

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 2, 2001.

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

Reports of Committees.

By Mr. Havern, for the committee on Transportation, on petition, a Bill relative to the South Boston bypass road (Senate, No. 1768, changed in lines 3 and 21, by inserting after the word "construction" the words:— "in conjunction with the Massachusetts Port Authority"; and in line 5, by striking out the figure "\$30,000,000" and inserting in place thereof the figure:— "\$15,000,000".); and

By the same Senator, for the same committee, on petition, a Bill to study the feasibility and benefits of an affirmative response to the "access break petition" on Route I-93 (Senate, No. 1774, changed in line 1, by striking out the words "Massachusetts Highway Department (MHD)" and inserting in place thereof the words:— "The department of highways is hereby authorized and directed"; in line 5, by striking out the word "effect" and inserting in place thereof the words:— "potential effects"; in line 6, by striking out the word "assess" and inserting in place thereof the words:— "an assessment of"; and in line 7, by striking out the word "may", and inserting in place thereof the words:— "shall also");

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

By Ms. Creem, for the committee on Criminal Justice, on petition (accompanied by bill, Senate, No. 218), a Bill relative to fraudulent insurance claims (Senate, No. 2096);

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

By Mr. Panagiotakos, for the committee on Housing and Urban Development, on petition, a Bill to establish Nantucket affordable housing covenants (Senate, No. 2006) [Local approval received] (Representative Gomes of Harwich dissenting);

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

Committees Discharged.

Ms. Menard, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration

Of the Senate Order relative to authorizing and directing the joint committee on Health Care to make an investigation and study of certain current Senate documents relative to public health (Senate, No. 2089);

Of the Senate Order relative to authorizing and directing the joint committee on Public Service to make an investigation and study of certain current Senate documents relative to group reclassifications (Senate, No. 2091); and

Of the Senate Order relative to authorizing and directing the joint committee on Taxation to make an investigation and study of certain current Senate documents relative to property tax (Senate, No. 2090);

And recommending that the same severally be referred to the Senate committee on Rules.

Under Senate Rule 36, the reports were severally considered forthwith and accepted.

Ms. Menard, for the committee on Rules, to whom was referred the Senate Order relative to authorizing the joint committee on Public Service to sit during the recess of the General Court for the purpose of making an investigation and study of certain current Senate documents relative to group reclassification (Senate, No. 2043), reported, asking to be discharged from further consideration of the Senate petition (accompanied by bill, Senate, No. 1327) of Robert S. Creedon, Jr. for legislation to place probation officers employed by the Trial Court Department into Group 4 of the contributory retirement system,— and recommending that the same be recommitted to the committee on Public Service.

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

PAPER FROM THE HOUSE.

A Bill authorizing the town of West Boylston to establish a department of public works (House, No. 4152,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Orders of the Day.

The Orders of the Day were considered, as follows:

Bills

Relative to contracts between court reporters and any attorney, party or party having a financial interest in an action (Senate, No. 978);

Authorizing group insurance benefits in the town of Brookline (printed as House, No. 528); and

Authorizing the city of Cambridge to provide health insurance to domestic partners of city employees (printed as House, No. 4225);

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

The Senate Bill repealing certain antiquated laws pertaining to public health (Senate, No. 543),— **was read a third time and passed to be engrossed.**

Sent to the House for concurrence.

The Senate Order (*offered by Senators Tisei and Menard*) amending the rules of the Senate relative to the term of office for certain leadership positions (Senate, No. 2094),— **was considered; and it was adopted.**

The Senate Bill making appropriations for certain one-time investments, improvements and payments and changes in laws relative to the budget surplus (Senate, No. 2093) (its title having been changed by the committee on Bills in the Third Reading),— was read a third time.

After remarks, pending the main question on passing the bill to be engrossed, Mr. Havern and Ms. Fargo moved to amend the bill by inserting after section 18 the following section:—

“SECTION 18A. Notwithstanding any general or special law to the contrary, the department of highways shall expend \$200,000 for the reparation of the culvert on Westford road and the culvert on Spencer Brook road in the town of Concord.”

The amendment was *rejected*.

