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, April 16, 1998.
Met at nineteen minutes before two o'clock P.M.

Report.

A report of the Massachusetts State Lottery Commission (under the provisions of Section 24 of Chapter 10 of the General Laws) submitting its consolidated statement of operations for the lottery and arts lottery funds for the months of January and February 1998 (received Monday, April 13, 1998),— **was read and sent to the House for its information.**

Committees Discharged.

Mr. Norton, 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 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 Senate document numbered 2153, relative to veteran's benefits (Senate, No. 2167),— and recommending that the same be referred to the committee on Senate Rules.
Under Senate Rule 36, the report was considered forthwith and accepted.

Report of a Committee.

Mr. Berry, for the committee on Steering and Policy, reported that the following matter be placed in the Orders of the Day for the next session:
The House Bill authorizing the Registrar of Motor Vehicles to update address information (House, No. 5401).

Distinguished Guests.

There being no objection, the President introduced Michael Burri of East Boston. Michael attended Dom Savio Preparatory High School where he shattered all of the school's hockey scoring records. He also became the first All-Scholastic hockey player at Dom Savio Preparatory High School. Michael was accompanied by his family and grandmother, Elizabeth, who is celebrating her eighty-fifth birthday today. They were the guests of Senator Travaglini.

Report of a Committee of Conference.

Mr. Rosenberg, for the committee on conference, to whom were referred the matters of difference between the two branches, with reference to the House Bill making appropriations for the fiscal year 1998 to provide for certain collective bargaining agreements, for supplementing certain existing appropriations and for certain activities and projects (House, No. 5300) [the bill having been amended by the Senate by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2143; and the House having further amended the bill by striking out the text and inserting the text of House document numbered 5190, by inserting an emergency preamble and a new title.], reported, in part, a "Bill making appropriations for the fiscal year 1998 to provide for certain collective bargaining agreements, for supplementing certain existing appropriations and for certain other activities and projects" (Senate, No. 2181).
The report was read.
After debate, the question on accepting the report was determined by a call of the yeas and nays, at twenty-seven minutes past three o'clock P.M., on motion of Mr. Pacheco, as follows, to wit (yeas 37 — nays 2):

YEAS.

Amorello, Matthew J.	Melconian, Linda J.
Antonioni, Robert A.	Montigny, Mark C.
Bernstein, Robert A.	Moore, Richard T.
Berry, Frederick E.	Morrissey, Michael W.
Brewer, Stephen M.	Norton, Thomas C.

Clancy, Edward J., Jr.	Nuciforo, Andrea F., Jr.
Creedon, Robert S., Jr.	O'Brien, John D.
Durand, Robert A.	Panagiotakos, Steven C.
Fargo, Susan C.	Pines, Lois G.
Havern, Robert A.	Rauschenbach, Henri S.
Hedlund, Robert L.	Rosenberg, Stanley C.
Jacques, Cheryl A.	Shannon, Charles E.
Jajuga, James P.	Tarr, Bruce E.
Joyce, Brian A.	Tisei, Richard R.
Keating, William R.	Tolman, Warren E.
Knapik, Michael R.	Travaglini, Robert E.
Lees, Brian P.	Walsh, Marian
Lynch, Stephen F.	Wilkerson, Dianne
Magnani, David P.	

— 37.

NAYS.

Murray, Therese	Pacheco, Marc R.

— 2.

The yeas and nays having been completed at twenty-six minutes before four o'clock P.M., the report was accepted. Sent to the House for concurrence.

Papers from the House

The Senate Bill providing consumer protection relative to the sale of insurance by banks (Senate, No. 1948),— came from the House passed to be engrossed, in concurrence, *with an amendment,* by striking out all after the enacting clause and inserting in place thereof the text of House document numbered 5343.

On motion of Ms. Melconian, the rules were suspended and the House amendment was considered forthwith.

