

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.



Tuesday, April 20, 1999.

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

Communications.

The following communications were severally placed on file:

Communication from Kenneth W. Nelson, Superintendent, Bridgewater State Hospital, submitting a plan of action letter in response to inspection of said facility (received Wednesday, March 31, 1999); and

Communication from Michael J. Ashe, Jr., Sheriff, Hampden County, submitting a plan of action letter in response to inspection of the Hampden County Correctional Center (received Wednesday, March 31, 1999).

Reports.

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:

Of Essex County Correctional Facility in the town of Middleton (received Wednesday, March 31, 1999);

Of the Bristol County House of Correction in the town of North Dartmouth (received Thursday, April 1, 1999);

Of the Hampshire County Jail and House of Correction in the town of Northampton (received Friday, April 2, 1999); and

Of the MCI-Lancaster in the town of Lancaster (received Friday, April 9, 1999);

Were severally read and sent to the House for its information.

Petition.

Mr. Lynch presented a petition (subject to Joint Rule 12) of Stephen F. Lynch and John A. Hart, Jr., for legislation to designate the Pleasure Island lagoon in South Boston as the John E. Powers lagoon,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Reports of Committees.

By Mr. Morrissey, for the committee on Government Regulations, on petition, a Bill relative to plumbing and gas inspectors (Senate, No. 383);

By the same Senator, for the same committee, on petition, a Bill regulating continuing education for plumbers and gas inspectors (Senate, No. 386); and

By the same Senator, for the same committee, on petition, a Bill further regulating home improvement contractors (Senate, No. 428); and

By Ms. Walsh, for the committee on Taxation, on petition, a Bill providing for the deductibility of interest on educational debt (Senate, No. 1533);

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

By Mr. Morrissey, for the committee on Government Regulations, on Senate, No. 360 and House, No. 2507, a Bill authorizing the sale of lottery tickets at the Soldiers' Home in Holyoke (Senate, No. 360);

By the same Senator, for the same committee, on petition, a Bill 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);

By the same Senator, for the same committee, on petition, a Bill relative to municipal light department security deposits (Senate, No. 382);

By the same Senator, for the same committee, on petition, a Bill relative to the Board of State Examiners of Plumbers (Senate, No. 384); and

By the same Senator, for the same committee, on petition, a Bill relative to medical examinations required by certain boards of registration (Senate, No. 416);

By Mr. Joyce, for the committee on Public Service, on Senate, No. 1251 and House, No. 1462, a Bill pertaining to the appointment of fire fighters and police officers (Senate, No. 1251); and

By the same Senator, for the same committee, on Senate, No. 1238 and House No. 1468, a Bill pertaining to the rights of fire fighters and police officers (Senate, No. 1238); and

By Ms. Walsh, for the committee on Taxation, on petition, a Bill relative to the taxation of certain property of resident owners of cooperative housing corporations (Senate, No. 1656);

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

By Mr. Morrissey, for 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;

Severally referred, under Senate Rule 36, 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 the annual observance of Jack Kerouac Day (Senate, No. 1450, changed); and

Relative to the crime of assault and battery (Senate, No. 1751).

Committee Discharged.

Mr. Antonioni, for the committee on Education, Arts and Humanities, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 223) of Edward J. Clancy, Jr., Thomas M. McGee, Robert F. Fennell, Steven Angelo, Brian P. Lees and other members of the General Court for legislation relative to tuition payments for children in foster care,— 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 making appropriations for the fiscal year 1999 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4261,— on House, No. 2271, in part),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill providing for the election of a town clerk in the town of Belchertown (House, No. 4172,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Reports

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

Of the petition (accompanied by bill, Senate, No. 125) of Robert L. Hedlund for legislation to abolish county government and to transfer the responsibilities to state government;

Of the petition (accompanied by bill, Senate, No. 126) of Robert L. Hedlund for legislation relative to the transfer of the registries of deeds to the office of the Secretary of the Commonwealth;

Of the petition (accompanied by bill, Senate, No. 130) of Linda J. Melconian, Brian P. Lees, Michael R. Knapik and Benjamin Swan for legislation relative to the Hampden and Suffolk offices of the Registry of Deeds;