Mr. Havern and Ms. Resor moved to amend the bill by inserting after section 18 the following section:—

“SECTION 18A. Notwithstanding any general or special law to the contrary, the department of highways shall expend \$200,000 for the design and construction for turn lanes on state highway routes 2A and 110 into the new Littleton high school in the town of Littleton.”

The amendment was *rejected*.

Mr. Havern moved to amend the bill by inserting after section 8 the following 2 sections:—

“SECTION 8A. Paragraph (a) of section 12 of chapter 372 of the acts of 1984, is hereby amended by striking out the fifth sentence, as appearing in section 1 of chapter 8 of the acts of 2000, and inserting in place thereof the following sentence:— The aggregate principal amount of all bonds issued under authority of this act shall not exceed \$5,400,000,000 outstanding at any one time; provided, however, that bonds for the payment of redemption of which, either at or prior to maturity, refunding bonds shall have been issued shall be excluded in the computation of outstanding bonds.

SECTION 8B. Section 16 of said chapter 372 is hereby amended by striking out the fourth sentence, as appearing in section 2 of said chapter 8, and inserting in place thereof the following sentence:— The aggregate principal amount of all bonds issued under the authority of this act shall not exceed \$5,400,000,000 outstanding at any one time; provided, however, that bonds for the payment of redemption of which, either at or prior to maturity, refunding bonds shall have been issued shall be excluded in the computation of outstanding bonds.”

After remarks, the amendment was adopted.

Mr. Clancy moved to amend the bill by inserting after section 18 the following section:—

“SECTION 18A. Notwithstanding 114.3 CMR 3.00 et seq., the market area for a home health agency, for the purposes of qualifying for the Transitional Adjustment, shall be the county in which the agency maintains its principal office; provided, however, that the percentage of MassHealth units in a market area shall be 15 per cent.”

The amendment was *rejected*.

Mr. Magnani moved to amend the bill by inserting after section 8 the following 2 sections:—

“SECTION 8A. Item 7030-1000 of section 2 of chapter 159 of the acts of 2000 is hereby amended by striking out the words ‘provided further, that in addition to funds provided to family networks, so-called, pursuant to this item in fiscal year 1999, not more than an additional \$2,000,000 shall be made available for family networks’ and inserting in place thereof the following words:— ‘provided further, that in addition to funds provided to family networks pursuant to this item in fiscal year 2000, not more than an additional \$2,000,000 shall be made available for family networks; provided further that not less than \$150,000 shall be expended on the Framingham family networks program.’

SECTION 8B. Said item 7030-1000 of said section 2 of said chapter 159 is hereby further amended by striking out the figure ‘\$114,551,675’ and inserting in place thereof the figure:— \$116,551,675.”

After remarks, the amendment was *rejected*.

Mr. Magnani moved to amend the bill by inserting after section 8 the following section:—

“SECTION 8A. Item 6000-0100 of section 2 of chapter 159 of the acts of 2000 is hereby amended by adding the following words:— ; and provided further, that not less than \$34,632.78 shall be expended for the operation of route 5 of the LIFT bus service in the towns of Hopkinton, Ashland and Framingham for the remainder of calendar year 2001.”

After remarks, the amendment was *rejected*.

Mr. Antonioni moved to amend the bill by inserting after section 9 the following section:—

“SECTION 9A. Item 6033-9917 of section 2B of chapter 235 of the acts of 2000 is hereby amended by striking out the words ‘Tanzio road’, in lines 18 and 19, and inserting in place thereof the following words:— Malburn street.”

After remarks, the amendment was adopted.

Mr. Lees moved to amend the bill in section 19, by adding the following sentence:— “Notwithstanding this expiration date, at any time before the expiration, upon determination by the deputy director of employment and training that funds provided by section 12 are insufficient to fund the birth and adoption unemployment benefits pilot program, established pursuant to chapter 24B of chapter 151A of the General Laws, the pilot program and the New Families Trust Fund, established in section 14M of said chapter 151A, shall be discontinued.”; and by striking out section 1.

After debate, the amendment was *rejected*.