Ms. Melconian and Ms. Walsh moved that the House amendment be amended in section 2, in paragraph (3), by adding the following sentence:— "Notwithstanding the foregoing, any premises constructed, purchased, leased or acquired by a bank on and after the effective date of this section for the conduct of its authorized business, including the solicitation and sale of insurance, shall not be eligible for the waiver provided for herein, unless said acquisition results from a merger, consolidation or purchase of assets pursuant to chapters 168, 170 and 172.";

In said section 2, in paragraph (4), by striking out subparagraph (b) and inserting in place thereof the following subparagraph:— "(b) No solicitation for the sale of insurance in conjunction with any application for the extension of credit shall be permitted until said application has been approved, such approval and the disclosures required by this section have been provided to said applicant in writing, and the receipt of both said approval and disclosures has been acknowledged in writing by said applicant. The date, time and method of the communication of said approval and disclosures to the applicant, together with the applicant's acknowledgment of the receipt thereof, shall be made a permanent part of the bank record of such extension of credit. This paragraph shall not apply in situations where a bank contacts a customer in the course of direct or mass marketing of insurance products to a group of persons in a manner that bears no relation to any such person's loan application or credit decision.";

In said section 2, in paragraph (9), by striking out the second sentence and inserting in place thereof the following sentence:— "The director of said office shall cause a record of all such complaints received to be maintained and shall, depending upon the nature of the complaint, refer any such complaint for resolution to the appropriate banking or insurance regulator in the division of banks and loan agencies or the division of insurance.";

In said section 2, by adding the following two subparagraphs:—

"(e) For purposes of this section, the term bank' shall include small loan companies licensed pursuant to section 96 of chapter 140, the mortgage lenders and mortgage brokers licensed pursuant to chapter 255E; provided, however, that the provisions of clause (a) of paragraph (6) shall not apply to such small loan companies or to such mortgage lenders and mortgage brokers which do not accept deposits; and provided, further, that said licensees shall be eligible to apply to the commissioner of banks for a

waiver, in accordance with the provisions of this section, for premises utilized for the conduct of authorized business in the commonwealth.
(f) Notwithstanding any other provision of law to the contrary, the commissioner, in his discretion, may furnish to the commissioner of insurance information, reports and statements relating to the sale of insurance by banks under his supervision which are licensed by the division of insurance pursuant to section 209 of chapter 175.";
In section 4, by adding the following paragraph:—
"Section 211. The commissioner may, in his discretion, furnish to the commissioner of banks and to federal bank regulatory agencies information relating to the insurance activities of any bank or federal bank, as such terms are defined in section one of chapter 167, which are licensed pursuant to section 209.";
By striking out section 7; and
In section 12, by striking out the words "July 1" and inserting in place thereof the following words:— "September 1".
The amendment was adopted.
The House amendment, as amended, was then adopted.
Sent to the House for concurrence in the further amendment.

Orders of the Day.

The Orders of the Day were considered, as follows:
The House bills
Relative to the practice of acupuncture (House, No. 4642); and
Authorizing the town of Westport to reimburse certain tax payments (House, No. 5164);
Were severally read a second time and ordered to a third reading.

The House bills
Relative to the traffic commission of the city of Waltham (House, No. 4865);
Relative to the annual observance of Robert Goddard Day (House, No. 4895); and
Relative to the retirement allowance of Robert Lally of the town of Wellesley (House, No. 4961);
Were severally read a third time and passed to be engrossed, in concurrence.

The Senate bills
Authorizing the city of Fall River to use a certain parcel of land for school department and park department purposes (Senate, No. 2129);
Relative to rental agreements of the Division of Capital Planning and Operations (Senate, No. 2176);
Relative to the Holyoke Armory (Senate, No. 2177); and
Clarifying certain benefits of trial court employees (Senate, No. 2180);
Were severally read a third time and passed to be engrossed.
Severally sent to the House for concurrence.

The House Bill relative to the special police force of the town of Wellesley (House, No. 4960) (its title having been changed by the committee on Bills in the Third Reading),— **was read a third time and passed to be engrossed, in concurrence.**

The Senate Bill providing for the licensing of pub breweries (Senate, No. 2179) (its title having been changed by the committee on Bills in the Third Reading),— **was read a third time and passed to be engrossed.**
Sent to the House for concurrence.

