

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, February 10, 2000.

Met at four minutes past eleven o'clock A.M. (Mr. Rosenberg in the Chair) having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

Distinguished Guests.

The Chair (Mr. Rosenberg) introduced, seated in the rear of the Chamber, Kristen Finn, Padraic Forry and Jennifer Noonan, sophomore students from Milton High School. The three students saved many lives while returning from a sight-seeing trip to New York, when their bus driver passed out behind the wheel. The students were able to take control of the bus and guide it to safety, as well as to tend to the ailing bus driver. They were the guests of Senator Joyce.

Communications.

A communication was received from the President announcing the following appointments:

The Senator from Suffolk, Mr. Lynch, the Senator from Norfolk, Bristol and Middlesex, Ms. Jacques, and the Senator from Hampden and Hampshire, Mr. Lees, to the special legislative task force established (pursuant to section 5 of Chapter 172 of the Acts of 1999) relative to a statewide insurance and retirement plan;

The Senator from Middlesex and Norfolk, Ms. Creem, the Senator from Essex, Mr. Jajuga, the Senator from Worcester, Mr. Bernstein, the Senator from Plymouth and Bristol, Mr. Creedon, the Senator from Norfolk and Suffolk, Ms. Walsh, and the Senator from Norfolk, Bristol and Plymouth, Mrs. Sprague, to the special commission established (pursuant to section 20 of Chapter 74 of the Acts of 1999) relative to bail conditions for sex offenders;

The Senator from Suffolk, Mr. Lynch, the Senator from Worcester and Norfolk, Mr. Moore, and the Senator from Norfolk, Bristol and Plymouth, Mrs. Sprague, to the special legislative task force established (pursuant to section 4 of Chapter 172 of the Acts of 1999) relative to unemployment insurance.

A communication from the Massachusetts Port Authority (under the provisions of Chapter 313 of the Acts of 1998) submitting the final Terminal A project delivery process (received Tuesday, February 8, 2000),— was placed on file.

Report.

A report of the Department of Telecommunications and Energy (under the provisions of Section 77 of Chapter 164 of the General Laws) submitting its annual report for calendar year 1999 (received Wednesday, February 9, 2000),— was read and sent to the House for its information.

Petitions.

Petitions were presented and referred, as follows:

By Mr. Brewer, a petition (subject to Joint Rule 12) of William F. Galvin, Secretary of the Commonwealth, and Stephen M. Brewer for legislation to reauthorize the Massachusetts Preservation Project Fund;

By Ms. Creem, a petition (subject to Joint Rule 12) of Cynthia S. Creem for legislation relative to authorizing the Department of Public Safety to conduct a study of the safety of youth and school athletic programs; and

By Mr. Havern, a petition (subject to Joint Rule 12) of Robert A. Havern for legislation to authorize the Department of Revenue to refund an overpayment of certain income taxes to Charles J. McCue;

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

Reports of a Committee.

Mr. Brewer, 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 bills

Relative to local elections (House, No. 4551);

Providing for the annual observance of the month of March as Irish-American Heritage Month (House, No. 4767); and

Relative to contracts between court reporters and any attorney, party or party having a financial interest in an action (House No. 4807).

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No 5004) of Thomas G. Ambrosino (mayor), Kathi-Anne Reinstein, Robert A. DeLeo, Robert E. Travaglini, Anthony Petruccelli and Thomas F. Birmingham (with the approval of the city council) for legislation to authorize the city of Revere to pay certain funeral and burial expenses for Theodore A. Ferrante, Jr., a fire fighter killed in the line of duty,— was referred, in concurrence, to the committee on Public Service.

A Bill relative to certain industrial property in the city of Everett (House, No. 4930,— on House, Nos. 4930 and 4952) [Local approval received on House, No. 4930],— was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:—

Resolutions (filed by Mr. Rauschenbach) “congratulating Chief Raphael A. Merrill on the occasion of his retirement from the Orleans Fire Department”; and

Resolutions (filed by Ms. Wilkerson) “honoring Superintendent Bobbie J. Johnson”.

Report of Committees.

By Mr. Rosenberg, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Cynthia S. Creem for legislation relative to parents’ testimony against their children in criminal proceedings.

Senate Rule 36 was suspended, on motion of Ms. Fargo, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary.

Sent to the House for concurrence.

PAPER FROM THE HOUSE.

Engrossed Bill.

An engrossed Bill authorizing the sale of innovative insurance and financial planning products (see Senate, No. 1996) (which originated in the Senate), 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 Governor for his approbation.

Order Adopted.

Mr. Moore offered the following order, to wit:—

Ordered, That, notwithstanding the provisions of Joint Rule 10, the joint committee on Health Care be granted until February 29, 2000 within which to make its final report on current Senate documents numbered 489 and 499 and house document numbered 2516.

The order was considered forthwith; and, there being no objection, the order was adopted.

Sent to the House for concurrence.

PAPER FROM THE HOUSE.

The House Bill providing for the licensing of perfusionists (House No. 1183, amended),— came from the House with the endorsement that the House had concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2081, with further amendments in section 4, in line 3, and also in line 10, by striking out the word “March”, in each instance, and inserting in place thereof, in each instance, the word “September”.

The rules were suspended, on motion of Mr. Bernstein, and the House amendment was considered forthwith and adopted, in concurrence.

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 Senate Bill authorizing the city of Leominster to establish an open space fund (Senate, No. 1985),— was read a third time and passed to be engrossed.

Sent to the House for concurrence.

The House bills

Authorizing the town of Norton to use certain land for passive recreation purposes (House, No. 4718); and

Providing for the appointment of a treasurer/collector in the town of Norton (House, No. 4719);

Were severally read a third time and passed to be engrossed, in concurrence.

PAPER FROM THE HOUSE.

A Bill relative to the election of officers to the West Boylston Water District (House, No. 4954,— 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.

Petition.

On motion of Ms. Wilkerson, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Ms. Tucker (accompanied by bill) of Susan C. Tucker, David M. Torrisi, Linda J. Melconian, Steven C. Panagiotakos and other members of the General Court for legislation to designate the Patricia McGovern riverfront park,— and the same was referred to the committee on State Administration.

Sent to the House for 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 Acting President and laid before the Governor for his approbation, to wit:

Relative to representative town meetings in the town of Braintree (see House, No. 4859, changed); and

Relative to the terms of certain bonds and notes issued by the Commonwealth (see House Bill, printed in House, No. 4938).

Bill Recalled from the Governor.

On motion of Ms. Fargo, it was voted that a messenger be appointed to wait upon His Excellency the Governor, requesting the return to the Senate of the engrossed Bill relative to bonds of the Oak Bluffs Water District (see House, No. 4675).

Ms. Fargo was appointed the messenger. Subsequently, the bill was returned to the Senate.

Recess.

There being no objection, at nineteen minutes past eleven o'clock A.M., the Chair (Mr. Rosenberg) declared a recess subject to the call of the Chair; and, at four minutes before twelve o'clock noon, the Senate reassembled, the President in the Chair.

PAPERS FROM THE HOUSE.

Engrossed Bill.

An engrossed Bill relative to the election of officers to the West Boylston Water District (see House, No. 4954) (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 Governor for his approbation.

Emergency Preamble Adopted.

An engrossed Bill providing for the licensing of perfusionists (see House, No. 1183, 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 2 to 0.

The bill was signed by the President and sent to the House for enactment.

Order Adopted.

On motion of Ms. Murray,—

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. Bernstein, at one minute before twelve o'clock noon, the Senate adjourned to meet on the following Monday at eleven o'clock A.M.
