

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.



Wednesday, December 1, 1999.

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

Committee Change.

The Chair (Ms. Melconian) announced the resignation of Senator Moore of Worcester and Norfolk as a member of the committee on Bills in the Third Reading and the appointment of Senator Walsh of Norfolk and Suffolk to fill the vacancy.

Petition.

Mr. Morrissey (by request) presented a petition (subject to Joint Rule 12) of Jens E. Thorton for legislation relative to designating certain park lands as Harvest River Park,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Reports of a Committee.

By Mr. Nuciforo, for the committee on Banks and Banking, on petition (accompanied by bill, House, No. 3219), a Bill relative to the transmission of money (Senate, No. 2052);

By the same Senator, for the same committee, on so much of the recommendations of the Office of Consumer Affairs and Business Regulation (House, No. 9) as relates to the establishment of a limited purpose trust company subject to the supervision of the Commissioner of Banks (accompanied by bill, House, No. 12), a Bill relative to the establishment of a limited purpose trust company (Senate, No. 2053); and

By the same Senator, for the same committee, on petition (accompanied by bill, House, No. 1131), a Bill relative to mergers of savings banks (Senate, No. 2054);

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

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 and directing the joint committee on Criminal Justice to make an investigation and study of Senate documents numbered 175, relative to drug free elder zones and 1998, relative to witness protection (Senate, No. 2042),— and recommending that the same be referred to the Senate committee on Rules.

Under Senate Rule 36, the report was considered forthwith and accepted.

Ms. Melconian, for the committee on Rules, to whom was referred the Senate Order relative to authorizing the Joint Committee on Commerce and Labor to sit during the recess of the General Court for the purpose of making an investigation and study of certain Senate documents (Senate, No. 2010), reported, in part, asking to be discharged from further consideration of the petition

(accompanied by bill, Senate, No. 1843) of Edward J. Clancy, Jr., and Robert F. Fennell for legislation relative to the importation of tobacco products,— and recommending that the same be recommitted to the committee on Commerce and Labor.

Under Senate Rule 36, the report was considered forthwith and accepted.

PAPER FROM THE HOUSE.

Bills

Providing for binding initiatives in towns (House, No. 2317, amended,— on petition); and

Relative to foothold traps and certain other devices (House, No. 4884, on House, No. 3525);

Were severally read and, under Senate Rule 26, referred to the committee on Steering and Policy.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4910) of Douglas W. Petersen and Edward J. Clancy, Jr. (by vote of the town) relative to amending the charter of the town of Swampscott;

Petition (accompanied by bill, House, No. 4911) of Benjamin Swan, Jack Keough, Gale D. Candaras and Paul E. Caron (with the approval of the mayor and city council) for legislation to authorize the city of Springfield to convey a certain parcel of conservation land to the Berkshire Acquisitions, LLC; and

Petition (accompanied by bill, House, No. 4920) of Paul C. Casey and Charles E. Shannon (by vote of the town) relative to the investment of trust funds by the town of Winchester;

Severally to the committee on Local Affairs.

Petition (accompanied by bill, House, No. 4912) of Stephen P. LeDuc and Pamela P. Resor (with the approval of the mayor and city council) relative to exempting certain positions in the city of Marlborough from the provisions of civil service law;

Petition (accompanied by bill, House, No. 4913) of Michael J. Kannan, Jose L. Santiago and others (with the approval of the mayor and city council) for legislation to authorize Paul Sutton to continue employment with the police department of the city of Lawrence, notwithstanding the maximum age requirements; and

Petition (accompanied by bill, House, No. 4914) of James E. Vallee (by vote of the town) relative to exempting certain positions in the school department of the city known as the town of Franklin from the provisions of civil service law;

Severally to the committee on Public Service.

Resolutions.

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

Resolutions (filed by Mr. Hedlund) "on the change in the form of government of the town of Weymouth"; and

Resolutions (filed by Ms. Tucker) "commending the AIDS Coalition of the Merrimack Valley on the occasion of the Second Annual World AIDS Day Commemoration."

Reports of a Committee.

By Mr. Montigny, for the committee on Ways and Means, that the House Bill relative to funding of the Massachusetts Bay Transportation Authority (House, No. 4892),— ought to pass, *with amendments*:

Striking out all after the enacting clause and inserting in place thereof the text of Senate bill numbered 2056; by striking out the title and inserting in place thereof the following title:— An Act making certain corrective changes to the general appropriation act for fiscal year 2000'; and by striking out the emergency preamble and inserting in place thereof the following emergency preamble:—

"*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is forthwith to make certain corrective changes to the general appropriation act for fiscal year 2000, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

There being no objection, the rules were suspended, on motion of Mr. Montigny, and the bill was read a second time and amended, as recommended by the committee on Ways and Means, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendments.

Sent to the House for concurrence in the amendments.

By Mr. Montigny, for the committee on Ways and Means, pursuant to Senate Rule 19, a Bill relative to payment of local real estate taxes (Senate, No. 2055). The bill was read.

There being no objection the rules were suspended, on motion of Ms. Fargo, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4921) of Marie J. Parente and other members of the House relative to benefits covered under the pharmacy assistance program,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Health Care.**

Reports of Committees.

By Ms. Melconian, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Thomas F. Reilly, Attorney General, Therese Murray, Brian Knuuttila, Brian P. Lees and other members of the General Court for legislation to prohibit the disclosure of address and telephone number of victims of domestic violence. **Senate Rule 36 was suspended, on motion of Ms. Walsh, 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.**

By Ms. Melconian, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Therese Murray, Thomas J. O'Brien and Viriato Manuel deMacedo for legislation to further regulate the use of certain lights on rescue boat trailers. **Senate Rule 36 was suspended, on motion of Ms. Walsh, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Safety.**

By Ms. Melconian, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Pamela P. Resor, Antonio F.D. Cabral, Andrea F. Nuciforo, Jr., Patricia A. Walrath and other members of the General Court for legislation to proclaim June as Portuguese American month. **Senate Rule 36 was suspended, on motion of Ms. Walsh, 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.**

Committee Change.

The Chair (Ms. Melconian) announced the resignation of Senator Walsh of Norfolk and Suffolk as a member of the committee on Bills in the Third Reading and the reappointment of Senator Moore of Worcester and Norfolk thereto.

Order Adopted.

On motion of Mr. Montigny,—

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