The House Bill further regulating the practice of pharmacy (House, No. 4759) (its title having been changed by the committee on Bills in the Third Reading),— **was read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to condominium by-laws (House, No. 3352),— was read a third time. Mr. Shannon, for the committee on Bills in the Third Reading, reported, asking to be discharged from further consideration thereof.
This report was accepted.
Pending the question on passing the bill to be engrossed, Mr. Shannon moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following text:
"Chapter 183A of the General Laws is hereby amended by inserting after section 12 the following section:—
Section 12A. A by-law may prohibit or regulate the display of a flag, banner or sign by a resident of a condominium unit only to the extent that the constitutions of the United States and of the commonwealth allow a municipal by-law to prohibit or regulate such display."
The amendment was adopted.
The bill was then passed to be engrossed, in concurrence, with the amendment.
Sent to the House for concurrence in the amendment.

The House Bill relative to the consideration of domestic violence in custody and visitation proceedings (House, No. 4951),— was read a third time.

After debate, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at two minutes before four o'clock P.M., on motion of Mr. Clancy, as follows, to wit (yeas 39 — nays 0):

YEAS.

Amorello, Matthew J.	Joyce, Brian A.
Antonioni, Robert A.	Keating, William R.
Bernstein, Robert A.	Knapik, Michael R.
Berry, Frederick E.	Lees, Brian P.
Brewer, Stephen M.	Lynch, Stephen F.
Clancy, Edward J., Jr.	Magnani, David P.
Creedon, Robert S., Jr.	Melconian, Linda J.
Durand, Robert A.	Montigny, Mark C.
Fargo, Susan C.	Moore, Richard T.
Havern, Robert A.	Morrissey, Michael W.
Hedlund, Robert L.	Murray, Therese
Jacques, Cheryl A.	Norton, Thomas C.
Jajuga, James P.	Nuciforo, Andrea F., Jr.
O'Brien, John D.	Tarr, Bruce E.
Pacheco, Marc R.	Tisei, Richard R.
Panagiotakos, Steven C.	Tolman, Warren E.
Pines, Lois G.	Travaglini, Robert E.
Rauschenbach, Henri S.	Walsh, Marian
Rosenberg, Stanley C.	Wilkerson, Dianne
Shannon, Charles E.	

— 39.

NAYS. — 0.

The yeas and nays having been completed at two minutes past four o'clock P.M., the bill was passed to be engrossed, in concurrence.
Sent to the House for concurrence in the amendment previously adopted by the Senate.

The House Bill exempting the town of Wilmington from the operation of certain requirements of the state zoning law (printed as Senate, No. 992),— was read a third time.
Pending the question on passing the bill to be engrossed, Mr. Tarr moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2184; and by striking out the title and inserting in place thereof the following: "An Act relative to construction of certain dwellings in the town of Wilmington".
The amendments were adopted.
The bill, as amended, was then passed to be engrossed, in concurrence.
Sent to the House for concurrence in the amendments.

The House Bill relative to executors (House, No. 2136),— was read a third time.
Pending the question on passing the bill to be engrossed,
Mr. Keating moved that the bill be amended by striking out all after the enacting clause and inserting in place thereof the following text:—
"SECTION 1. Subsection (b) of section 6 of chapter 65C of the General Laws, as appearing in the 1996 Official Edition, is hereby amended by adding the following sentence:— For dates of death on or after January 1, 1997, said certificate of the commissioner shall not be required.
SECTION 2. Subsection (a) of section 14 of said chapter 65C, as so appearing, is hereby amended by adding the following

sentence:— For dates of death on or after January 1, 1997, an affidavit of the executor, subscribed to under the pains and penalties of perjury, recorded in the appropriate registry of deeds and stating that the gross estate of the decedent does not necessitate a federal estate tax filing, shall release the gross estate of the lien imposed by this section.
SECTION 3. Section 32 of chapter 202 of the General Laws, as so appearing, is hereby amended by inserting at the end thereof the following sentence:— For dates of death on or after January 1, 1997, said certificate of the commissioner shall not be required."
The amendment was adopted.
The bill, as amended, was passed to be engrossed, in concurrence, with the amendment.
Sent to the House for concurrence in the amendment.

