

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, September 24, 1998.

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

Communication.

A communication was received from the Minority Leader, Mr. Lees, announcing the appointment of Senator Tarr to service on the special commission, established by section 409 of Chapter 194 of the Acts of 1998, to study binding arbitration for municipal police officers, fire fighters and other public employees,— **was placed on file.**

Reports.

A report of the Bureau of Special Investigations (under the provisions of Section 15D(6) of Chapter 22 of the General Laws) submitting a report of its activities for the month of August, 1998 (received Monday, September 21, 1998),— **was read and sent to the House for its information.**

The following reports were severally read and placed on file:

A report of the Nongroup Health Insurance Advisory Board (under the provisions of Section 31 of Chapter 297 of the Acts of 1996) submitting a copy of its annual report (received Monday, September 21, 1998);

A report of the Department of Education (under the provisions of Section 8 of Chapter 46 of the Acts of 1997) submitting a copy of a study advantages and disadvantages of authorizing local school committees to grant charter schools (received Monday, September 21, 1998); and

A report of the Massachusetts Commission on Indian Affairs (under the provisions of Section 8A of Chapter 6A of the General Laws) submitting a copy of its 1997 annual report (received Monday, September 21, 1998).

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 Senate Bill relative to a certain sewer connection in the town of Walpole (Senate, No. 2336).

Papers from the House

Bills

Relative to town meeting members in the town of Amherst (House, No. 5463,— on petition) [Local approval received]; and Authorizing the city of Westfield to abate and refund certain property taxes (House, No. 5546), substituted by amendment by the House for the report of the committee on Taxation, ought NOT to pass (under Joint Rule 10,— 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 Bill relative to meetings of the Board of Registration of Cosmetologists (House, No. 5782,— on House, No. 2851),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

A report of the committee on Insurance, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 2337) of Robert A. Antonioni and Robert S. Hargraves (by vote of the town) for legislation relative to certain insurance coverage for a former employee of the town of Townsend, and recommending that the same be referred to the committee on Public Service,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Committee Changes.

The President announced the resignation of Senator Jacques of Norfolk, Bristol and Middlesex as a member of the committee on Bills in the Third Reading and the appointment of Senator Travaglini of Suffolk and Middlesex to fill the vacancy.

Papers from the House. *Engrossed Bill.*

An engrossed Bill exempting the position of sealer of weights and measures in the town of Hingham from the provisions of the civil service law (see House, No. 5574) (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 and was signed by the President and laid before the Acting Governor for his approbation.**

Resolutions.

Resolutions (filed by Ms. Fargo and Mr. Tolman) "on the occasion of the one hundred and fiftieth anniversary of the Fernald Center in Waltham", 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. Rauschenbach, and adopted.

Resolutions (filed by Mr. Jajuga) "recognizing the week of October 4 through October 10, 1998 as Fire Prevention Week", 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. Rauschenbach, and adopted.

Resolutions (filed by Mr. Rauschenbach) "upon the retirement of John F. DeMello", 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. Rauschenbach, and adopted.

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 William R. Keating, John H. Rogers, Mark C. Montigny, Michael W. Morrissey and Michael G. Bellotti for legislation to amend the definition of drug induced rape and kidnapping.

Senate Rule 36 was suspended, on motion of Mr. Bernstein, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Criminal Justice.

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 Steven C. Panagiotakos, Kevin J. Murphy, Thomas A. Golden, Jr., and Edward A. LeLacheur for legislation to further the redevelopment of the former Lawrence Mills property in the city of Lowell.

Senate Rule 36 was suspended, on motion of Mr. Bernstein, 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.

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 Bruce E. Tarr, Forrester A. Clark, Jr., and Harriett L. Stanley for legislation to accept the devise of certain land in Georgetown as part of the Georgetown-Rowley State Forest.

Senate Rule 36 was suspended, on motion of Mr. Bernstein, 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.

Mr. Rosenberg, for the committee on Ways and Means, reported, in part, on House No. 5688, a "Bill relative to the Massachusetts Sports Partnership" (Senate, No. 2341) [Direct Appropriation — \$200,000];

The bill was read. There being no objection, the rules were suspended, on motion of Ms. Melconian, and the bill (Senate,

No. 2341) was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act relative to the Massachusetts Sports Partnership, Inc."

Sent to the House for concurrence.

Bill Recalled from the Acting Governor.

On motion of Mr. Bernstein, it was voted that a messenger be appointed to wait upon His Honor the Lieutenant-Governor, Acting Governor, requesting the return to the Senate of the engrossed Bill relative to certain nongroup health insurance products (see House, No. 5797).

Mr. Bernstein was appointed the messenger. Subsequently, the bill was returned to the Senate.

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 providing early retirement benefits to water treatment plant operators at the water department of the city of Cambridge due to the closure of the treatment plant for renovation (House, No. 4626),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

The House Bill authorizing the licensing authority of the town of Palmer to issue an additional license for the sale of beer and wine to be drunk on the premises to the Palmer Inn (House, No. 5618),— **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 the town of Palmer to issue an additional license for the sale of wines and malt beverages to be drunk on the premises."**

Committee Changes.

The President announced the resignation of Senator Travaglini of Suffolk and Middlesex as a member of the committee on Bills in the Third Reading and the reappointment of Senator Jacques of Norfolk, Bristol and Middlesex thereto.

Order Adopted.

On motion of Ms. Melconian,—

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. Rauschenbach, at twelve minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Monday at eleven o'clock A.M.