

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, January 8, 2002.

Met at eleven minutes past one o'clock P.M.

Distinguished Guests.

The President introduced the Everett High School Crimson Tide Football Team and the Everett High School cheerleaders. The football team is the 2001 Division I MIAA Eastern Massachusetts Super Bowl Champions. The football team was accompanied by their coach, John DiBiaso, who has led the team to 3 Super Bowl Championships under his reign and has brought the team to the Super Bowl 5 out of the last 6 years. The cheerleaders were accompanied by their coach, Maureen DiBiaso. The President also acknowledged the football team's co-captains in the persons of Darryl Doe, Genaro Leo, Victor Ruiz and Andrea Rutigliano. They were the guests of Senator Birmingham.

Petition.

Mr. Tolman presented a petition (subject to Joint Rule 12) of Steven A. Tolman and Barry R. Finegold for legislation to define professional musicians as employees for the purposes of collective bargaining,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Reports of a Committee.

By Ms. Tucker, for the committee on Human Services and Elderly Affairs, on petition, a Bill relative to health care for disabled youth (Senate, No. 492); and

By the same Senator, for the same committee, on petition, a Bill to promote the healthy development of children and youth (Senate, No. 2007);

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

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4842) of J. Michael Ruane (with the approval of the mayor and city council) that the city of Salem be authorized to grant easements in certain park land,— **was referred, in concurrence, to the committee on Local Affairs.**

A Bill relative to the powers of state chartered banks (House, No. 4358, amended,— on House, No. 1147),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill relative to the Korean Veterans Memorial Highway (House, No. 4577,— on petition),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

Bills

Authorizing the town of Sudbury to use certain conservation land for municipal purposes (House, No. 4394,— on petition) [Local approval received]; and

Relative to the board of licensing commissioners in the city of Springfield (House, No. 4743,— on petition) [Local approval received];

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

Resolutions.

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

Resolutions (filed by Mr. Birmingham) “congratulating the Everett High School Crimson Tide Football Team on winning the Division I, Massachusetts Interscholastic Athletic Association Eastern Massachusetts Championship.”

Orders of the Day.

The Orders of the Day were considered, as follows:

Bills

Relative to voting list access (Senate, No. 2146);

Designating Route 146A in the town of Uxbridge as the Lydia Taft highway (Senate, No. 2189);

Designating a certain bridge in the town of Sharon as the Lance Corporal Daniel J. Dabreu Memorial Bridge (Senate, No. 2190);

Providing for a charter for the town of Sandwich (Senate, No. 2192, changed);

Relative to the town of Weymouth's enhanced emergency telephone system (House, No. 4012);

Relative to civil service in the city known as the town of Weymouth (House, No. 4019);

Authorizing the town of Maynard to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4200);

Authorizing the town of Fairhaven to issue an additional license for the sale of beer and wine (House, No. 4321);

Authorizing the town of Truro to hold a license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4475);

Authorizing the town of Truro to establish an affordable housing trust fund (House, No. 4477);

Providing for a board of public works in the town of Pepperell (House, No. 4585);

Relative to civil service preference of the children of Alton Grindle for appointment for fire service in the Commonwealth (House, No. 4611); and

Authorizing the town of Tyngsborough to refund certain payments (House, No. 4661);
Were severally read a second time and ordered to a third reading.

The Senate bills

Authorizing the Trial Court to establish a sick leave bank for Roseanne Moore, an employee of the Trial Court (Senate, No. 2188) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to Nora O'Reilly (Senate, No. 2219);
Were severally read a third time and passed to be engrossed.

Sent to the House for concurrence.

The House Bill relative to the disposition of certain property in the city of Lowell (printed as Senate, No. 1599, amended),— **was read a third time and passed to be engrossed, in concurrence.**

Bills

Relative to entry on premises to examine gas and electric meters (Senate, No. 379);

Relative to the Massachusetts Medal of Merit (House, No. 161); and

Relative to labeling of certain food products and dietary supplements (House, No. 4353);
Were severally read a second time and, after remarks, in each instance, were severally ordered to a third reading.

The Senate Bill to require religious leaders and officials to be mandated reporters of child abuse (Senate, No. 2099),— was read a second time and was amended, on motion of Ms. Tucker, substituting a new draft entitled “An Act requiring certain religious officials to be mandated reporters of abuse of children” (Senate, No. 2223).
After remarks, the bill (Senate, No. 2223) was then ordered to a third reading.

