

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, September 14, 1998.

Met at five minutes past eleven o'clock A.M.

Communication.

A communication from Executive Office for Administration and Finance (under the provisions of Section 9 of Chapter 48 of the Acts of 1997 as most recently amended by Chapter 300 of the Acts of 1998) submitting a plan to recover the costs being absorbed by the Commonwealth in discharging certain costs and liabilities of the former Worcester and Hampden counties and including an amortization schedule of the disbursements and assessments related to said costs and liabilities (received Tuesday, September 1, 1998),— **was placed on file.**

Reports.

The following reports were severally read and placed on file:

A report of the Division of Employment and Training (under the provisions of Chapter 233 of the Acts of 1983) submitting a quarterly update on the condition of the Commonwealth's Unemployment Insurance Trust Fund (received Tuesday, September 1, 1998);

A report of the Massachusetts Corporation for Educational Telecommunications (under the provisions of item 1100-1400 of Section 2 of Chapter 194 of the Acts of 1998) submitting a report outlining the current operations and future projections of said corporation (received Tuesday, September 1, 1998);

A report of the Boston University/Chelsea Partnership (under the provisions of Section 13 of Chapter 133 of the Acts of 1989 submitting a copy of its seventh annual report (received Tuesday, September 1, 1998); and

A report of the Massachusetts Capital Resource Company (under the provisions of Section 12 of Chapter 816 of the Acts of 1977) submitting a report on the current status of said corporation (received Tuesday, September 1, 1998); a copy having been forwarded to the President of the Senate.

Petition.

Mr. Norton presented a petition (subject to Joint Rule 12) of Thomas C. Norton for legislation to establish a comprehensive state wide program for the development and improvement of interpreter services in the Trial Court of the Commonwealth,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Reports of Committees.

By Ms. Pines, for the committee on Natural Resources and Agriculture, on petition (accompanied by bill, Senate, No. 2333), a Bill relative to a certain sewer connection in the town of Walpole (Senate, No. 2336);

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

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 further regulating the use of snowmobiles (House, No. 5457).

Papers from the House

A Bill authorizing and directing the Department of Revenue to refund an overpayment of the 1991 income tax to Theodore and Carolyn Holland of the city of Beverly (House, No. 3929,— on petition),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill relative to the police department of the town of Rockland (House, No. 5620,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

A message from His Honor the Lieutenant-Governor, Acting Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to authorizing the town of Canton to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 5810),— **was referred, in concurrence, to the committee on Government Regulations.**

Resolutions.

Resolutions (filed by Mr. Durand) "congratulating Fire Chief Alpee Levesque of the Shirley Fire Department on the occasion of his retirement", were referred, under the rule, to the committee on Rules.

Subsequently, Mr. Birmingham, 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. Moore, and adopted.

Resolutions (filed by Mr. Moore) "honoring the Blackstone-Millville Regional School District on being designated as one of the most effective school systems in Massachusetts", were referred, under the rule, to the committee on Rules.

Subsequently, Mr. Birmingham, 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. Moore, and adopted.

Resolutions (filed by Mr. Moore) "honoring the Oxford Public School System on being designated as one of the most effective school systems in Massachusetts", were referred, under the rule, to the committee on Rules.

Subsequently, Mr. Birmingham, 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. Moore, and adopted.

Resolutions (filed by Mr. Moore) "honoring the Dudley-Charlton Regional School District on being designated as one of the most effective school systems in Massachusetts", were referred, under the rule, to the committee on Rules.

Subsequently, Mr. Birmingham, 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. Moore, and adopted.

Resolutions (filed by Mr. Moore) "honoring Dr. Debra Murphy, President of Nichols College, on her selection as 1998 Woman of the Year", were referred, under the rule, to the committee on Rules.

Subsequently, Mr. Birmingham, 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. Moore, and adopted.

Resolutions (filed by Mr. Rosenberg) "congratulating Bruce Penniman on being named the 1998 Massachusetts Teacher of the Year", were referred, under the rule, to the committee on Rules.

Subsequently, Mr. Birmingham, 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. Moore, and adopted.

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 designating a certain bridge in the town of Northbridge as the Corporal Richard J. and Sergeant John P. Moran Memorial Bridge (printed as Senate, No. 2105).

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

Papers from the House.

Engrossed Bills.

The following engrossed bills (both of which originated in the House), 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:

Relative to the board of selectmen-town manager form of government in the town of Framingham (see House, No. 5701); and
Relative to certain nongroup health insurance products (see House, No. 5797).

Matters Taken Out of the Orders of the Day.

There being no objection, the following matters were taken out of the Orders of the Day and considered, as follows:

The House Bill relative to town meeting members in the town of Framingham (House, No. 5702),— **was read a second time and ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to the board of selectmen in the town of Boxborough (House, No. 5450),— **was read a third time and passed to be engrossed, in concurrence.**

Bill Previously Recalled from the Acting Governor Laid Before the Senate.

The engrossed Bill relative to the uniform transfer on death security registration act (see Senate, No. 747, changed) which, at a previous session, had been returned by His Honor the Lieutenant-Governor, Acting Governor, at the request of the Senate,— was laid before the Senate.

There being no objection, on motion of Mr. Knapik, the Senate reconsidered the vote by which, at a previous session, it had passed the bill to be enacted. On motion of the same Senator, Senate Rule 49 was suspended.

Mr. Clancy presented an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2338.

The amendment was adopted.

Sent to the House for concurrence in the amendment.

Papers from the House.

A Bill designating the song "Say Hello to Someone in Massachusetts" as the official state polka of the Commonwealth (House, No. 5472,— on petition),— was read.

There being no objection, the rules were suspended, on motion of Mr. Knapik, 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 designating the words and music of Say Hello to Someone in Massachusetts' the official polka of the Commonwealth."

Reports of Committees.

By Mr. Birmingham, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Henri S. Rauschenbach and Eric Turkington for legislation relative to the Wampanoag Tribe of Gay Head. **Senate Rule 36 was suspended, on motion of Mr. Moore, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Insurance.**

By Mr. Birmingham, 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 Shaun P. Kelly (by vote of the town of Cummington) for legislation relative to the transfer of a certain parcel of land by the Hampshire County Housing Authority [Local approval received].

Senate Rule 36 was suspended, on motion of Mr. Moore, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration. Severally sent to the House for concurrence.

Order Adopted.

On motion of Mr. Moore,—

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. Knapik, at eleven minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Thursday at eleven o'clock A.M.