

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, May 20, 1999.

Met at three minutes past eleven o'clock A.M. (Ms. Melconian in the Chair).

Engrossed Bill — Laid Before the Governor.

The engrossed Bill relative to the construction and financing of infrastructure and other improvements in the town of Foxborough and at Foxboro Stadium (see House Bill, printed in Senate, No. 1786, amended) (which originated in the House), **having been passed to be enacted by a vote of 36 yeas to 1 nay, and signed by the President on Tuesday, May 18, 1999, was laid before the Governor for his approbation on Wednesday, May 19, 1999.**

Communication.

A communication from Wonderland Greyhound Park, Inc. (under the provisions of Section 2 of Chapter 128C of the General Laws) submitting copies of supplemental contracts entered into by said corporation (received Thursday, May 20, 1999), — **was placed on file.**

Report.

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 April 1999 (received Tuesday, May 18, 1999), — **was read and sent to the House for its information.**

Reports of Committees.

By Ms. Murray, for the committee on Human Services and Elderly Affairs, on Senate, No. 587 and House, No. 790, a Bill requiring the Department of Mental Health to notify crime victims or their families of the release of certain criminals (Senate, No. 587);

By the same Senator, for the same committee, on petition, a Bill relative to patient funds at the Soldiers' Home in Holyoke (Senate, No. 589);

By the same Senator, for the same committee, on petition, a Bill relative to an amendment concerning military honor guard burials for Massachusetts veterans (Senate, No. 598);

By the same Senator, for the same committee, on Senate, Nos. 601 and 615 and House, No. 256, a Bill relative to the definition of veterans (Senate, No. 615);

By the same Senator, for the same committee, on Senate, No. 616 and House, Nos. 978, 1747 and 2353, a Bill relative to veterans' spouses (Senate, No. 616);

By the same Senator, for the same committee, on Senate, Nos. 628 and 630, a Bill further defining the term veteran (Senate, No. 630);

By the same Senator, for the same committee, on petition, a Bill relative to the erection of the POW-MIA eternal flame (Senate,

No. 636, changed in section 2, in line item 1410-0623, by striking out the figure "\$50,000" and inserting in place thereof the figure "\$100,000"); and

By Mr. Pacheco, for the committee on Natural Resources and Agriculture, on petition, a Bill relative to conservation district supervisors (Senate, No. 982);

Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Mr. Pacheco, for the committee on Natural Resources and Agriculture, on petition, a Bill to create an exotic aquatic species control program (Senate, No. 994, changed in section 4, in line 93, by inserting after the word "commonwealth." the following sentence "Such list shall define and differentiate between exotic aquatic plant species and those species of exotic aquatic plants that are invasive." and by striking out the words "The list of exotic aquatics" and inserting in place thereof the words "Such list"; by inserting, in line 124, after the word "plants" the following words: "shall be submitted to the Joint Committee on Natural Resources and Agriculture by the technical advisory committee 60 days prior to the final completion of such list. In addition, said committee shall also prepare and submit to the Joint Committee on Natural Resources and Agriculture, a report describing the methodologies for evaluating the effectiveness of this program. Subsequently, this list");

Read and, under Senate Rule 26A, referred to the committee on Science and Technology.

By Mr. Pacheco, for the committee on Natural Resources and Agriculture, on petition, a Bill designating a portion of the Blackstone River and Canal Heritage State Park as the Honorable William A. L. Bazeley Memorial Recreation Area (Senate, No. 1021);

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

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 Senate bills

Relative to an underage law enforcement agent, acting under direct control of a police officer and/or alcoholic beverages control commission enforcement officer, enabling them to lawfully purchase and take possession of an alcoholic beverage in a selective liquor enforcement program (Senate, No. 375);

Protecting consumers against additional charges from new area codes (Senate, No. 381);

Relative to municipal light department security deposits (Senate, No. 382);

Relative to the Board of State Examiners of Plumbers (Senate, No. 384);

Relative to medical examinations required by certain boards of registration (Senate, No. 416);

Further defining the practice of mental health counseling (Senate, No. 609);

Pertaining to the rights of fire fighters and police officers (Senate, No. 1238);

Pertaining to the appointment of fire fighters and police officers (Senate, No. 1251); and

Relative to the taxation of certain property of resident owners of cooperative housing corporations (Senate, No. 1656); and

The Senate reports

Of the committee on Government Regulations, ought NOT to pass:

On the petition (accompanied by bill, Senate, No. 361) of Richard Piper for legislation to require periodic testing of all licensed realtors in the Commonwealth;

On the petition (accompanied by bill, Senate, No. 362) of Richard Piper for legislation to require periodic competency testing of all licensed and registered electricians in the Commonwealth; and

On the petition (accompanied by bill, Senate, No. 363) of Richard Piper for legislation to require periodic competency testing of all licensed and registered plumbers in the Commonwealth;

Committees Discharged.

