

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, November 23, 1998.

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

Reports.

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 15D(6) of Chapter 22 of the General Laws) submitting a report of its activities for the month of October 1998 (received Thursday, November 19, 1998); and

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 MCI Plymouth, in the town of South Carver (received Friday, November 20, 1998).

Petitions.

Petitions were presented and referred, as follows:

By Mr. Brewer, a petition (subject to Joint Rule 12) of Stephen M. Brewer and Patrick F. Landers III (by vote of the town) for legislation to authorize the certification for appointment of Edward Wloch as a firefighter in the town of Ware notwithstanding the maximum age requirements [Local approval received]; and

By Mr. Tolman, a petition (subject to Joint Rule 12) of Warren E. Tolman for legislation to exempt from taxation sales over the internet using an internet service provider;

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

Report of a Committee.

By Mr. Bernstein, for the committee on Criminal Justice, on petition, a Bill relative to certain volunteer efforts and the dissemination of criminal offender record information (Senate, No. 2356);

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

Papers from the House

A Bill relative to water and sewer services of the town of Hopedale (House, No. 5816,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5875) of Louis L. Kafka, William R. Keating and William C. Galvin (by vote of the town) relative to the date of town elections in the town of Stoughton;

To the committee on Election Laws.

Petition (accompanied by bill, House, No. 5876) of Edward G. Connolly and Thomas F. Birmingham (with the approval the mayor and city council) relative to authorizing the city of Everett to issue certain pension obligation bonds; and
Petition (accompanied by bill, House, No. 5877) of Charles J. Manca (mayor), Brian Knuuttila and others (with the approval of the mayor and city council) relative to authorizing Joanne E. Bernard of the city of Gardner to continue in the position of city councillor in said city after her retirement;
Severally to the committee on Public Service.

Resolutions.

Resolutions (filed by Mr. Birmingham) "congratulating John the Quiet Man' Ruiz", were referred, under the rule, to the committee on Rules.

Subsequently, Mr. Clancy, 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. Melconian, and adopted.

The President thereupon recognized, seated in the rear of the Senate Chamber, John "the Quiet Man" Ruiz and his family. The President noted that Mr. Ruiz, a native of Chelsea, is attempting to become the first Hispanic heavyweight boxing champion of the world. John Ruiz captured the North American Boxing Federation's Heavyweight Championship in 1997 and the World Boxing Association's North American Heavyweight Championship in 1998. In addition to his boxing accomplishments, Mr. Ruiz has made significant contributions to his community by speaking to youths about the importance of staying in school and off drugs, and by coaching little league baseball and Pop Warner football. John "the Quiet Man" Ruiz was the guest of Senate President Birmingham.

Resolutions.

Resolutions (filed by Mr. Creedon) "on the retirement of John D. Riordan", were referred, under the rule, to the committee on Rules.

Subsequently, Mr. Clancy, 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. Fargo, and adopted.

Resolutions (filed by Mr. Knapik) "congratulating Dr. Tilia J. Fantasia on the occasion of her retirement from Westfield State College", were referred, under the rule, to the committee on Rules.

Subsequently, Mr. Clancy, 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. Fargo, and adopted.

Resolutions (filed by Mr. Pacheco) "congratulating Coyle and Cassidy High School in Taunton", were referred, under the rule, to the committee on Rules.

Subsequently, Mr. Clancy, 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. Fargo, and adopted.

Papers from the House.

Engrossed Bill.

An engrossed Bill relative to false impersonation and identity fraud (see House, No. 5147, amended) (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.**

Engrossed Bill Returned to House by Acting Governor with Recommendation of Amendment.

The engrossed Bill relative to town meeting members in the town of Amherst (see House, No. 5463),— having been returned to the House by His Honor the Lieutenant-Governor, Acting Governor, in accordance with the provisions of Article LVI of the Amendments to the Constitution, with recommendation of amendment (for message, see House, No. 5859),— came from the House, amended as follows:

In section 2 by adding at the end thereof the following sentence: "Town meeting members elected pursuant to this section shall serve until the next annual town election."

The message of His Honor the Lieutenant-Governor, Acting Governor, was read.

The rules were suspended, on motion of Mr. Clancy, and the matter was considered forthwith.

The President stated that inasmuch as, under the provisions of Article LVI of the Amendments to the Constitution, the bill was "before the General Court subject to amendment and re-enactment", the bill was before the Senate subject to amendment.

On motion of Mr. Clancy, the Senate concurred in the adoption of the House amendment.

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 Greenfield to issue a license for the sale of wines and malt beverages (House, No. 5527),— **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 Greenfield to issue a license for the sale of wines and malt beverages to be drunk on the premises."**

Papers from the House

A Bill authorizing the town of Fairhaven to issue an additional license for the sale of alcoholic beverages to Fort Phoenix Post No. 2892, Veterans of Foreign Wars of the U.S. Inc. (House, No. 5804,— on petition) [Local approval received],— was read. **There being no objection, the rules were suspended, on motion of Mr. Bernstein, 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 in Bills in the Third Reading to read as follows: "An Act authorizing the town of Fairhaven to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises."**

A petition (accompanied by bill, House, No. 5879) of Therese Murray and Ruth W. Provost relative to the election of a clerk-treasurer of the Onset Fire District,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Local Affairs.**

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 relative to the town manager of the town of Cohasset (House, No. 5465),— **was read a third time and passed to be engrossed, in concurrence.**

Order Adopted.

On motion of Ms. Melconian,—

Ordered, That when the Senate adjourns today, it adjourn to meet again on Wednesday 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. Amorello, at twelve minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Wednesday at eleven o'clock A.M.