Mr. Montigny moved to amend the bill by striking out section 16 and inserting in place thereof the following section:—

“SECTION 16. The comptroller may transfer, effective June 30, 2001, a sum of not more than \$208,000,000 from the funds specified in sections 10 and 11 to the Debt Defeasance Trust Fund, established by section 6 of chapter 55 of the acts of 1999, to be used without further appropriation, if the Treasurer has determined that expenditures authorized in said sections 10 and 11 qualify as bondable capital expenditures and may be funded pursuant to section 14.”

After remarks, the amendment was adopted.

Mr. Nuciforo moved to amend the bill by inserting after section 18 the following section:—

“SECTION 18A. The state treasurer, in fiscal year 2002, shall disperse from the General Fund, \$500,000 to provide special, non-recurring payments to certain municipalities for the purpose of providing full or partial emergency disaster relief, provided, that not more than \$320,000 shall be paid to the towns of Adams, Cheshire, New Ashford, North Adams and Williamstown for costs relating to damage caused by the June 25, 2000 rainstorm event, including, but not limited to, the extraordinary costs and eligible expenses associated with the necessary cleanup and disposal of debris and to alleviate the danger and emergency posed by damaged and downed trees and limbs along public streets and ways and for the costs and expenses associated with bank erosion, debris removal and damage to local waterways and infrastructure; provided further, that said disaster relief shall be available to said towns for both the costs previously incurred and those required to be incurred as a direct result of the storm as certified by the Massachusetts emergency management agency; provided further, that said assistance shall be in the amount of 100 per cent of the total damage as certified by the Massachusetts emergency management agency; provided further, that not more than \$180,000 shall be paid to the town of Heath for costs relating to damage caused by the July 15th and 16th, 2000 rainstorm event, including, but not limited to, the extraordinary costs and eligible expenses associated with the necessary cleanup and disposal of debris and to alleviate the danger and emergency posed by damaged and downed trees and limbs along public streets and ways and for the costs and expenses associated with bank erosion, debris removal and damage to local waterways and infrastructure; provided further, that said disaster relief shall be available to said towns for both the costs previously incurred and those required to be incurred as a direct result of the storm as certified by the Massachusetts emergency management agency; provided further, that said assistance shall be in the amount of 100 per cent of the total damage as certified by the Massachusetts emergency management agency.”

The amendment was *rejected*.

Mr. Nuciforo moved to amend the bill in section 9, in the first paragraph, in clause (c) by adding the following paragraph:—

“The state treasurer shall disburse in fiscal year 2002 from the Capital Needs Investment Trust Fund a one-time \$1,000,000 grant to the Berkshire Museum for the purpose of upgrading its heating, ventilating and air-conditioning system.”;

In section 11, by striking out the figure “\$108,000,000”, and inserting in place thereof the following figure:— “\$109,000,000”, and by inserting after the words “fiscal years”, in line 8, the following figure:— “2002”.

The amendment was *rejected*.

The question on passing the bill to be engrossed was determined by a call of the yeas and nays, at four minutes before three o'clock P.M., on motion of Mr. Montigny, as follows, to wit (yeas 38 — nays 0):

YEAS.

Antonioni, Robert A.	Menard, Joan M.
Berry, Frederick E.	Montigny, Mark C.
Brewer, Stephen M.	Moore, Richard T.
Chandler, Harriette L.	Morrissey, Michael W.
Clancy, Edward J. Jr.	Murray, Therese
Creedon, Robert S. Jr.	Nuciforo, Andrea F., Jr.
Creem, Cynthia Stone	O'Leary, Robert A.
Fargo, Susan C.	Pacheco, Marc R.
Glodis, Guy W.	Panagiotakos, Steven C.
Havern, Robert A.	Resor, Pamela
Hedlund, Robert L.	Rosenberg, Stanley C.
Jacques, Cheryl A.	Shannon, Charles E.
Jajuga, James P.	Sprague, Jo Ann
Joyce, Brian A.	Tarr, Bruce E.

Knapik, Michael R.	Tisei, Richard R.
Lees, Brian P.	Tolman, Steven A.
Lynch, Stephen F.	Travaglini, Robert E.
Magnani, David P.	Tucker, Susan C.
Melconian, Linda J.	Walsh, Marian - 38

NAYS — 0.

ABSENT OR NOT VOTING.

Wilkerson, Dianne — 1.

The yeas and nays having been completed at three o'clock P.M., the bill (Senate, No. 2097, printed as amended) was passed to be engrossed.

