

**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, March 8, 2001.

Met at one minute past eleven o'clock A.M. (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).

### *Communication.*

A communication was received from the President announcing the following appointments:

The Senator from Plymouth and Barnstable, Ms. Murray, to the special commission established (pursuant to St. 2000, chapter 254, section 30) to investigate the use of genetic test results in connection with insurance; to the special committee of the General Court established (pursuant to St. 2000, chapter 140, section 21) on nongroup health insurance reforms; to the advisory committee established (pursuant to St. 2000, chapter 141, section 32) on establishing a system of consolidated health care financing.

The Senator from Essex and Middlesex, Ms. Tucker, to the commission established (pursuant to St. 2000, chapter 159, section 480) to study the provision of end of life care services.

### *Report.*

A report of the Massachusetts Capital Resource Company (under the provisions of Section 20 of Chapter 816 of the Acts of 1977) submitting its twenty-fourth annual report (Senate, No. 1825) (received Thursday, March 1, 2001),— **was referred to the committee on Taxation.**

**Sent to the House for concurrence.**

Petitions were presented and referred, as follows:

By Mr. Antonioni, a petition (subject to Joint Rule 12) of Robert A. Antonioni, Brian Knuuttila and Rachel Kaprielian for legislation relative to the regulation of home inspectors; and

By Mr. Pacheco, a petition (subject to Joint Rule 12) of Marc R. Pacheco, Steven A. Tolman, Brian A. Joyce, Christine E. Canavan and other members of the General Court for legislation relative to open trenches and construction safety;  
**Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

## PAPERS FROM THE HOUSE.

A report of the Department of Education (under the provisions of Section 9 of Chapter 70B of the General Laws) submitting a copy of interim regulations for the school building assistance program (House, No. 4024),— **was referred, in concurrence, to the committee on Education, Arts and Humanities.**

### *Reports.*

Of the committee on Commerce and Labor, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 1161) of Michael J. Rodrigues relative to insurance assessments against certain corporations,— and recommending that the same be referred to the committee on Insurance.

Of the petition (accompanied by bill, House, No. 3249) of Thomas M. Menino and Elizabeth A. Malia relative to industrial enterprises and community development under the law regulating commercial area revitalization districts,— and recommending that the same be referred to the committee on Local Affairs.

Of the committee on State Administration, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 1496) of Paul E. Caron relative to the awarding of contracts for energy management services by state agencies and building authorities; and

Of the petition (accompanied by bill, House, No. 1497) of Paul E. Caron relative to authorizing public agencies to enter into guaranteed energy savings contracts;

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

**Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

A Bill making appropriations for the fiscal year 2001 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4021,— on House, No. 3024, in part),— was read.

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

Mr. Montigny presented an amendment, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1824.

The amendment was adopted.

**The bill, as amended, was ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with an amendment.**

**Sent to the House for concurrence in the amendment.**

### *Resolutions.*

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

Resolutions (filed by Mr. Moore) “honoring the Bellingham High School ‘Blackhawks’ Varsity Football Team on winning the 2000 Eastern Massachusetts Division V Super Bowl Championship”; and

Resolutions (filed by Mr. Pacheco) “honoring Thomas Battistini of Middleborough upon his elevation to the rank of Eagle Scout.”

### *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 Frederick E. Berry and John P. Slattery (with the approval of the mayor and city council) for legislation to authorize the city of Peabody to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises [Local approval received].

**Senate Rule 36 was suspended, on motion of Ms. Murray, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Government Regulations.**

**Sent to the House for concurrence.**

*Recess.*

There being no objection, at four minutes past eleven o'clock A.M., the Chair (Ms. Melconian) declared a recess subject to the call of the Chair; and, at twenty-six minutes before twelve o'clock noon, the Senate reassembled, Ms. Melconian in the Chair.

#### **PAPER FROM THE HOUSE.**

A Bill validating absentee ballots for the March 12, 2001 annual election in the town of Westport (House, No. 4026,— being a message from His Excellency the Governor),— was read.

**There being no objection, the rules were suspended, on motion of Mr. Hedlund, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act validating absentee ballots for the March 12, 2001 annual election in the town of Westport.”**

*Distinguished Guest.*

The Chair (Ms. Melconian) introduced, seated in the rear of the Senate Chamber, Janet Santos, Director of Head Start in western Massachusetts. Ms. Melconian noted that Ms. Santos was a leader in the development of Head Start programs, and that her program has served as the model for many others. Ms. Santos was the guest of Senate Majority Leader Melconian.

*Recess.*

There being no objection, at twenty-four minutes before twelve o'clock noon, the Chair (Ms. Melconian) declared a recess subject to the call of the Chair; and, at seventeen minutes past twelve o'clock noon, the Senate reassembled, Ms. Melconian in the Chair.

*Emergency Preamble Adopted; Engrossed Bill Enacted.*

An engrossed Bill making appropriations for the fiscal year 2001 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4021), 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 Bill.*

An engrossed Bill validating absentee ballots for the March 12, 2001 annual election in the town of Westport (see House Bill, printed in House, No. 4026) (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 Governor for his approbation.**

*Order Adopted.*

On motion of Mr. Hedlund,—

*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. Hedlund, at twenty-five minutes past twelve o'clock noon, the Senate adjourned to meet on the following Monday at eleven o'clock A.M.

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