The House Bill relative to the taxation of certain property of resident owners of cooperative housing corporations (House, No. 1842, amended),— was read a third time.
Pending the question on passing the bill to be engrossed, Ms. Walsh moved that the bill be amended by striking out all after the enacting clause and inserting in place thereof the following text:—
"SECTION 1. Section 5 of chapter 59 of the General Laws, as most recently amended by section 70 of chapter 164 of the acts of 1997, is hereby further amended by inserting after clause Fifty-third the following clause:—
Fifty-fourth. With respect to real property owned by a cooperative corporation, as defined in section 4 of chapter 157B, that portion which is occupied by a member pursuant to a proprietary lease as the member's domicile, shall be deemed to be real property owned by such member for purposes of this section; provided, however, that such portion of the real estate is represented by the member's share or shares of stock in the cooperative corporation and the percentage of such portion to the whole is determined by the percentage of the member's share or shares to the total outstanding stock of the corporation, including shares owned by the corporation. Such portion of such real property shall be eligible for any exemption provided in this section: provided, however, that such member meets all requirements for such exemption. Any exemption so provided shall reduce the taxable valuation of the real property owned by the cooperative corporation; provided, however, that the reduction in taxes realized thereby shall be credited by the cooperative corporation against the amount of such taxes otherwise payable by or chargeable to such member. Nothing contained in this clause shall be construed to affect the tax status of any manufactured home or mobile home under this chapter, but shall apply to the land on which such manufactured or mobile home is located; provided, however, that all other requirements of this clause are met. This clause shall take effect in a city or town upon its acceptance by such city or town.
SECTION 2. Section 5C of said chapter 59, as appearing in the 1996 Official Edition, is hereby amended by adding the following paragraph:—
For purposes of this section, with respect real property owned by a cooperative corporation, as defined in section 4 of chapter 157B, that portion which is occupied by a member pursuant to a proprietary lease as such member's domicile, as so defined, and is used as such member's principal residence for income tax purposes shall be deemed to be real property owned by such member for purposes of this section; provided, however, that the portion of the real estate is represented by the member's share or shares of stock in the cooperative corporation and the percentage of such portion to the whole is the percentage of such member's share or shares in the cooperative corporation to the total outstanding stock of the corporation, including shares owned by the corporation. Such portion of such real property shall be eligible for exemption from taxation pursuant to this section; provided, however, that such member meets all requirements for such exemption. Any exemption so provided shall reduce the taxable valuation of the real property owned by the cooperative corporation; provided, however, that the reduction in taxes realized thereby shall be credited by the cooperative corporation against the amount of such taxes otherwise payable by or chargeable to such member. Nothing contained in this paragraph shall be construed to affect the tax status of any manufactured home or mobile home under this chapter, but shall apply to the land on which such manufactured or mobile home is located; provided, however, that all other requirements of this paragraph are met. This paragraph shall take effect in a city or town upon its acceptance by such city or town."
The amendment was adopted.
The bill was then passed to be engrossed, in concurrence, with the amendment.
Sent to the House for concurrence in the amendment.

The House Bill authorizing the Division of Capital Planning and Operations to enter into a lease of certain property with the town of Chelmsford (House, No. 5340),— was read a third time; **and, after remarks, it was passed to be engrossed, in concurrence.**
Sent to the House for concurrence in the amendment previously adopted by the Senate.

The House Bill relative to fire departments (House, No. 990, amended),— was considered, the main question being on ordering it to a third reading.
Mr. Moore moved that the bill be amended by striking out, each time they appear, the words "the Massport" inserted by amendment by the House; and by inserting after the words "public safety" the following words:— "; provided, however, that the firefighting units at the General Edward Lawrence Logan International Airport and the firefighting units at the L.G. Hanscom Air Field shall not be subject to the provisions of this section".
Pending the amendment, and pending the main question on ordering the bill to a third reading, on motion of Mr. Moore, the further consideration thereof was postponed until Thursday, April 30.

The Senate Bill clarifying recall and to allow active and retired judges to serve on the Appeals Court (Senate, No. 793),— was considered, the main question being on ordering it to a third reading.