Ms. Melconian, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration

Of the Senate Order relative to authorizing the joint committee on Public Service to make an investigation and study of various Senate documents relative to disability presumptions and retirement benefits and returning to work (Senate, No. 1790); and

Of the Senate Order relative to authorizing the joint committee on Public Service to make an investigation and study of various Senate documents relative to collective bargaining and binding arbitration (Senate, No. 1791);

And recommending that the same severally be referred to the Senate committee on Rules.

Under Senate Rule 36, the reports were severally considered forthwith and accepted.

Ms. Murray, for the committee on Human Services and Elderly Affairs, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 590) of Michael R. Knapik, Evelyn G. Chesky, Walter A. DeFilippi, Brian P. Lees and Joseph F. Wagner for legislation relative to the funds received at the outpatient pharmacy at the Soldiers' Home in Holyoke; and

Mr. Pacheco, for the committee on Natural Resources and Agriculture, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1034) of Henri S. Rauschenbach and Shirley Gomes for legislation relative to storm-damaged property;

And recommending that the same severally be referred to the Senate committee on Ways and Means.

Under Senate Rule 36, the reports were severally considered forthwith and accepted.

Severally sent to the House for concurrence in the discharge of the joint committees.

PAPERS FROM THE HOUSE..

Messages were referred, in concurrence, as follows:

Message from His Excellency the Governor recommending legislation relative to improving access to reproductive health care (House, No. 4312);

To the committee on the Judiciary.

Message from His Excellency the Governor recommending legislation relative to agricultural preservation and other restrictions (House, No. 4313); and

Message from His Excellency the Governor recommending legislation relative to the approval of licenses for activities within waterways of the Commonwealth (House, No. 4314);

Severally to the committee on Natural Resources and Agriculture.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4315) of Gale D. Candaras relative to the Massachusetts Municipal Wholesale Electric Company (having been transmitted to the Secretary of the Commonwealth under the provisions of Section 7 of Chapter 3 of the General Laws, and was returned by him with memoranda relative thereto);

Under suspension of Joint Rule 9, to the committee on Government Regulations.

Petition (accompanied by bill, House, No. 4324) of Eric Turkington and Henri S. Rauschenbach (by vote of the town) relative to authorizing the town of Oak Bluffs to establish a reserve fund for purchasing and equipping an ambulance and other public safety vehicles;

To the committee on Local Affairs.

Reports

Of the committee on Education, Arts and Humanities, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3238) of Alice K. Wolf, Steven A. Tolman, Thomas M. McGee and Carol C. Clevon for legislation to regulate reimbursements of the federal child and adult care fund program,— and recommending that the same be referred to the committee on Human Services and Elderly Affairs.

Of the committee on Health Care, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1179) of John A. Stefanini for legislation to further define the authority of medical peer review committees,— and recommending that the same be referred to the committee on Insurance.

Of the committee on Human Services and Elderly Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1199) of Steven Angelo, Thomas M. McGee, Edward J. Clancy, Jr., and Brian M. Cresta relative to the authority of the Disabled Persons Protection Commission to seek protective orders for disabled victims of abuse,— and recommending that the same be referred to the committee on the Judiciary.

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.

Reports

Of the committee on Counties, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 123) of Stephen M. Brewer, David H. Tuttle and John Kelstrand for legislation to regulate the recovery of lost dogs;

Of the petition (accompanied by bill, Senate, No. 124) of Stephen M. Brewer, David H. Tuttle and John Kelstrand for legislation to extend the life of impounded dogs;

Of the petition (accompanied by bill, Senate, No. 135) of Henri S. Rauschenbach and Therese Murray for legislation to require dog officers to report incidents of animal abuse;

Of the petition (accompanied by bill, House, No. 405) of Antonio F. D. Cabral, Mary Jeanette Murray, Thomas J. O'Brien and Demetrius J. Atsalis that grants to political subdivisions be also made available to the counties of the Commonwealth;

Of the petition (accompanied by bill, House, No. 406) AFSCME Council 93 and Kevin W. Fitzgerald relative to the civil service rights of employees of the sheriff of Suffolk County;

Of the petition (accompanied by bill, House, No. 755) of Bruce J. Ayers for legislation to reform the civil process system;

Of the petition (accompanied by bill, House, No. 1333) of Brian S. Dempsey and another relative to the quarterly payment of court rentals to each county;

Of the petition (accompanied by bill, House, No. 1894) of Peter J. Larkin and Christopher J. Hodgkins for legislation to exempt counties from filing fees on lake drawdowns for flood control;

Of the petition (accompanied by bill, House, No. 2293) of Daniel E. Bosley relative to the appointment of an advisory board on

economic development in each county of the Commonwealth;

Of the petition (accompanied by bill, House, No. 2294) of Robert Wright that the Department of Public Health be directed to promulgate rules and regulations relative to the licensing of cats;

Of the petition (accompanied by bill, House, No. 2295) of Mary Jeanette Murray relative to the licensing of dogs;

Of the petition (accompanied by bill, House, No. 3223) of Paul C. Casey for legislation to establish a retained revenue account in the civil process division in the Middlesex County Sheriff's Office;

Of the petition (accompanied by bill, House, No. 3224) of Paul Kujawski relative to the operation of pet stores;

Of the petition (accompanied by bill, House, No. 3422) of Stephen Edgell and another relative to the availability of the dog law booklet;

Of the petition (accompanied by resolve, House, No. 3621) of Elizabeth A. Malia for an investigation by a special commission (including members of the General Court) relative to the operation of county jails and houses of correction; and

Of the petition (accompanied by bill, House, No. 3804) of David H. Tuttle and Stephen M. Brewer relative to the breeding and sale of dogs;

And recommending that the same severally be referred to the committee on Counties on the part of the House.