The House Bill relative to the management of state chartered banks (House, No. 1723),— **was read a second time and ordered to a third reading.**

The Senate Bill reducing medication waste in certain licensed facilities (Senate, No. 2186) (its title having been changed by the committee on Bills in the Third Reading),— was read a third time.
After remarks, the question on passing it to be engrossed was determined by a call of the yeas and nays, at fourteen minutes before two o’clock P.M., on motion of Ms. Chandler, as follows to wit (yeas 33 — nays 0):

YEAS.

Antonioni, Robert A.	Moore, Richard T.
Berry, Frederick E.	Morrissey, Michael W.
Brewer, Stephen M.	Murray, Therese
Chandler, Harriette L.	O’Leary, Robert A.
Creedon, Robert S., Jr.	Pacheco, Marc R.
Fargo, Susan C.	Panagiotakos, Steven C.
Glodis, Guy W.	Rosenberg, Stanley C.
Havern, Robert A.	Shannon, Charles E.
Hedlund, Robert L.	Sprague, Jo Ann
Jacques, Cheryl A.	Tarr, Bruce E.
Joyce, Brian A.	Tisei, Richard R.
Knapik, Michael R.	Tolman, Steven A.
Lees, Brian P.	Travaglini, Robert E.
Magnani, David P.	Tucker, Susan C.
Melconian, Linda J.	Walsh, Marian
Menard, Joan M.	Wilkerson, Dianne —
Montigny, Mark C.	33.

NAYS — 0.

ABSENT OR NOT VOTING.

Clancy, Edward J., Jr.	Nuciforo, Andrea F., Jr.
Creem, Cynthia Stone	Resor, Pamela — 4.

Ms. Melconian in the Chair, the yeas and nays having been completed at eleven minutes before two o'clock P.M., the bill was passed to be engrossed.

Sent to the House for concurrence.

The Senate Bill providing support to individuals with disabilities and their families (Senate, No. 2218),— was read a third time.

After remarks, the question on passing it to be engrossed was determined by a call of the yeas and nays, at three minutes before two o'clock P.M., on motion of Mr. Montigny, as follows, to wit (yeas 33 — nays 0):

YEAS.

Antonioni, Robert A.	Moore, Richard T.
Berry, Frederick E.	Morrissey, Michael W.
Brewer, Stephen M.	Murray, Therese
Chandler, Harriette L.	O'Leary, Robert A.
Creedon, Robert S., Jr.	Pacheco, Marc R.
Fargo, Susan C.	Panagiotakos, Steven C.
Glodis, Guy W.	Rosenberg, Stanley C.
Havern, Robert A.	Shannon, Charles E.
Hedlund, Robert L.	Sprague, Jo Ann
Jacques, Cheryl A.	Tarr, Bruce E.
Joyce, Brian A.	Tisei, Richard R.
Knapik, Michael R.	Tolman, Steven A.
Lees, Brian P.	Travaglini, Robert E.
Magnani, David P.	Tucker, Susan C.
Melconian, Linda J.	Walsh, Marian
Menard, Joan M.	Wilkerson, Dianne —
Montigny, Mark C.	33.

NAYS — 0.

ABSENT OR NOT VOTING.

Clancy, Edward J., Jr.	Nuciforo, Andrea F., Jr.
Creem, Cynthia Stone	Resor, Pamela — 4.

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

Sent to the House for concurrence.

The House Bill establishing Congressional districts (House, No. 4778, App. A., amended),— was read a third time.

Messrs. Lees and Tisei, Mrs. Sprague and Mr. Hedlund offered an amendment, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2222.

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at three minutes before three o'clock P.M., on motion of Mr. Tisei, as follows, to wit (yeas 5 — nays 29):

YEAS.

Knapik, Michael R.	Tarr, Bruce E.
Lees, Brian P.	Tisei, Richard R. — 5.
Sprague, Jo Ann	

NAYS.

Antonioni, Robert A.	Montigny, Mark C.
Berry, Frederick E.	Moore, Richard T.
Brewer, Stephen M.	Morrissey, Michael W.
Chandler, Harriette L.	Murray, Therese
Creedon, Robert S., Jr.	O'Leary, Robert A.
Creem, Cynthia Stone	Pacheco, Marc R.
Fargo, Susan C.	Panagiotakos, Steven C.
Glodis, Guy W.	Rosenberg, Stanley C.
Havern, Robert A.	Shannon, Charles E.
Hedlund, Robert L.	Tolman, Steven A.
Jacques, Cheryl A.	Travaglini, Robert E.
Joyce, Brian A.	Tucker, Susan C.
Magnani, David P.	Walsh, Marian
Melconian, Linda J.	Wilkerson, Dianne — 29.
Menard, Joan M.	