The Senate adopted the amendment, previously recommended by the committee on Ways and Means, substituting a new draft entitled An Act clarifying recall and allowing active and retired judges to serve on the Appeals Court" (Senate, No. 2127).

The new draft (Senate, No. 2127) was then ordered to a third reading.

Papers from the House.

Engrossed Bill.

An engrossed Bill promoting the safety of employees of the Massachusetts Bay Transportation Authority (see House, No. 4436, 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.

The question on passing the bill to be re-enacted was determined a call of the yeas and nays, at nine minutes past four o'clock P.M., on motion of Mr. Lynch, as follows, to wit (yeas 38 — nays 0):

YEAS.

Amorello, Matthew J.	Montigny, Mark C.
Antonioni, Robert A.	Moore, Richard T.
Bernstein, Robert A.	Morrissey, Michael W.
Berry, Frederick E.	Murray, Therese
Brewer, Stephen M.	Norton, Thomas C.
Clancy, Edward J., Jr.	Nuciforo, Andrea F., Jr.
Creedon, Robert S., Jr.	O'Brien, John D.
Durand, Robert A.	Pacheco, Marc R.
Fargo, Susan C.	Panagiotakos, Steven C.
Havern, Robert A.	Pines, Lois G.
Hedlund, Robert L.	Rauschenbach, Henri S.
Jacques, Cheryl A.	Rosenberg, Stanley C.
Joyce, Brian A.	Shannon, Charles E.
Keating, William R.	Tarr, Bruce E.
Knapik, Michael R.	Tisei, Richard R.
Lees, Brian P.	Tolman, Warren E.
Lynch, Stephen F.	Travaglini, Robert E.
Magnani, David P.	Walsh, Marian
Melconian, Linda J.	Wilkerson, Dianne

— 38.

NAYS. — 0

ABSENT OR NOT VOTING.

Jajuga, James P.

— 1

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

Engrossed Bill — Land Taking for Conservation, Etc.

An engrossed Bill authorizing the town of North Attleborough to make certain conveyances of forest land (see House, No. 5224) (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 four o'clock P.M., as follows, to wit (yeas 38 — nays 0):

YEAS.

Amorello, Matthew J.	Montigny, Mark C.
Antonioni, Robert A.	Moore, Richard T.
Bernstein, Robert A.	Morrissey, Michael W.
Berry, Frederick E.	Murray, Therese
Brewer, Stephen M.	Norton, Thomas C.
Clancy, Edward J., Jr.	Nuciforo, Andrea F., Jr.
Creedon, Robert S., Jr.	O'Brien, John D.
Durand, Robert A.	Pacheco, Marc R.
Fargo, Susan C.	Panagiotakos, Steven C.
Havern, Robert A.	Pines, Lois G.
Hedlund, Robert L.	Rauschenbach, Henri S.
Jacques, Cheryl A.	Rosenberg, Stanley C.
Joyce, Brian A.	Shannon, Charles E.
Keating, William R.	Tarr, Bruce E.
Knapik, Michael R.	Tisei, Richard R.
Lees, Brian P.	Tolman, Warren E.
Lynch, Stephen F.	Travaglini, Robert E.
Magnani, David P.	Walsh, Marian
Melconian, Linda J.	Wilkerson, Dianne — 38.

— 38.

NAYS. — 0

ABSENT OR NOT VOTING.

Jajuga, James P. — 1.

— 1.

The yeas and nays having been completed at nineteen 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 President and laid before the Acting Governor for his approbation.

Resolutions.

Resolutions (filed by Mr. Rosenberg) "Forecasting the amount of tax revenue for fiscal year 1999", were referred, under the rule, to the committee on Rules.

Subsequently, Mr. Norton, for the said committee, reported, recommending that the resolutions ought to be adopted; and they were considered forthwith, under a suspension of the rules, moved by Mr. Rosenberg, and adopted.

Matter Taken Out of the Notice Section of the Calendar.

