

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, April 1, 1999.

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

Communication.

A communication from the committee on Election Laws, filed pursuant to Joint Rule 1, relative to the rules of procedure for said committee for the 1999-2000 legislative session (received March 30, 1999),— **was placed on file.**

Joint Special Committee — Appointments.

The President announced the appointment of Senators Rosenberg of Hampshire and Franklin, Morrissey of Norfolk and Plymouth, Jajuga of Essex, Wilkerson of Suffolk, Magnani of Middlesex, Norfolk and Worcester, Moore of Worcester and Norfolk and Tisei of Middlesex to the joint special committee (established pursuant to House Order, No. 4220 of 1999) to make an investigation and study of a new division of the Commonwealth into Congressional districts in conformity with law; forty Senatorial districts and eight Executive Councillor districts; and one hundred and sixty Representative districts.

The appointments to said committee on the part of the House are as follows: Representatives Petrolati of Ludlow, Stefanini of Framingham, Scaccia of Boston, Correia of Fall River, Walrath of Stow, Owens-Hicks of Boston, Koczera of New Bedford, Ciampa of Somerville, Harkins of Needham, Larkin of Pittsfield, Broadhurst of Methuen, McManus of Worcester, Flavin of Easthampton, Sullivan of Braintree, Swan of Springfield, Golden of Lowell, Lewis of Dedham, Jones of North Reading, Peterson of Grafton, Pope of Wayland and George of Yarmouth.

Special Commission — Appointments.

The President announced the appointment of Senator Magnani of Middlesex, Norfolk and Worcester to the special commission (established pursuant to section 7 of Chapter 481 of the Acts of 1998) relative to deregulation and convergence of industry.

The Minority Leader also announced the appointment of Senator Rauschenbach of the Cape and Islands to the special commission relative to the deregulation and convergence of the industry.

The membership of said commission on the part of the Senate is as follows: Senators Morrissey of Norfolk and Plymouth, Magnani of Middlesex, Norfolk and Worcester and Rauschenbach of the Cape and the Islands.

Petitions.

Petitions were presented and referred, as follows:

By Mr. Glodis (by request), a petition (subject to Joint Rule 12) of David Cameron for legislation to amend the Gun Control Act of 1998 relative to manufacturer protection;

By Mr. Morrissey, a petition (subject to Joint Rule 12) of Michael W. Morrissey for legislation to establish equitable education requirements for school nurses; and

By Ms. Murray, a petition (subject to Joint Rule 12) of Therese Murray, Viriato Manuel deMacedo, Thomas P. Kennedy, Charles

E. Shannon and other members of the General Court for legislation to provide for access to certain state parks at reduced rates for elderly and disabled persons;

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

Reports of Committees.

By Mr. Pacheco, for the committee on Government Regulations, on petition (accompanied by bill, Senate, No. 410), a Bill establishing wireless enhanced 911 services (Senate, No. 1752);

By Mr. Moore, for the committee on Health Care, on Senate, No. 456 and House, No. 780, a Bill relative to prenatal care (Senate, No. 456, changed in line 5 by inserting after the word "development" the words "designed to educate about proper nutrition".);

By Ms. Wilkerson, for the committee on State Administration, on petition, a Bill authorizing the Division of Capital Planning and Operations to convey a certain parcel of land in the town of Danvers (Senate, No. 1403); and

By the same Senator, for the same committee, on petition, a Bill relative to rental agreements of the Division of Capital Planning and Operations (Senate, No. 1413);

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

By Mr. Tolman, for the committee on Local Affairs, on petition (accompanied by bill, Senate, No. 947), a Bill establishing a senior service corps (Senate, No. 1750);

By the same Senator, for the same committee, on petition, a Bill relative to municipal bonding for underground utilities (Senate, No. 949); and

By the same Senator, for the same committee, on petition, a Bill relative to interest earned on landfill reserve funds (Senate, No. 950);

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

By Mr. Tolman, for the committee on Local Affairs, on petition, a Bill authorizing the change of custody and use of certain land held by the city of Worcester (Senate, No. 1720) [Local approval received];

Read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

By Mr. Glodis, for the committee on Election Laws, ought NOT to pass:

On the petition (accompanied by bill, Senate, No. 316) of Merton B. Baker for legislation relative to ballot access practices in the Commonwealth; and

On the petition (accompanied by bill, Senate, No. 319) of Robert A. Durand for legislation to provide for binding "none of the above" voter consent options in elections;

Severally referred, under Senate Rule 36, to the committee on Steering and Policy.