ABSENT OR NOT VOTING.

Clancy, Edward J., Jr.	Resor, Pamela — 3.
Nuciforo, Andrea F., Jr.	

The yeas and nays having been completed at three o'clock P.M., the amendment was *rejected*.

Mr. Panagiotakos moved to amend the bill in section 1, by striking out, in lines 10 to 24, inclusive, the words "First Congressional District — Consisting of the cities and towns in Berkshire and Franklin counties; the cities of Holyoke and Westfield and the towns of

Blandford, Chester, Granville, Montgomery, Russell, Southwick, Tolland, and West Springfield, all in the county of Hampden; the towns of Amherst, Belchertown, Chesterfield, Cummington, Easthampton, Goshen, Granby, Hatfield, Huntington, Middlefield, Pelham, Plainfield, Southampton, Ware, Westhampton, Williamsburg, and Worthington, all in the county of Hampshire; the towns of Ashby, Pepperell, and Townsend, all in the county of Middlesex; the cities of Fitchburg, Gardner and Leominster, and the towns of Ashburnham, Athol, Barre, Hardwick, Hubbardston, Lunenburg, New Braintree, Oakham, Petersham, Phillipston, Royalston, Sterling, Templeton, West Brookfield, Westminster, and Winchendon, all in the county of Worcester.” and inserting in place thereof the following words:—

“First Congressional District — Consisting of the cities and towns in Berkshire and Franklin counties; the cities of Holyoke and Westfield and the towns of Blandford, Chester, Granville, Montgomery, Russell, Southwick, Tolland, and West Springfield, all in the county of Hampden; the towns of Amherst, Belchertown, Chesterfield, Cummington, Easthampton, Goshen, Granby, Hatfield, Huntington, Middlefield, Pelham, Plainfield, Southampton, Ware, Westhampton, Williamsburg, and Worthington, all in the county of Hampshire; the towns of Ashby, Shirley and Townsend, all in the county of Middlesex; the cities of Fitchburg, Gardner and Leominster, and the towns of Ashburnham, Athol, Barre, Hardwick, Harvard, Hubbardston, Lunenburg, New Braintree, Oakham, Petersham, Phillipston, Royalston, Rutland, Templeton, West Brookfield, Westminster, Winchendon, all in the county of Worcester.”; by striking out, in lines 37 to 48, inclusive, the words “Third Congressional District — consisting of the cities of Attleboro and Fall River, Wards 1 to 3, inclusive, Ward 4, Precincts A and B, Ward 5, Precincts A and B, Ward 6, Precincts B and C, and Ward 8, Precinct D, and the towns of North Attleborough, Rehoboth, Seekonk, Somerset, and Swansea, all in the county of Bristol; the city of Marlborough and the towns of Ashland, Holliston, and Hopkinton, all in the county of Middlesex; the towns of Franklin, Medway, Plainville, and Wrentham, all in the county of Norfolk; and the city of Worcester and the towns of Auburn, Boylston, Clinton, Holden, Northborough, Paxton, Princeton, Rutland, Shrewsbury, Southborough, West Boylston, and Westborough, all in the county of Worcester.” and inserting in place thereof the following words:—

“Third Congressional District — consisting of Attleboro and Fall River, Wards 1 to 3, inclusive, Ward 4, Precincts A and B, Ward 5, Precincts A and B, Ward 6, Precincts B and C, and Ward 8, Precinct D, and the towns of North Attleborough, Rehoboth, Seekonk, Somerset, Swansea, all in the county of Bristol; the city of Marlborough and the towns of Ashland, Holliston, and Hopkinton, all in the county of Middlesex; the towns of Franklin, Medway, Plainville, and Wrentham, all in the county of Norfolk; and the city of Worcester and the towns of Auburn, Boylston, Clinton, Holden, Northborough, Paxton, Princeton, Shrewsbury, Southborough, Sterling, West Boylston, and Westborough, all in the county of Worcester.”; and by striking out, in lines 60 to 68, inclusive, the words “Fifth Congressional District — Consisting of the cities of Haverhill and Lawrence, and the towns of Andover and Methuen, all in the county of Essex; the city of Lowell, and the towns of Acton, Ayer, Billerica, Boxborough, Carlisle, Chelmsford, Concord, Dracut, Dunstable, Groton, Hudson, Littleton, Maynard, Shirley, Stow, Sudbury, Tewksbury, Tyngsborough, Wayland, precincts, 1, 3, and 4, and Westford, all in the county of