There being no objection, the following matter was taken out of the notice section of the calendar and considered, as follows:
The Senate Bill prohibiting disclosure of home addresses of judicial clerks (Senate, No. 842) — was read a read a third time.
Pending the question on passing the bill to be engrossed, Mr. Keating, Ms. Pines, Messrs. Lees and Morrissey moved that the bill be amended by adding the following 10 sections:
"SECTION 2. Section 72 of chapter 119 of the General Laws, as appearing in the 1996 Official Edition, is hereby amended by striking out, in lines 3 through 4, inclusive, the words adjudication of their cases, or during continuances or probation, or after their cases have been placed on file" and inserting in place thereof the following words:— final adjudication of their cases, or pending hearing and determination of any appeals from their cases, or during continuances or probation, or after their cases have been placed on file, or for any other proceeding arising out of their cases.
SECTION 3. Said section 72 of said chapter 119, as so appearing, is hereby further amended by striking out, in line 5, the words for youthful offenders'.
SECTION 4. Said section 72 of said chapter 119, as so appearing, is hereby further amended by striking out, in lines 7 to 9, inclusive, the words , or give any division of the juvenile court department any power or authority over a person after he has attained his nineteenth birthday'.
SECTION 5. Said section 72 of said chapter 119, as so appearing, is hereby further amended by striking out, in lines 17 to 20, inclusive, the words adjudication of their cases, or pending the determinations allowed under section fifty-eight, or during continuances or probation, or after their case has been placed on file' and inserting in place thereof the following words:— final adjudication of their cases, or pending the determination allowed under section 58, or pending hearing and determination of any appeals from their cases, or during continuances or probation, or after their cases have been placed on file, or for any other proceeding arising out of their cases.
SECTION 6. Said section 72 of said chapter 119, as so appearing, is hereby further amended by striking out, in lines 22 to 24, inclusive, the following words:— , or give any division of the juvenile court department any power or authority over any such person after he has attained his twenty-first birthday.
SECTION 7. Said section 72 of said chapter 119, as so appearing, is hereby amended by adding the following paragraph:—
The divisions of the juvenile court department shall continue to have jurisdiction over persons whose cases were properly commenced in juvenile court, regardless of the current age of the person charged, pending final adjudication of such cases, or pending hearing and determination of any appeals from such cases, or during continuances or probation, or after such cases have been placed on file, or for any other proceeding arising out of such cases, unless such persons were transferred to another division of the trial court, in which case jurisdiction over such persons shall remain with such other division.
SECTION 8. Section 2 of chapter 208 of the acts of 1997 is hereby repealed.
SECTION 9. Section 2 of this act shall apply to complaints filed and indictments returned for offenses allegedly committed on or after October 1, 1996.
SECTION 10. Section 3 of this act shall apply to complaints filed and indictments returned for offenses allegedly committed between December 31, 1991 and September 30, 1996, inclusive; provided, however, that nothing in this act shall be deemed to confer jurisdiction on the juvenile court over persons who are charged with committing murder in the first or second degree, which said murder was allegedly committed on or after July 27, 1996 and who at the time of the offense had attained the age of 14.
SECTION 11. This act shall take effect upon its passage."
The amendment was adopted.
After debate, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at twenty-six minutes past four o'clock P.M., on motion of Mr. Bernstein, as follows, to wit (yeas 38 — nays 0):

YEAS.

Amorello, Matthew J.	Montigny, Mark C.
Antonioni, Robert A.	Moore, Richard T.
Bernstein, Robert A.	Morrissey, Michael W.
Berry, Frederick E.	Murray, Therese
Brewer, Stephen M.	Norton, Thomas C.
Clancy, Edward J., Jr.	Nuciforo, Andrea F., Jr.
Creedon, Robert S., Jr.	O'Brien, John D.
Durand, Robert A.	Pacheco, Marc R.
Fargo, Susan C.	Panagiotakos, Steven C.
Havern, Robert A.	Pines, Lois G.
Hedlund, Robert L.	Rauschenbach, Henri S.
Jacques, Cheryl A.	Rosenberg, Stanley C.

Joyce, Brian A.	Shannon, Charles E.
Keating, William R.	Tarr, Bruce E.
Knapik, Michael R.	Tisei, Richard R.
Lees, Brian P.	Tolman, Warren E.
Lynch, Stephen F.	Travaglini, Robert E.
Magnani, David P.	Walsh, Marian
Melconian, Linda J.	Wilkerson, Dianne

— 38.