Of the petition (accompanied by bill, Senate, No. 131) of Michael W. Morrissey for legislation relative to the fees charged by the

Registry of Deeds;

Of the petition (accompanied by bill, Senate, No. 132) of Michael W. Morrissey and Antonio F. D. Cabral for legislation relative to the fees charged by the Registry of Deeds;

Of the petition (accompanied by bill, House, No. 404) of Antonio F. D. Cabral, Thomas J. O'Brien, Mary Jeanette Murray and Demetrius J. Atsalis relative to the submission of county budgets to the General Court;

Of the petition (accompanied by bill, House, No. 2296) of Mary Jeanette Murray relative to the submission of county budgets to the General Court; and

Of the petition (accompanied by bill, House, No. 3619) of J. Mark Treadup relative to notices to city and town clerks in communities in which county governments have been abolished;

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

Of the committee on Federal Financial Assistance, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3991) of Thomas M. Menino, Kevin W. Fitzgerald and other members of the General Court for legislation to facilitate federal reimbursement to cities and towns for medical expenditures,— and recommending that the same be referred to the House committee on Ways and Means.

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

Resolutions.

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

Resolutions (filed by Mr. Knapik) "honoring Gaetana Aliotta of Westfield upon being honored by the Westfield Chapter of the American Red Cross";

Resolutions (filed by Ms. Melconian and Messrs. Moore and Panagiotakos) "on the eighty-fourth anniversary of Armenian Martyrs Day";

Resolutions (filed by Mr. Morrissey) "on the occasion of the seventy-fifth anniversary of the Kiwanis Club of Quincy"; and

Resolutions (filed by Mrs. Sprague) "congratulating Shirley S. Davenport upon her retirement as Clerk of the town of Sharon."

Matter Taken Out of the Orders of the Day.

There being no objection, the following matter was taken out of the Orders of the Day and considered, as follows:

The House Bill authorizing the town of Hopkinton to establish an open space preservation fund (House, No. 481),— was read a second time.

Pending the question on ordering to a third reading, an amendment, presented by Mr. Magnani, in section 7, by inserting after the first sentence the following two sentences:— "The commission may shorten or waive the advertising requirements of section 16B of chapter 30B of the General Laws if the commission determines in writing that advertising will not benefit the commission's interest because of the unique qualities or location of the property. The commission shall comply with all other requirements of said chapter 30B for the acquisition of an interest in real property."; in section 8, by inserting after the word "otherwise", in line 5, the following words:— "pursuant to the procedures set forth in section 16 of chapter 30B of the General Laws"; and in section 12, by striking out the last sentence and inserting in place thereof the following sentence:— "An acceptable bid shall be an amount deemed sufficient by the town but in no event shall be less than the amount owed to the town to redeem the title.",— was considered; and it was adopted.

The bill, as amended, was then ordered to a third reading.

The bill was then read a third time and passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

PAPER FROM THE HOUSE.

A Bill relative to the Onset Fire District (House, No. 2561,— on petition),— was read.

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

Report 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 Robert L. Hedlund and Dianne Wilkerson for legislation to increase the pay of a trial juror in the Commonwealth.

Senate Rule 36 was suspended, on motion of Mr. Knapik, 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.

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4272) of John A. Stefanini for legislation to expedite payments by medical providers to physicians;

Under suspension of Joint Rule 12, to the committee on Health Care.

Petition (accompanied by bill, House, No. 4273) of Ronny M. Sydney, Cynthia Stone Creem and Angelo M. Scaccia for legislation to authorize the Trial Court of the Commonwealth to establish a sick leave bank for Jacqueline R. Sacramona, an employee of the Brookline Division of the District Court Department;

Under suspension of Joint Rule 12, to the committee on the Judiciary.

Petition (accompanied by bill, House, No. 4274) of Peter J. Larkin, Christopher J. Hodgkins, Shaun P. Kelly and Andrea F. Nuciforo, Jr. (with the approval of the mayor and city council) that the city of Pittsfield be authorized to issue certain pension obligation bonds;

Under suspension of Joint Rule 12, to the committee on Public Service.

Order Adopted.

On motion of Ms. Melconian,—

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