Middlesex; the towns of Berlin, Bolton, Harvard, and Lancaster, all in the county of Worcester.” and inserting in place thereof the following words:—

“Fifth Congressional District — Consisting of the cities of Haverhill and Lawrence, and the towns of Andover and Methuen, all in the county of Essex; the city of Lowell, and the towns of Acton, Ayer, Billerica, Boxborough, Carlisle, Chelmsford, Concord, Dracut, Dunstable, Groton, Hudson, Littleton, Maynard, Pepperell, Stow, Sudbury, Tewksbury, Tyngsborough, Wayland, precincts, 1,3, and 4, and Westford, all in the county of Middlesex; the towns of Berlin, Bolton, and Lancaster, all in the county of Worcester.”

The question on adoption of the amendment was determined by a call of the yeas and nays, at one minute past three o’clock P.M., on motion of Mr. Lees, as follows, to wit (yeas 3 — nays 30):

YEAS.

Brewer, Stephen M. Panagiotakos, Steven C. — 3.
Creem, Cynthia Stone

NAYS.

Antonioni, Robert A.	Montigny, Mark C.
Berry, Frederick E.	Moore, Richard T.
Chandler, Harriette L.	Morrissey, Michael W.
Creedon, Robert S., Jr.	Murray, Therese
Fargo, Susan C.	O’Leary, Robert A.
Glodis, Guy W.	Pacheco, Marc R.
Havern, Robert A.	Rosenberg, Stanley C.
Hedlund, Robert L.	Shannon, Charles E.
Jacques, Cheryl A.	Sprague, Jo Ann
Joyce, Brian A.	Tarr, Bruce E.
Knapik, Michael R.	Tisei, Richard R.
Lees, Brian P.	Tolman, Steven A.
Magnani, David P.	Tucker, Susan C.
Melconian, Linda J.	Walsh, Marian
Menard, Joan M.	Wilkerson, Dianne — 30.

PAIRED.

YEA. NAY.

Robert E. Travaglini (present), Pamela Resor — 2.

ABSENT OR NOT VOTING.

Clancy, Edward J., Jr. Nuciforo, Andrea F., Jr. — 2.

The yeas and nays having been completed at six minutes past three o'clock P.M., the amendment was *rejected*.

The question on passing the bill to be engrossed, in concurrence, was then determined by a call of the yeas and nays, at seven minutes past three o'clock P.M., on motion of Mr. Lees, as follows, to wit (yeas 29 — nays 5):

YEAS.

Antonioni, Robert A.	Fargo, Susan C.
Berry, Frederick E.	Glodis, Guy W.
Brewer, Stephen M.	Havern, Robert A.
Chandler, Harriette L.	Jacques, Cheryl A.
Creedon, Robert S., Jr.	Joyce, Brian A.
Creem, Cynthia Stone	Magnani, David P.
Melconian, Linda J.	Rosenberg, Stanley C.
Menard, Joan M.	Shannon, Charles E.
Montigny, Mark C.	Tarr, Bruce E.
Moore, Richard T.	Tolman, Steven A.
Morrissey, Michael W.	Travaglini, Robert E.
Murray, Therese	Tucker, Susan C.
O'Leary, Robert A.	Walsh, Marian
Pacheco, Marc R.	Wilkerson, Dianne —
Panagiotakos, Steven C.	29.

NAYS.

Hedlund, Robert L.	Sprague, Jo Ann
Knapik, Michael R.	Tisei, Richard R. — 5.
Lees, Brian P.	

ABSENT OR NOT VOTING.

Clancy, Edward J., Jr.	Resor, Pamela — 3.
Nuciforo, Andrea F., Jr.	

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

The House report of the committee on Natural Resources and Agriculture, ought NOT to pass, on the message from His Excellency the Governor recommending legislation relative to the reorganization of certain functions within the Executive Office of Environmental Affairs (accompanied by bill, House, No. 3029),— was considered, the question being on accepting the adverse report.

After debate on the pending question of accepting the report of the committee, on motion of Mr. Lees, the further consideration thereof was postponed until Tuesday, February 5, 2002.

The President in the Chair, the House report of the committee on Taxation, ought NOT to pass, on the message from Her Honor the Lieutenant-Governor, Acting Governor, recommending legislation relative to promoting fiscal responsibility in the Commonwealth, (accompanied by bill, House, No. 4106),— was considered, the question being on accepting the adverse report.