NAYS. — 0

ABSENT OR NOT VOTING.

Jajuga, James P. — 1.

— 1.

The yeas and nays having been completed at half past four o'clock P.M., the bill (Senate, No. 842, amended) was passed to be engrossed.
Sent to the House for concurrence.

Papers from the House.
Emergency Preambles Adopted.

An engrossed Bill further regulating the conduct of municipal employees (see House, No. 5102, 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 8 to 0.**
The bill was signed by the President and sent to the House for enactment.

An engrossed Bill authorizing Evan Golann and David J. Bergeron to take the state police examination notwithstanding the maximum age requirement (see Senate, No. 2084, 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 9 to 0.**
The bill was signed by the President and sent to the House for enactment.

Engrossed Bill Returned by the Lieutenant-Governor, Acting Governor, with Recommendation of Amendment.

The engrossed Bill relative to the transfer of certain motor vehicle registrations (see Senate, No. 1826) (which on Thursday, March 19, 1998, had been laid before the Acting Governor for his approbation), was returned to the Senate Clerk by the Acting Governor on Friday, March 27, 1998, at eighteen minutes before three o'clock P.M., with a message recommending an amendment.
The message (Senate, No. 2157) was read and the Senate proceeded to reconsider the bill, in accordance with the provisions of Article LVI of the Amendments to the Constitution.
Pending action thereon, the bill was referred to the committee on Bills in the Third Reading, on motion of Mr. Rauschenbach.
Subsequently, Mr. Clancy, for the committee on Bills in the Third Reading, reported, recommending that if the Senate adopts said amendment, as recommended by His Honor the Lieutenant-Governor, Acting Governor, it be adopted in the following form:
By adding at the end of the engrossed bill the following section:
"SECTION 2. Section 113A of chapter 175 of the General Laws, as so appearing, is hereby amended by striking out the second and third paragraphs and inserting in place thereof the following paragraph:—
Notwithstanding the foregoing provisions, a policy covering a registered motor vehicle or trailer which is being transferred as provided in section 2 of chapter 90 shall continue in force and cover a newly acquired new motor vehicle or trailer or a newly acquired used motor vehicle or trailer for a period beginning from the date of transfer of the registered motor vehicle or trailer until 5:00 p.m. of the seventh calendar day following the date of transfer within the period for which the transferred motor vehicle or trailer was registered; provided, however, that the number plates issued upon registration of the transferred motor vehicle or trailer shall be attached to the newly acquired vehicle."
The rules were suspended, on motion of Mr. Rauschenbach, and the report was considered forthwith and accepted.

The President stated that the bill was "before the General Court and subject to amendment and re-enactment".
The Senate adopted the amendment recommended by His Honor the Lieutenant-Governor, Acting Governor (as written by the committee on Bills in the Third Reading).
The bill was sent to the House for its action.

Papers from the House.

A Bill amending a certain conservation restriction (printed in House, No. 5428,— being a message from His Honor the Lieutenant-Governor, Acting Governor) was read.
There being no objection, the rules were suspended, on motion of Ms. Melconian, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Engrossed Bill.

An engrossed Bill relative to the provision of natural gas service in the town of Wakefield (see House Bill, printed in House, No. 5060) (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 his approbation.**

Engrossed Bills.

The following engrossed bills (the first three 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 President and laid before the Acting Governor for his approbation, to wit:
Further regulating voter registration for victims of certain crimes (see Senate, No. 338);
Providing for the annual observance of Eddie Eagle Gun Safety Week (see Senate, No. 1412);
Authorizing the suspension of certain labor laws in an emergency (see Senate, No. 1862, amended);
Relative to the town of Barre and a memorandum of understanding with Phoenix Plaza Corp. and Ware River Recreational Corp. (see House Bill, printed as Senate, No. 2070);
Authorizing the town of Burlington to send certain information to the voters of said town (see House, No. 4979);
Relative to the assessment of sewer betterments in the town of West Boylston (see House No. 5113); and
Relative to the terms of certain bonds and notes to be issued by the Commonwealth (see House Bill, printed in House, No. 5194).