Sent to the House for concurrence.

The Senate Bill limiting the amount of fees that staffing agencies may charge employees for transportation (Senate, No. 2095), — was read a third time.

Pending the main question on passing the bill to be engrossed, the further consideration thereof was postponed until Thursday, September 13, on motion of Mr. Jajuga.

PAPERS FROM THE HOUSE.

Engrossed Bill.

An engrossed Bill relative to the eligibility for unemployment benefits for victims of domestic violence (see Senate, No. 1984) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

The question on passing the bill to be enacted was determined by a call of the yeas and nays, at one minute past three o'clock P.M., on motion of Ms. Melconian, as follows, to wit (yeas 38 — nays 0):

YEAS.

Antonioni, Robert A.	Menard, Joan M.
Berry, Frederick E.	Montigny, Mark C.
Brewer, Stephen M.	Moore, Richard T.
Chandler, Harriette L.	Morrissey, Michael W.
Clancy, Edward J. Jr.	Murray, Therese
Creedon, Robert S. Jr.	Nuciforo, Andrea F., Jr.
Creem, Cynthia Stone	O'Leary, Robert A.
Fargo, Susan C.	Pacheco, Marc R.
Glodis, Guy W.	Panagiotakos, Steven C.
Havern, Robert A.	Resor, Pamela
Hedlund, Robert L.	Rosenberg, Stanley C.
Jacques, Cheryl A.	Shannon, Charles E.
Jajuga, James P.	Sprague, Jo Ann
Joyce, Brian A.	Tarr, Bruce E.

Knapik, Michael R.	Tisei, Richard R.
Lees, Brian P.	Tolman, Steven A.
Lynch, Stephen F.	Travaglini, Robert E.
Magnani, David P.	Tucker, Susan C.
Melconian, Linda J.	Walsh, Marian - 38

NAYS — 0.

ABSENT OR NOT VOTING.

Wilkerson, Dianne — 1.

The yeas and nays having been completed at four minutes past three o'clock P.M., the bill was passed to be enacted and it was signed by the President and laid before the Acting Governor for her approbation.

Engrossed Bills — Land Taking for Conservation, Etc.

An engrossed Bill relative to telecommunications lines (see House, No. 1753, 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 four minutes past three o'clock P.M., as follows, to wit (yeas 37 — nays 1):

YEAS.

Antonioni, Robert A.	Montigny, Mark C.
Berry, Frederick E.	Moore, Richard T.
Brewer, Stephen M.	Morrissey, Michael W.
Chandler, Harriette L.	Murray, Therese
Clancy, Edward J., Jr.	Nuciforo, Andrea F., Jr.
Creedon, Robert S., Jr.	O'Leary, Robert A.
Creem, Cynthia Stone,	Pacecho, 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.
Lynch, Stephen F.	Travaglini, Robert E.
Magnani, David P.	Tucker Susan C.
Melconian, Linda J.	Walsh, Marian - 37.
Menard, Joan M.	

NAYS

Lees, Brian P.-1

ABSENT OR NOT VOTING.

Wilkerson, Dianne — 1.

The yeas and nays having been completed at six minutes past three 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 Acting Governor for her approbation.

An engrossed Bill relative to a water supply easement held by the Massachusetts Water Resources Authority in the town of Southborough (see House, No. 1503) (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 seven minutes past three o'clock P.M., as follows, to wit (yeas 38 — nays 0):

YEAS.

Antonioni, Robert A.	Menard, Joan M.
Berry, Frederick E.	Montigny, Mark C.
Brewer, Stephen M.	Moore, Richard T.
Chandler, Harriette L.	Morrissey, Michael W.
Clancy, Edward J. Jr.	Murray, Therese
Creedon, Robert S. Jr.	Nuciforo, Andrea F., Jr.
Creem, Cynthia Stone	O'Leary, Robert A.
Fargo, Susan C.	Pacheco, Marc R.
Glodis, Guy W.	Panagiotakos, Steven C.
Havern, Robert A.	Resor, Pamela
Hedlund, Robert L.	Rosenberg, Stanley C.
Jacques, Cheryl A.	Shannon, Charles E.
Jajuga, James P.	Sprague, Jo Ann
Joyce, Brian A.	Tarr, Bruce E.
Knapik, Michael R.	Tisei, Richard R.
Lees, Brian P.	Tolman, Steven A.
Lynch, Stephen F.	Travaglini, Robert E.
Magnani, David P.	Tucker, Susan C.
Melconian, Linda J.	Walsh, Marian - 38

NAYS — 0.

