

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.



Monday, June 10, 2002.

Met at three minutes past eleven o'clock A.M. (Mr. Morrissey in the Chair).

Petitions.

Petitions were presented and referred, as follows:

By Mr. Brewer, a petition (subject to Joint Rule 12) of Stephen M. Brewer, David C. Bunker, Jr. and Anne M. Gobi for legislation to designate certain lands in the towns of Phillipston, Royalston and Templeton for conservation and public recreational purposes in conjunction with the Department of Environmental Management; and

By Mr. Creedon, a petition (subject to Joint Rule 12) of Robert S. Creedon, Jr., Thomas P. Kennedy, Geraldine M. Creedon and Christine E. Canavan (with the approval of the mayor and city council) for legislation relative to the simulcasting of horse race meetings at the county fair in the city of Brockton [Local approval received];

Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Report of a Committee.

By Mr. Havern, for the committee on Transportation, on petition, a Bill designating the Merrimack Valley Regional Transit Authority Transportation Center/Lawrence as the Senator Patricia McGovern Transportation Center (Senate, No. 2359);

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

PAPERS FROM THE HOUSE.

A communication was received from the House that the Speaker has announced that Representative O'Flaherty of Chelsea had been relieved of duty (at his own request) from the committee on Banks and Banking and that Representative Nangle of Lowell had been appointed to the second position on said committee to fill the existing vacancy; that Representative St. Fleur had been relieved of duty (at her own request) from the committee on Counties and that Representative O'Brien of Kingston had been appointed to the second position on said committee to fill the existing vacancy; that Representative Nangle had been relieved of duty (at his own request) from the committee on Public Service and that Representative Malia of Boston had been appointed to the second position on said committee to fill the existing vacancy; and that Representative O'Flaherty had been appointed to the first position on the committee on the Judiciary to fill the existing vacancy.

The communication was placed on file.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5121) of Anne M. Gobi, Stephen M. Brewer and Reed V. Hillman (by vote of the town) that the town of Ware be authorized to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises to JPK Enterprises;

To the committee on Government Regulations.

Petition (accompanied by bill, House, No. 5111) of Stephen Kulik and Stanley C. Rosenberg (by vote of the town) for legislation to provide for the appointment of a town clerk-collector-treasurer in the town of South Deerfield;

Petition (accompanied by bill, House, No. 5112) of David M. Nangle, Steven C. Panagiotakos, Thomas A. Golden, Jr., and Kevin J. Murphy (with the approval of the mayor and city council) that the city of Lowell be authorized to appropriate a certain sum of money for the payment of an unpaid bill to the Judge Rotenberg Educational Center, Inc.;

Petition (accompanied by bill, House, No. 5113) of William M. Straus and Marc R. Pacheco (by vote of the town) that the town of Marion be authorized to use alternate members to the conservation commission of said town;

Petition (accompanied by bill, House, No. 5115) of Benjamin Swan (with the approval of the mayor and city council) that the city of Springfield be authorized to convey a certain parcel of land to the Society for the Preservation of New England Antiquities; and

Petition (accompanied by bill, House, No. 5122) of Bradford Hill and Bruce E. Tarr (by vote of the town) relative to establishing an affordable housing trust fund in the town of Ipswich;

Severally to the committee on Local Affairs.

Petition (accompanied by bill, House, No. 5110) of Robert S. Hargraves and Robert A. Antonioni (by vote of the town) relative to authorizing the Middlesex County Retirement Board to grant a superannuation pension to William F. Felton, a former highway

superintendent of the town of Townsend;

To the committee on Public Service.

Petition (accompanied by bill, House, No. 5114) of William M. Straus and Marc R. Pacheco (by vote of the town) relative to the deferral of certain sewer betterments in the town of Marion;

To the committee on Taxation.

Bills

Relative to retirement systems (House, No. 2048, amended,— on petition); and

Authorizing the conveyance of certain property in the city of Boston (House, No. 3630, amended,— on petition);

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

Bills

Relative to fees of justices of the peace (House, No. 2745, changed,— on House Nos. 2724 and 2745); and

Validating action taken at the special town meetings held by the town of Manchester-by-the-Sea (printed in House, No. 5077,— being a message from Her Honor the Lieutenant-Governor, Acting Governor);

Were severally read and, under Senate Rule 26, referred to the committee on Steering and Policy.

The report of the Massachusetts Sentencing Commission (under item 0330-0317 of Chapter 177 of the Acts of 2001) submitting its study on the recidivism rate of offenders (having been sent by the House to the Senate for its information),— **was returned to the House to be placed on file.**

Resolutions.

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

Resolutions (filed by Mr. Berry) “congratulating Beverly National Bank on the occasion of its two hundredth anniversary”;

Resolutions (filed by Messrs. Berry and Birmingham) “congratulating Janice Charney on the occasion of her retirement”;

Resolutions (filed by Mr. Birmingham) “commemorating the observance of ‘Performance Recognition Day’”; and

Resolutions (filed by Mr. Pacheco) “congratulating Mark E. Mather upon his elevation to the rank of Eagle Scout.”

Order Adopted.

The following order (filed by Ms. Menard) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, joint standing committees and the committees on Rules of the two branches, acting concurrently, be granted until Friday, July 12, 2002, within which to make reports referred to them. **Subsequently, Ms. Menard, for the said committees on Rules of the two branches, acting concurrently, reported that the order ought to be adopted; and, there being no objection, the order was considered forthwith, and it was adopted.**

Sent to the House for concurrence.

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 Senate Bill relative to human cloning (Senate, No. 1794, changed),— was read a second time.

Pending the main question on ordering it to a third reading, on motion of Mr. Hedlund, the bill was recommitted to the Senate committee on Science and Technology.

PAPER FROM THE HOUSE.

A Bill relative to the Massachusetts Bay Transportation Authority forward funding and for providing additional funding for the Central Artery/Ted Williams Tunnel Project (House, No. 5123,— on House, No. 4561),— 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 authorizing additional borrowing for the Massachusetts Bay Transportation Authority and the Central Artery/Ted Williams Tunnel Project.”

Order Adopted.

On motion of Mr. Hedlund,—

Ordered, That, when the Senate adjourns today, it adjourn to meet again tomorrow at ten o’clock A.M.; and that, under the provisions of Senate Rule 38B, the only matter to be placed on the Calendar shall be the General Appropriations Bill (House, No. 5101); and,

that according to the provisions of Senate Rule 27A, all amendments, offered by members, will be considered third reading amendments.

On motion of Mr. Hedlund, at eight minutes past eleven o'clock A.M., the Senate adjourned to meet on the following day at ten o'clock A.M. in full formal session.