Petitions were referred, in concurrence, as follows:
Petition (accompanied by bill, House, No. 5451) of Edward G. Connolly and other members of the House for legislation to establish an ongoing curriculum of certain historic events, veterans commemorative days and military affairs in the public schools;
Under suspension of Joint Rule 12, to the committee on Education, Arts and Humanities.

Petition (accompanied by bill, House, No. 5452) of Edward G. Connolly, Louis L. Kafka, Jo Ann Sprague, Evelyn G. Chesky, Mary Jeanette Murray and another relative to the benefits provided for the parents and spouses of certain veterans killed in action or classified as missing in action;
Under suspension of Joint Rule 12, to the committee on Human Services and Elderly Affairs.

Petition (accompanied by bill, House, No. 5453) of David Ragucci (mayor), Edward G. Connolly and Eugene L. O'Flaherty (with the approval of the city council) relative to the designation of the parkway industrial and commercial area in the city of Everett as an area of critical environmental concern;
Petition (accompanied by bill, House, No. 5455) of David Ragucci, Edward G. Connolly and Eugene L. O'Flaherty for legislation to further regulate the construction and operation of solid waste disposal facilities.
Severally, under suspension of Joint Rule 12, to the committee on Natural Resources and Agriculture.

Petition (accompanied by bill, House, No. 5454) of Edward G. Connolly and other members of the House for legislation to further regulate real estate tax exemptions for certain elderly persons;
Under suspension of Joint Rule 12, to the committee on Taxation.

Reports of Committees.

By Mr. Norton, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Therese Murray, Michael P. Cahill, Robert E. Travaglini, David P. Magnani and Richard R. Tisei for legislation to further define the practice of mental health counseling.
Senate Rule 36 was suspended, on motion of Ms. Melconian, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Human Services and Elderly Affairs.

By Mr. Norton, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Edward J. Clancy, Jr., Douglas W. Petersen, Steven Angelo, Thomas M. McGee and Robert F. Fennell (with the approval of the mayor and the city council) for legislation to authorize the Lynn Water and Sewer Commission to enter into contracts for the operation and maintenance, repair and replacement of the water and wastewater treatment plants, pump stations and combined sewer overflow consolidation and treatment facilities.
Senate Rule 36 was suspended, on motion of Ms. Melconian, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill, Senate, No. 2192) was referred to the committee on State Administration.

By Mr. Norton, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Warren E. Tolman, Peter J. Larkin, Daniel E. Bosley and Michael W. Morrissey for legislation relative to prepaid calling cards.
Senate Rule 36 was suspended, on motion of Ms. Melconian, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill, Senate, No. 2193) was referred to the committee on Taxation. Severally sent to the House for concurrence.

Resolutions.

Resolutions (filed by Messrs. Birmingham, Panagiotakos and O'Brien) "on the retirement of Fred E. Day of Lowell", were referred, under the rule, to the committee on Rules.
Subsequently, Mr. Norton, for the said committee, reported, recommending that the resolutions ought to be adopted; and they were considered forthwith, under a suspension of the rules, moved by Mr. Clancy, and adopted.

Resolutions (filed by Mr. Shannon and Ms. Wilkerson) "upon the occasion of the one hundredth anniversary of the Shiloh Baptist Church", were referred, under the rule, to the committee on Rules.
Subsequently, Mr. Norton, for the said committee, reported, recommending that the resolutions ought to be adopted; and they were considered forthwith, under a suspension of the rules, moved by Mr. Clancy, and adopted.

Order Adopted.

On motion of Ms. Melconian,—
Ordered, That when the Senate adjourns today, it adjourn to meet again on Tuesday 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 Helen D. Doggett.

Mr. Tolman moved that when the Senate adjourns today, it adjourn in memory of Ms. Helen D. Doggett, formerly of the Legislative Service Bureau, who was of such a tremendous assistance to the Senate and its members over the course of her tenure. This motion prevailed. Accordingly, as a mark of respect to the memory of Ms. Helen D. Doggett, at twenty-two minutes before five o'clock P.M., on motion of Mr. Lees, the Senate adjourned to meet again on Tuesday next, at eleven o'clock P.M.