ABSENT OR NOT VOTING.

Wilkerson, Dianne — 1.

The yeas and nays having been completed at nine minutes past three 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 Acting Governor for her approbation.

An engrossed Bill authorizing the town of Andover to convey land to the Andover Village Improvement Society for a pedestrian easement (see Senate, No. 1045) (which originated in the Senate), 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 nine minutes past three o'clock P.M., as follows, to wit (yeas 38 — nays 0):

YEAS.

Antonioni, Robert A.	Menard, Joan M.
Berry, Frederick E.	Montigny, Mark C.
Brewer, Stephen M.	Moore, Richard T.
Chandler, Harriette L.	Morrissey, Michael W.
Clancy, Edward J. Jr.	Murray, Therese
Creedon, Robert S. Jr.	Nuciforo, Andrea F., Jr.
Creem, Cynthia Stone	O'Leary, Robert A.
Fargo, Susan C.	Pacheco, Marc R.
Glodis, Guy W.	Panagiotakos, Steven C.
Havern, Robert A.	Resor, Pamela
Hedlund, Robert L.	Rosenberg, Stanley C.
Jacques, Cheryl A.	Shannon, Charles E.
Jajuga, James P.	Sprague, Jo Ann
Joyce, Brian A.	Tarr, Bruce E.
Knapik, Michael R.	Tisei, Richard R.
Lees, Brian P.	Tolman, Steven A.
Lynch, Stephen F.	Travaglini, Robert E.
Magnani, David P.	Tucker, Susan C.
Melconian, Linda J.	Walsh, Marian - 38

NAYS — 0.

ABSENT OR NOT VOTING.

Wilkerson, Dianne — 1.

The yeas and nays having been completed at eleven minutes past three 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 Acting Governor for her approbation.

An engrossed Bill relative to the transfer of land in the town of Littleton (see House, No. 4189) (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 twelve minutes past three o'clock P.M., as follows, to wit (yeas 38 — nays 0):

YEAS.

Antonioni, Robert A.	Menard, Joan M.
Berry, Frederick E.	Montigny, Mark C.
Brewer, Stephen M.	Moore, Richard T.
Chandler, Harriette L.	Morrissey, Michael W.
Clancy, Edward J. Jr.	Murray, Therese
Creedon, Robert S. Jr.	Nuciforo, Andrea F., Jr.
Creem, Cynthia Stone	O'Leary, Robert A.
Fargo, Susan C.	Pacheco, Marc R.
Glodis, Guy W.	Panagiotakos, Steven C.
Havern, Robert A.	Resor, Pamela
Hedlund, Robert L.	Rosenberg, Stanley C.
Jacques, Cheryl A.	Shannon, Charles E.
Jajuga, James P.	Sprague, Jo Ann
Joyce, Brian A.	Tarr, Bruce E.
Knapik, Michael R.	Tisei, Richard R.
Lees, Brian P.	Tolman, Steven A.
Lynch, Stephen F.	Travaglini, Robert E.
Magnani, David P.	Tucker, Susan C.
Melconian, Linda J.	Walsh, Marian - 38

NAYS — 0.

ABSENT OR NOT VOTING.

Wilkerson, Dianne — 1.

The yeas and nays having been completed at fourteen minutes past three 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 Acting Governor for her approbation.

An engrossed Bill authorizing the Commonwealth to acquire conservation restrictions to lands of the Springfield Water and Sewer Commission (see House, No. 4276, 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 a quarter past three o'clock P.M., as follows, to wit (yeas 38 — nays 0):

YEAS.

