

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, June 11, 1998.

Met at three 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 Wonderland Greyhound Park, Inc. (under the provisions of section 2 of Section 5 of Chapter 101 of the Acts of 1992) submitting copies of supplemental contracts for the simulcasting of dog racing (received Monday, June 8, 1998),— **was placed on file.**

Report.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of the M.C.I. Shirley Minimum facility (received Tuesday, June 9, 1998),— **was read and sent to the House for its information.**

Petitions.

Petitions were presented and referred, as follows:

By Mr. Havern (by request), a petition (subject to Joint Rule 12) of Thomas R. Rawson and Patrick J. Leonard for legislation to designate Captain Samuel Whittemore the Official State Hero of the Commonwealth and providing for an annual proclamation of a day in his honor;

By Mr. Rauschenbach, a petition (subject to Joint Rule 12) of Henri S. Rauschenbach for legislation to dedicate the Sagamore Bridge to the memory of Trooper Mark Charbonnier; and

By the same Senator, a petition (subject to Joint Rule 12) of Henri S. Rauschenbach for legislation to dedicate the Bourne Bridge to the memory of Trooper James Mattaliano;

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

Reports of Committees.

Mr. Berry, for the committee on Steering and Policy, reported that the following matters be placed in the Orders of the Day for the next session:

The House Bill relative to a certain advisory committee of the Department of Mental Health (House, No. 2492); and

The Senate report of the committee on Government Regulations, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 1892) of Andrea F. Nuciforo, Jr., and others (with the approval of the mayor and city council) for legislation to authorize the city of Pittsfield to sell alcoholic beverages not to be drunk on the premises on Sundays and legal holidays.

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 Brian P. Lees for legislation to establish a sick leave bank for Owen Jones, an employee of the Department of Mental Retardation.

**Senate Rule 36 was suspended, on motion of Ms. Murray, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service.
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 House Bill authorizing the town of Ashby to continue the employment of Elmer S. Fitzgerald, Jr. as fire chief (House, No. 5508),— **was read a second time and ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Papers from the House.

Bills

Relative to limited liability companies (House, No. 3949, amended,— on petition);
Making appropriations to fund a collective bargaining agreement between the Commonwealth and the State Police Association of Massachusetts, and to fund certain compensation adjustments for state police senior officers (House, No. 5585,— on House, No. 5393); and
Relative to periodic payments to contractors on public works contracts (House, No. 5595,— on House, No. 4179);
Were severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

A Bill authorizing the South Middlesex Regional Vocational Technical School to pay certain health insurance premiums (House, No. 5444,— on petition),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

A Bill authorizing the town of North Reading to establish a certain fund (House, No. 5464,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

A report of the committee on Human Services and Elderly Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 5489) of Marie J. Parente and other members of the General Court relative to the licensing of au pair agencies and further regulating the employment of au pairs, and recommending that the same be referred to the committee on Commerce and Labor,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Engrossed Bill.

An engrossed Bill relative to removal of eggs from female lobsters (see House, No. 5246) (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 Acting President and laid before the Acting Governor for his approbation.**

Emergency Preamble Adopted.

An engrossed Bill relative to the transfer of certain motor vehicle registrations (see Senate, No. 1826, 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 3 to 0.
The bill was signed by the Acting President and sent to the House for enactment.**

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5596) of Richard T. Moore and David M. Peters (by vote of the town) that the town of Charlton be authorized to establish a debt service reserve fund and a capital expenditures fund in said town;
To the committee on Local Affairs.

Petition (accompanied by bill, House, No. 5601) of Harold P. Naughton, Jr., and Robert A. Bernstein relative to directing the Personnel Administrator of the Commonwealth to classify Francis Garrity as a permanent correctional maintenance worker at the Massachusetts Correctional Institution, Lancaster;
Under suspension of Joint Rule 12, to the committee on Public Service.

Petition (accompanied by bill, House, No. 5602) of Harold M. Lane, Jr., and Stephen M. Brewer that the Division of Capital Planning and Operations be authorized to convey certain property in the town of Rutland to the development and industrial commission of said town;
Under suspension of Joint Rule 12, to the committee on State Administration.

A petition (accompanied by bill, House, No. 5387) of Philip Travis, Patrick F. Landers III and Michael W. Morrissey relative to the disclosure of certain information by the Department of Revenue,— **came from the House with the endorsement that the House had referred the matter to the committee on Banks and Banking. The Senate concurred in the reference to the committee on Banks and Banking.**

Distinguished Guests.

The Chair (Ms. Melconian) introduced students of the fifth grade class from the Donahue School in Holyoke. The students were accompanied by their teacher, Ann Marie Shields. The Chair noted that the Donahue School in Holyoke was named after Maurice A. Donahue, who served as President of the Massachusetts Senate from 1964-1970. The group was the guest of Senators Melconian and Knapik.

Resolutions.

Resolutions (filed by Mr. Birmingham) "honoring Joseph C. Faherty, President of the Massachusetts AFL-CIO, on the occasion of his retirement", 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 Ms. Murray, and adopted.

Resolutions (filed by Mr. Brewer) "congratulating Erik Hunderup upon the occasion of his retirement after 24 years of outstanding service as Chief of Police in the town of East Brookfield", 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 Ms. Murray, and adopted.

Resolutions (filed by Mr. Keating) "congratulating Glenn O. Hosford on receiving the Eagle Award of the Boy Scouts of America", 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 Ms. Murray, and adopted.

Resolutions (filed by Mr. Knapik) "honoring Joseph C. Knapik on his retirement after 34 years as a teacher and guidance counselor in the Westfield Public Schools", 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 Ms. Murray, and adopted.

Resolutions (filed by Ms. Walsh) "congratulating Richard Talanian upon the occasion of his retirement from the Norwood Public School System", 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 Ms. Murray, and adopted.

Resolutions (filed by Mr. Morrissey) "honoring Theresa O. Davis, the Presiding Officer of the American Gold Star Mothers", 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 Ms. Murray, and adopted.

Order Adopted.

On motion of Mr. Knapik,—

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