Of the committee on Counties, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3620) of J. Mark Treadup relative to the payment of court rentals to counties;

Of the committee on Natural Resources and Agriculture, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 843) of Bruce J. Ayers relative to the funding of waterway projects and coastal protection initiatives;

Of the petition (accompanied by bill, House, No. 1409) of Frank M. Hynes for legislation to establish a grant program to assist cities and towns in repairing, rebuilding and restoring beaches, shores, seawalls and other coastal property;

Of the petition (accompanied by bill, House, No. 1594) of Robert A. DeLeo, Kathi-Anne Reinstein and Robert E. Travaglini for legislation to direct the Department of Environmental Management to begin the dredging of Belle Isle Marsh and Winthrop Harbor;

Of the petition (accompanied by bill, House, No. 3324) of Christopher J. Hodgkins relative to the clean lakes program; and

Of the petition (accompanied by bill, House, No. 3535) of John F. Quinn, Mark C. Montigny, William M. Straus, Douglas W. Petersen, Robert M. Koczera and Shirley Gomes for legislation to establish a fund for coastal infrastructure improvement; and

Of the committee on State Administration, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1429) of Stephen F. Lynch and John A. Hart, Jr., for legislation to authorize the Division of Capital Planning and Operations to convey permanent and temporary easements on state property in Boston to Emerson College;

Of so much of the recommendations of the Office of the Inspector General (House, No. 82) as relates to further regulating the establishment and administration of certain funds by state agencies (accompanied by bill, House, No. 90);

Of the petition (accompanied by bill, House, No. 2232) of Marie J. Parente and Philip Travis relative to the establishment of a mental health trust;

Of the petition (accompanied by bill, House, No. 2234) Marie J. Parente, Kevin G. Honan, Vincent A. Pedone, James E. Vallee and Walter F. Timilty that the Department of the State Auditor be authorized to conduct audits of certain municipal and county accounts;

Of the petition (accompanied by bill, House, No. 2613) of Evelyn G. Chesky relative to the rules and regulations for the purchase of supplies and equipment by the Commonwealth; and

Of the petition (accompanied by bill, House, No. 3183) of Theodore C. Speliotis and Frederick E. Berry relative to liability of costs to the Commonwealth and its departments involving certain construction at Danvers State Hospital;

And recommending that the same severally be referred to the House committee on Ways and Means.

Of the committee on State Administration, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1271) of Angelo M. Scaccia that the Division of Capital Asset Management and Maintenance be authorized to acquire certain Quincy Quarry land for reservation purposes,— and recommending that the same be referred to the House committee on Long-Term Debt and Capital Expenditures.

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence, inasmuch as relates to the discharge of the joint committees.

Resolutions.

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

Resolutions (filed by Ms. Creem) "congratulating Ethel Sheehan on her many accomplishments";

Resolutions (filed by Mr. Knapik) "congratulating Dominick Dieni upon his retirement from the Southwick-Tolland Regional High School";

Resolutions (filed by Mr. Lynch) "honoring Jay Hawkes on the occasion of his fiftieth birthday";

Resolutions (filed by Mr. Lynch) "honoring Brian Wallace on being named Alumnus of the Year by the South Boston Boys and Girls Club";

Resolutions (filed by Mr. Pacheco) "congratulating the Lakeville Lions Club on its fortieth anniversary of service through Lionism";

Resolutions (filed by Mr. Pacheco) "honoring Jason Daniel Emord of Bridgewater upon his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Pacheco) "honoring Adam Patrick Lipper of Bridgewater upon his elevation to the rank of Eagle

Scout";
Resolutions (filed by Mr. Pacheco) "honoring Jeffrey Ernest Moyer of Bridgewater upon his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Pacheco) "honoring Michael Anthony Resmini of Bridgewater upon his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Pacheco) "honoring Aaron Daniel Sestin of Bridgewater upon his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Pacheco) "honoring Michael Edward Zeller of Bridgewater upon his elevation to the rank of Eagle Scout";
Resolutions (filed by Mrs. Sprague) "congratulating Christopher Michael Niles of Medfield upon his elevation to the rank of Eagle Scout"; and
Resolutions (filed by Ms. Wilkerson) "congratulating Thelma White on the occasion of her retirement".

Order Adopted.

On motion of Mr. Moore,—

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