After debate on the main question of accepting the report of the committee, on motion of Mr. Lees, the further consideration thereof was postponed until Tuesday, January 22, 2002.

The Senate Bill further regulating the use of headlights (Senate, No. 2220),— was considered, the question being on passing it to be engrossed.

On motion of Mr. Shannon, the further consideration thereof was postponed until Tuesday, February 5, 2002.

The Senate Bill relative to the regulation of motor vehicle livery services and the licensing of livery operators (Senate, No. 2221),— **was considered; and, after remarks, it was passed to be engrossed.**

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A Bill relative to group marketing plans (House, No. 4796,— on House, No. 285),— was read.

There being no objection, the rules were suspended, on motion of Mr. Travaglini, and the bill was read a second time, ordered to a third reading, and read a third time.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at three minutes before four o'clock P.M., on motion of Mr. Lees, as follows, to wit (yeas 33 — nays 0):

YEAS.

Antonioni, Robert A.	Moore, Richard T.
Berry, Frederick E.	Morrissey, Michael W.
Brewer, Stephen M.	Murray, Therese
Chandler, Harriette L.	O'Leary, Robert A.
Creedon, Robert S., Jr.	Pacheco, Marc R.
Creem, Cynthia Stone	Panagiotakos, Steven C.
Fargo, Susan C.	Rosenberg, Stanley C.
Glodis, Guy W.	Shannon, Charles E.
Hedlund, Robert L.	Sprague, Jo Ann
Jacques, Cheryl A.	Tarr, Bruce E.
Joyce, Brian A.	Tisei, Richard R.
Knapik, Michael R.	Tolman, Steven A.
Lees, Brian P.	Travaglini, Robert E.

Magnani, David P.	Tucker, Susan C.
Melconian, Linda J.	Walsh, Marian
Menard, Joan M.	Wilkerson, Dianne — 33.
Montigny, Mark C.	

NAYS — 0.

ABSENT OR NOT VOTING.

Clancy, Edward J., Jr.	Nuciforo, Andrea F., Jr.
Havern, Robert A.	Resor, Pamela — 4

The yeas and nays having been completed at one minute past four o'clock P.M., the bill was passed to be engrossed, in concurrence.

Engrossed Bills — Land Takings for Conservation, Etc.

An engrossed Bill authorizing the town of Norwood to use certain conservation land for roadway and bridge purposes (see House, No. 4091) (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 two minutes past four o'clock P.M., as follows, to wit (yeas 33 — nays 0):

YEAS.

Antonioni, Robert A.	Moore, Richard T.
Berry, Frederick E.	Morrissey, Michael W.
Brewer, Stephen M.	Murray, Therese
Chandler, Harriette L.	O'Leary, Robert A.
Creedon, Robert S., Jr.	Pacheco, Marc R.
Creem, Cynthia Stone	Panagiotakos, Steven C.
Fargo, Susan C.	Rosenberg, Stanley C.
Glodis, Guy W.	Shannon, Charles E.
Hedlund, Robert L.	Sprague, Jo Ann
Jacques, Cheryl A.	Tarr, Bruce E.
Joyce, Brian A.	Tisei, Richard R.
Knapik, Michael R.	Tolman, Steven A.
Lees, Brian P.	Travaglini, Robert E.
Magnani, David P.	Tucker, Susan C.
Melconian, Linda J.	Walsh, Marian
Menard, Joan M.	Wilkerson, Dianne — 33.
Montigny, Mark C.	

NAYS — 0.

ABSENT OR NOT VOTING.

Clancy, Edward J., Jr. Nuciforo, Andrea F., Jr.
Havern, Robert A. Resor, Pamela — 4

The yeas and nays having been completed at four minutes past four 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 Acting President (Ms. Melconian) and laid before the Acting Governor for her approbation.

An engrossed Bill authorizing the town of Milton to transfer land to the Milton school department (see Senate, No. 2098) (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 five minutes past four o'clock P.M., as follows, to wit (yeas 32 — nays 1):

YEAS.