PAPER FROM THE HOUSE.

Notice was received from the House of Representatives that the Speaker had announced the following changes in joint standing committees:

That Representative Binienda of Worcester had been appointed to the first position on the committee on Energy to fill the existing vacancy;

That Representatives Marzilli of Arlington and Kaufman of Lexington had been relieved of duty (at their own request) from the committee on Energy; and that Representative Pedone of Worcester had been appointed to the sixth position, and that

Representative Golden of Lowell had been appointed to the eighth position on said committee to fill the existing vacancies;

That Representative Binienda of Worcester had been relieved of duty (at his own request) from the committee on Public Safety, and that Representative Swan of Springfield had been appointed to the second position on said committee to fill the existing vacancy; and

That Representative Marzilli of Arlington had been appointed to the fourth position on the committee on Taxation to fill the existing vacancy.

Resolutions.

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

Resolutions (filed by Ms. Jacques) "honoring the Selma, Alabama and Wellesley public school systems";

Resolutions (filed by Mr. Tarr) "honoring Frank Scalli for his lifetime achievements";

Resolutions (filed by Ms. Walsh, Messrs. Clancy, Montigny, Ms. Murray, Messrs. Joyce, Tisei, Rauschenbach, Norton and Ms. Tucker) "recognizing and honoring the residents of the Commonwealth who served and died in the Persian Gulf War"; and

Resolutions (filed by Ms. Walsh) "congratulating Daniel Springer on the occasion of his elevation the rank of Eagle Scout."

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4221) of John H. Rogers and Therese Murray for legislation to make certain technical changes to the law relative to adoption and promoting the welfare of children,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on the Judiciary.**

Petition.

On motion of Ms. Murray, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Mr. Jajuga (accompanied by bill) of James P. Jajuga and Kevin L. Finnegan for legislation relative to the payment of benefits by the Newburyport Police Relief Association,— **and the same was referred to the committee on Insurance.**

Sent to the House for concurrence.

Bill Recalled from the Governor Laid Before the Senate.

On motion of Mr. Tarr, 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 authorizing the town of Winthrop to use certain park and recreation land for school purposes (see Senate, No. 965).

Mr. Tarr was appointed the messenger. Subsequently, the bill was returned and was laid before the Senate.

There being no objection, on motion of Mr. Tarr, the Senate reconsidered the vote by which, at a previous session, it had passed the bill to be enacted.

On motion of the same Senator, Senate Rule 49 was suspended. An amendment, presented by Mr. Travaglini, was considered and adopted, as follows:—

In section 1, by striking out, in the last sentence, the words "Book 8129" and inserting in place thereof the following words:—
Book 8139.

Sent to the House for concurrence in the amendment.

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4231) of John P. Fresolo, John J. Binienda, Harriette L. Chandler, Jose L. Santiago, Ronny M. Sydney and Vincent A. Pedone for legislation to provide for a mandatory minimum sentence for the sale of illegal drugs within one thousand feet of an elderly housing project or development,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Criminal Justice.**

Recess.

There being no objection, at thirteen minutes past eleven o'clock A.M., the President declared a recess subject to the call of the Chair; and, at twenty-eight minutes before one o'clock P.M., the Senate reassembled, the President in the Chair.

PAPERS FROM THE HOUSE.

A Bill making certain technical changes to the law relative to adoption and promoting the welfare of children (House, No. 4221,— on petition),— was read.

The rules were suspended, on motion of Mr. Tarr, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

A petition (accompanied by bill, House, No. 4230) of Salvatore F. DiMasi, Stephen F. Lynch and Kevin G. Honan (with the approval of the mayor and city council) that the city of Boston be authorized to establish a Washington Street business improvement district,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Local Affairs.**

Recess.

There being no objection, at twenty-six minutes before one o'clock P.M., the President declared a recess subject to the call of the Chair; and, at one o'clock P.M., the Senate reassembled, the President in the Chair.

PAPERS FROM THE HOUSE.

Emergency Preamble Adopted; Engrossed Bill Enacted.

An engrossed Bill making certain technical changes to the law relative to adoption and promoting the welfare of children (see House, No. 4221), 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 3 to 0. The bill was signed by the President and sent to the House for enactment. Subsequently, the bill, which originated in the House, came from the House with the endorsement that it had been enacted in that branch. The Senate then passed the bill to be enacted; and it was signed by the President and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Bernstein,—

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 seven minutes past one o'clock P.M., the Senate adjourned to meet on the following Monday at eleven o'clock A.M.
