

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.



JOURNAL OF THE SENATE.

Thursday, August 22, 2002.

Met at four minutes 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 from the Public Employee Retirement Commission (PERAC) (under the provisions of Section 50 of Chapter 7 of the General Laws) submitting rules and regulations governing retirement of public employees in Massachusetts (Senate, No. 2471) (received Tuesday, August 20, 2002),— **was referred to the committee on Public Service. Sent to the House for concurrence.**

Reports.

The following reports were severally read and placed on file:

A report of the Massachusetts Water Resource Commission (under the provisions of Sections 8B-8D of Chapter 21 of the General Laws) submitting its approval relative to the Weymouth additional connections to the MWRA sewer system (received Monday, August 5, 2002);

A report of the Massachusetts Turnpike Authority (under the provisions of Section 20 of Chapter 81A of the General Laws) submitting a copy of its annual report for the year 2001 (received Thursday, August 15, 2002); and

A report of the Massachusetts Convention Center Authority submitting its July 2002 report on the status of the Springfield Civic Center (received Monday, August 19, 2002).

The following reports were severally read and sent to the House for its information:

A report of the Bureau of Special Investigations (under the provisions of Section 11(8) of Chapter 14 of the General Laws) submitting its reports for the months of February, March, April, May and June 2002 (received Monday, August 5, 2002); and

A report of the Department of Public Health (under the provisions of Section 5 and 20 of Chapter 111 of the General Laws) relative to inspection of the Northeastern Correctional Center (received Thursday, August 15, 2002).

Report of a Committee.

By Mr. Antonioni, for the committee on Education, Arts and Humanities, on the recommitted House Bill relative to the curriculum in public schools (House, No. 4409, amended) recommended ought to pass, with an amendment, substituting an order (Senate, No. 2472).

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

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5313) of Paul C. Casey and Charles E. Shannon (by vote of the town) that the town of Winchester be authorized to borrow money outside its debt limit for payment of costs associated with flood remediation and prevention improvements; and

Petition (accompanied by bill, House, No. 5315) of Shaun P. Kelly and Andrea F. Nuciforo, Jr. (by vote of the town) relative to the appointment of assessors and a town treasurer-collector in the town of Chester;

Severally to the committee on Local Affairs.

Petition (accompanied by bill, House, No. 5316) of Thomas J. O'Brien, Ruth W. Provost and Marc R. Pacheco (by vote of the town) that the town of Carver be authorized to transfer certain taxes collected to the conservation fund of said town;

To the committee on Taxation.

A Bill relative to jet skis, surf jets, wet bikes, and other watercrafts in municipalities (House, No. 5019, amended,— on House, Nos. 3170, 3810 and 3815),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

Bills

Establishing a department of finance and budget in the town of Lancaster (House, No. 5185,— on petition) [Local approval received]; and

Relative to the taxation of real property in the city of Attleboro (House, No. 5291, changed,— on petition) [Local approval received];

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

A report of the committee on Education, Arts and Humanities, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2113) of Peter J. Larkin and other members of the General Court relative to the child labor laws, and recommending that the same be referred to the House committee on Rules,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence, insomuch as relates to the discharge of the joint committee.**

Engrossed Bills.

The following engrossed bills (all 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 Acting President and laid before the Acting Governor for her approbation, to wit:

Authorizing affordable housing covenants in the town of Nantucket (see Senate, No. 2006, amended);

Relative to repeat offenders of the crime of operating a motor vehicle under the influence of alcohol (see Senate, No. 2116);

Authorizing the town of Brewster to establish a road betterment fund (see Senate, No. 2273, printed as amended); and

Relative to voting precincts in the city of Revere (see Senate, No. 2400).

A Bill relative to the issuance of certain bonds by the city of Everett (House, No. 5228,— on petition) [Local approval received],— was read.

There being no objection, the rules were suspended, on motion of Ms. Fargo, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Reports 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 Jo Ann Sprague, Michael J. Coppola and Elizabeth A. Poirier for legislation to designate a certain trail in Mansfield as the World War II veterans trail.

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

Sent to the House for concurrence.

Petition.

On motion of Mr. Moore, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Ms. Melconian (accompanied by bill) of Linda J. Melconian and Benjamin Swan for legislation to establish a sick leave bank for Sharon Melvin-

James, an employee of the Trial Court of the Commonwealth,— **and the same was referred to the committee on the Judiciary.**
Sent to the House for concurrence.

Recess.

At eight minutes past eleven o'clock A.M., the Chair (Ms. Melconian) declared a recess subject to the call of the Chair, and, at four minutes before six o'clock P.M., the Senate reassembled, Ms. Melconian in the Chair.

PAPERS FROM THE HOUSE.

A Bill making appropriations for the fiscal year 2002 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5317 on House, No. 5069, in part),— was read.

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

Mr. Montigny presented an amendment by inserting after section 22 the following section:—

“SECTION 22A. Item 4000-0300 of said section 2 of said chapter 177 is hereby amended by striking out the figure “\$140,400,000” and inserting in place thereof the following figure:— “\$186,400,000.”

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.
Sent to the House for concurrence in the amendment.

Emergency Preamble Adopted; Engrossed Bill Enacted.

An engrossed Bill making appropriations for the fiscal year 2002 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5317, 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 Acting 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 Acting President and laid before the Acting Governor for her approbation.

Order Adopted.

On motion of Mr. Tisei,—

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 nine minutes before seven o'clock P.M., the Senate adjourned to meet on the following Monday at eleven o'clock A.M.