitment process for persons with mental illness (see House, No. 4216, amended);

Designating a portion of state highway Route 139 in the town of Marshfield as the Korean War Veterans Memorial Highway (see House, No. 5145); and

Authorizing the licensing of apprentice hoisting engineers (see House, No. 5264).

***Report of a Committee.***

Mr. Montigny, for the committee on Ways and Means, on House, No. 5119, reported, in part, a “Bill making appropriations for the fiscal year 2001 to provide for supplementing certain expenditures” (Senate, No. 2276) (Estimated cost: \$2,000,000).

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

**Sent to the House for concurrence.**

*Recess.*

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

**PAPERS FROM THE HOUSE.**

***Emergency Preamble Adopted; Engrossed Bill Enacted.***

An engrossed Bill relative to certain capital spending authorizations (see House, No. 5325, 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 2 to 0.

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

**Subsequently, the bill, which originated in the House, came from the House with the endorsement that it had been enacted in that branch.**

**The Senate then passed the bill to be enacted; and it was signed by the President and laid before the Governor for his approbation.**

***Engrossed Bills.***

An engrossed Bill making appropriations for the fiscal year 2001 to provide for supplementing certain expenditures (see Senate, No. 2276) (which originated in the Senate), **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.**

An engrossed Bill relative to insurance and genetic testing and privacy protection (see House, No. 5416, amended) (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 Ms. Melconian, Acting President (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and laid before the Governor for his approbation.**

*Order Adopted.*

On motion of Ms. Melconian,—

*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. Tisei, at thirteen minutes before two o'clock P.M., the Senate adjourned to meet on the following Monday at eleven o'clock A.M.

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