Antonioni, Robert A.	Joyce, Brian A.
Berry, Frederick E.	Knapik, Michael R.
Brewer, Stephen M.	Magnani, David P.
Chandler, Harriette L.	Melconian, Linda J.
Creedon, Robert S., Jr.	Menard, Joan M.
Creem, Cynthia Stone	Montigny, Mark C.
Fargo, Susan C.	Moore, Richard T.
Glodis, Guy W.	Morrissey, Michael W.
Hedlund, Robert L.	Murray, Therese
Jacques, Cheryl A.	O'Leary, Robert A.
Pacheco, Marc R.	Tisei, Richard R.
Panagiotakos, Steven C.	Tolman, Steven A.
Rosenberg, Stanley C.	Travaglini, Robert E.
Shannon, Charles E.	Tucker, Susan C.
Sprague, Jo Ann	Walsh, Marian
Tarr, Bruce E.	Wilkerson, Dianne — 32.

NAYS.

Lees, Brian P. — 1.

ABSENT OR NOT VOTING.

Clancy, Edward J., Jr. Nuciforo, Andrea F., Jr.
Havern, Robert A. Resor, Pamela — 4

Ms. Melconian in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair), the yeas and nays having been completed at seven minutes past four 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 Acting President and laid before the Acting Governor for her approbation.

Resignation of Senator Edward J. Clancy, Jr.

The following communication, received by the Clerk of the Senate, from the President of the Senate, was read:

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

January 8, 2002.

The Honorable Thomas F. Birmingham
Senate President
State House, Room 332
Boston, MA 02133

Dear Mr. President:

Please be advised the purpose of this communication is to inform you that I am resigning as the State Senator representing the 1st Essex District effective at the close of business today. The reason for my resignation is my election as Mayor of the City of Lynn.

It has been my great honor and privilege to serve as a member of the Massachusetts State Senate and to represent the people of the First Essex District. My thanks to you, my colleagues, and the entire Senate staff for everything everyone has done for me during my tenure.

I would be remiss without stating my great admiration for the wonderful service you have performed as Senate President. The membership of this body has been fortunate in having you as our presiding officer. Please express my gratefulness and thanks to the members of your capable staff.

In closing, let me reiterate my appreciation of the wonderful opportunity to be a member of this Honorable body.

Sincerely,
EDWARD J. "CHIP" CLANCY, JR.,
State Senator,
First Essex District.

On motion of Mr. Travaglini, the above communication was ordered printed in the Journal of the Senate.

Report of Committees.

By Ms. Menard, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Andrea F. Nuciforo, Jr. and Peter J. Larkin for legislation to provide for liens for molders.

Senate Rule 36 was suspended, on motion of Mr. Pacheco, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary.

Sent to the House for concurrence.

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4843) of William M. Straus and Marc R. Pacheco relative to the water and sewer commission of the town of Mattapoisett,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Local Affairs.**

Communications.

The Clerk read the following communication:

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

January 7, 2002.

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

Dear Mr. Clerk:

On Wednesday, January 2, 2002, I was away from the State House due to family matters and I was, therefore, unable to be present for the roll call vote on House Bill 4726, An Act Returning Tax Title Properties to Productive Use. Had I been present I would have voted in the affirmative on this matter.

I respectfully request that this letter be reprinted in the Senate Journal as part of the official record for January 2, 2002. Thank you for your assistance in this matter.

Sincerely,
JOAN M. MENARD,
State Senator,
First Bristol District.

On motion of Ms. Wilkerson, the above communication was ordered printed in the Journal of the Senate.

The Clerk read the following communication:

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

January 8, 2002.

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

Dear Mr. Clerk:

Due to a scheduling conflict, I was out of state on January 2, 2002 when the Senate met in formal session to enact House Bill 4726, An Act Returning Tax Title Properties to Productive Use. Had I been present, I would have voted in the affirmative to enact this legislation.

I would respectfully request that a copy of this letter be printed in the Senate Journal as part of the official record for January 2. Thank you in advance for your cooperation in this matter.

Sincerely,
CHARLES E. SHANNON,
State Senator,
Second Middlesex District.

On motion of Ms. Fargo, the above communication was ordered printed in the Journal of the Senate.

Resolutions.

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

Resolutions (filed by Mrs. Sprague) “congratulating Michael Thomas McGowan of Medfield upon his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mrs. Sprague) “commending Donald J. Robillard for 23 years of faithful service to the town of Seekonk”;

Resolutions (filed by Mrs. Sprague) “congratulating Gregory Michael Sine of Rehoboth upon his elevation to the rank of Eagle Scout”; and

Resolutions (filed by Mrs. Sprague) “commending John L. Tobin for 34 years of faithful service to the town of Seekonk.”

Order Adopted.

On motion of Ms. Tucker,—

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