Antonioni, Robert A.	Menard, Joan M.
Berry, Frederick E.	Montigny, Mark C.
Brewer, Stephen M.	Moore, Richard T.
Chandler, Harriette L.	Morrissey, Michael W.
Clancy, Edward J. Jr.	Murray, Therese

Creedon, Robert S. Jr.	Nuciforo, Andrea F., Jr.
Creem, Cynthia Stone	O'Leary, Robert A.
Fargo, Susan C.	Pacheco, Marc R.
Glodis, Guy W.	Panagiotakos, Steven C.
Havern, Robert A.	Resor, Pamela
Hedlund, Robert L.	Rosenberg, Stanley C.
Jacques, Cheryl A.	Shannon, Charles E.
Jajuga, James P.	Sprague, Jo Ann
Joyce, Brian A.	Tarr, Bruce E.
Knapik, Michael R.	Tisei, Richard R.
Lees, Brian P.	Tolman, Steven A.
Lynch, Stephen F.	Travaglini, Robert E.
Magnani, David P.	Tucker, Susan C.
Melconian, Linda J.	Walsh, Marian - 38

NAYS — 0.

ABSENT OR NOT VOTING.

Wilkerson, Dianne — 1.

The yeas and nays having been completed at seventeen minutes past three 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 Acting Governor for her approbation.

Engrossed Bills.

An engrossed Bill authorizing the conservation commission of the town of Groton to impose certain fees (see House, No. 1837) (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 Acting Governor for her approbation.**

An engrossed Bill validating the results of the 2001 annual town election held in the town of Dennis (see House Bill, printed in House, No. 4229) (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, two-thirds of the members present having voted in the affirmative, and it was signed by the President and laid before the Acting Governor for her approbation.**

The Senate Bill relative to the development of an athletic facility by the Assabet Valley Regional Vocational Technical School District (Senate, No. 1815, amended),— came from the House passed to be engrossed, in concurrence, *with an amendment*, striking out all after the enacting clause and inserting in place thereof the text of House document numbered 4392, amended, as follows:

“SECTION 1. The Assabet Valley Regional Vocational Technical school district may contract for the construction, financing, operation and maintenance of an athletic facility to be located on the property of the Assabet Valley Regional Vocational Technical school district. In connection with the development of any such facility, the district may, with the approval of the regional district school committee, enter into a lease of district land with a nonprofit, charitable corporation, which shall oversee and have sole responsibility for the construction, financing, operation and maintenance of the facility. The lease shall be for a period not to exceed 25 years, upon such terms and conditions as the district shall deem advantageous. At no time during the period shall the Assabet Valley Regional Vocational Technical school district or the commonwealth be responsible for any of the costs associated with the construction, financing, operation and maintenance of the facility. The terms of the lease shall specify the lessee's responsibilities for maintenance of the facility including, but not limited to, routine and nonroutine maintenance. The lease shall comply with sections 38A½ to 38O, inclusive, of chapter 7, section 39M of chapter 30, chapter 30B, sections 26 to 27F, inclusive, and sections 44A to 44M, inclusive, of chapter 149 of the General Laws. If the district land that is the subject of

the lease ceases to be used at any time for the purposes of an athletic facility, then the lease shall terminate and property shall revert to the Assabet Valley Regional Vocational Technical school district.

SECTION 2. This act shall take effect upon its passage.”.

The rules were suspended, on motion of Ms. Resor, and the House amendment was considered forthwith and adopted, in concurrence.

Resolutions.

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

Resolutions (filed by Mr. Shannon) “congratulating Mary Theresa Milley on the occasion of her one hundredth birthday”; and

Resolutions (filed by Mr. Shannon) “congratulating Henry Shaughnessy on the occasion of his retirement.”

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.

Adjournment in Memory of Jonathan Rizzo

Ms. Murray moved that when the Senate adjourns today, it adjourn in memory of Jonathan Rizzo of Kingston, who met with a tragic death earlier this week as a result of an unfortunate car-jacking. Jonathan Rizzo was a graduate of Boston College High School and was currently attending George Washington University. The President noted that Jonathan Rizzo was known as a hardworking, outgoing and well-liked young man who loved athletics, music and his schoolwork. The President stated that our sympathies extend to Jonathan Rizzo’s family and the entire Kingston community. The motion prevailed.

Accordingly, as a mark of respect to the memory of Jonathan Rizzo, at twenty minutes past three o’clock P.M., on motion of Mr. Lees, the Senate adjourned to meet on the following Monday at eleven o’clock A.M.