

**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, January 13, 2000.

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

### REPORTS.

The following reports were severally read and placed on file:

A report of the Commissioner of Banks (pursuant to the provisions of Section 10 of Chapter 238 of the Acts of 1996) submitting a copy of a report on the risk-based assessment system for banks and credit unions (received Monday, January 3, 2000);

A report of the Department of Education (under the provisions of section 350 of Chapter 127 of the Acts of 1999) submitting a copy of a study relative to the Metco funding distribution for participating communities (received Thursday, December 30, 1999); and

A report of the Department of Education (under the provisions of Section 1 of Chapter 414 of the Acts of 1992) submitting a report of the 1999 School Breakfast and Summer Food Service Outreach Program (received Wednesday, January 12, 2000).

Reports of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspections of certain correctional facilities in the Commonwealth (received Friday, January 7, 2000),—

Of Bridgewater State Hospital, in the town of Bridgewater,

Of MCI-Concord, in the town of Concord, and

Of the Massachusetts Boot Camp, in the town of Bridgewater,— **were severally read and sent to the House for its information.**

### Petitions.

Petitions were presented and referred, as follows:

By Mr. Antonioni, a petition (subject to Joint Rule 12) of Robert A. Antonioni and Robert S. Hargraves (by vote of the town) for legislation relative to certain insurance coverage for a former employee of the town of Townsend [Local approval received]; and

By Mr. Glodis, a petition (subject to Joint Rule 12) of Guy W. Glodis, Mark J. Carron, Evelyn G. Chesky and Mary S. Rogeness for legislation relative to providing English language immersion programs for bilingual students;

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

**Committee Discharged.**

Mr. Tolman, for the committee on Local Affairs, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 2068) of Steven A. Tolman and Kevin G. Honan for legislation relative to notifying animal owners of motor vehicle accidents involving their pets,— and recommending that the same be referred to the Senate committee on Ways and Means.

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

**Sent to the House for concurrence in the discharge of the joint committee.**

#### **PAPERS FROM THE HOUSE.**

A Bill further regulating the rates of pilotage for the port of Boston (House, No. 2570,— on petition),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill relative to the maximum age requirement for initial appointment to the Department of State Police (House, No. 4878,— on House, Nos. 3919, 4602, 4676 and 4850),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

#### **Bills**

Authorizing the town of Stoneham to grant certain licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 4472,— on petition) [Local approval received];

Authorizing the town of Norton to use certain land for passive recreation purposes (House, No. 4718,— on petition) [Local approval received]; and

Providing for the appointment of a treasurer/collector in the town of Norton (House, No. 4719,— on petition) [Local approval received];

**Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Notice was received that the Speaker had announced that the Minority Leader had (under the provisions of Section 352 of Chapter 127 of the Acts of 1999) appointed Representative Hillman of Sturbridge to the special commission established to study methods of identifying potentially dangerous students and protecting the students, faculty and administration from acts of extreme violence.

#### **Senate Order Adopted.**

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

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Safety be granted until Friday, February 25, 2000 within which to make its final report on current Senate documents numbered 1987, 1993 and 2015, and current House documents numbered 4732, 4745, 4762, 4773, 4810, 4834, 4841, 4893 and 4919, relative to public safety matters.

**The order was considered forthwith; and, there being no objection, the order was adopted.**  
**Sent to the House for concurrence.**

#### **Resolutions.**

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

Resolutions (filed by Mrs. Sprague) “honoring Valerie McKenney on the occasion of her retirement as the Executive Director of Foxborough Human Services”; and

Resolutions (filed by Mrs. Sprague) “honoring Patrolman Anthony Medeiros on the occasion of his retirement from the Foxborough Police Department”.

#### **PAPERS FROM THE HOUSE.**

The House Bill relative to certain housing in the town of Groton (House, No. 4318),— came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the following:

“The prohibition against age discrimination in paragraph 6 of section 4 of chapter 151B of the General Laws shall not apply to parcel M-137, the Old Hale Nursing Home, notwithstanding the failure of said parcel to contain at least five acres.”

**On motion of Ms. Murray, the Senate receded from its amendment.**

The House Bill relative to municipal lighting plants (House, No. 4427, amended),— came from the House with the endorsement that the House had concurred in the Senate amendments in section 1, in lines 11, 12 and 13, by striking out “within which such gas, electric plant, community antenna television system, or telecommunications system is authorized to distribute its products”; and in section 3, in line 7, by inserting after “tariffs” the following: “, interconnection agreements, number pooling”, *with a further amendment*, by inserting after section 8 the following two sections:

“SECTION 8A. Section 21 of said chapter 166, as so appearing, is hereby amended by adding the following sentence:— This section shall apply to a municipal lighting plant or cooperative that operates a telecommunications system outside the limits of its service territory pursuant to section 47E of chapter 164, but only for construction that is outside its service territory.

SECTION 8B. The first paragraph of section 25A of said chapter 166, as so appearing, is hereby amended by striking out the definition of “Licensee” and inserting in place thereof the following definition:—

“Licensee”, means any person, firm or corporation other than a utility, which is authorized to construct lines or cables upon, along, under and across the public ways. For the purposes of this section, the term shall also include a municipal lighting plant or cooperative that operates a telecommunications system outside the limits of its service territory pursuant to section 47E of chapter 164, but only for those attachments that are outside its service territory.”.

**The rules were suspended, on motion of Mr. Jajuga, 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 relative to the charter of the town of Walpole (Senate, No. 2062),— **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.**

The House Bill authorizing the town of Winchester to grant certain licenses for the sale of wine and malt beverages to be drunk on the premises (House, No. 4857),— **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 Winchester to grant five additional licenses for the sale of wines and malt beverages to be drunk on the premises.”**

### **Reports of Committees.**

By Mr. Birmingham, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Stephen M. Brewer and Clealand B. Blair for legislation relative to limiting the definition of plumbing.

**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 Government Regulations.**

**Sent to the House for concurrence.**

### **PAPER FROM THE HOUSE.**

#### ***Engrossed Bill.***

An engrossed Bill repealing the law authorizing the town of Holbrook to establish a betterment reserve fund (see House Bill, printed in House, No. 4887) (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, two-thirds of the members present having voted in the affirmative, and it was signed by the President and laid before the Governor for his approbation.**

**Order Adopted.**

On motion of Mr. Jajuga,—

*Ordered*, That when the Senate adjourns today, it adjourn to meet again on Tuesday 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. Morrissey, at twenty-one minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Tuesday at eleven o'clock A.M.