

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 22, 1999.

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

Distinguished Guests.

The President introduced members of the Framingham Council on Aging. The members of the Council on Aging were visiting the State House and were the guests of Senator Magnani.

Petitions.

Petitions were presented and referred, as follows:

By Ms. Creem (by request), a petition (subject to Joint Rule 12) of Edward Jacobs for legislation relative to retirement benefits for certain Department of Correction employees; and

By the same Senator, a petition (subject to Joint Rule 12) of Cynthia S. Creem and Ruth B. Balser for legislation relative to providing public notice of pharmacists' obligation to offer prescription counseling;

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

Reports of Committees.

By Mr. Jajuga, for the committee on Public Safety, on petition (accompanied by bill, Senate, No. 1075), an Order relative to authorizing the joint committee on Public Safety to sit during the recess of the General Court for the purpose of making an investigation and study of Senate document numbered 1075, relative to designating school bus stops as school zones (Senate, No. 1765);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1114), an Order relative to authorizing the joint committee on Public Safety to sit during the recess of the General Court for the purpose of making an investigation and study of Senate document numbered 1114, relative to school bus operator licenses (Senate, No. 1766); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1162), an Order relative to authorizing the joint committee on Public Safety to sit during the recess of the General Court for the purpose of making an investigation and study of Senate document numbered 1162, relative to the powers of special police officers (Senate, No. 1767);

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Jajuga, for the committee on Public Safety, on petition, a Bill providing for HIV testing for at risk police officers (Senate, No. 1069);

By the same Senator, for the same committee, on petition, a Bill establishing the rank of first lieutenant of the State Police (Senate, No. 1074);

By the same Senator, for the same committee, on petition, a Bill relative to CPR and automatic external defibrillator training (Senate, No. 1085);

By the same Senator, for the same committee, on petition, a Bill relative to civil defense benefits (Senate, No. 1095);

By the same Senator, for the same committee, on petition, a Bill creating a council on public safety (Senate, No. 1100);
By the same Senator, for the same committee, on petition, a Bill providing for access to criminal offender record information (Senate, No. 1102);
By the same Senator, for the same committee, on petition, a Bill relative to the possession or sale of police insignia (Senate, No. 1105);
By the same Senator, for the same committee, on petition, a Bill relative to the Massachusetts Sheriffs' Association (Senate, No. 1154);
By the same Senator, for the same committee, on petition, a Bill further regulating the use of plowing equipment on motor vehicles (Senate, No. 1158); and
By the same Senator, for the same committee, on petition, a Bill creating a municipal police training committee (Senate, No. 1164, changed in section 2, in line 4, by striking out the words, "four (4)" and inserting in place thereof the words: "five (5)"; in line 9, by striking out the word "and" and inserting in place thereof ";"; and in line 10, by inserting after the word "Association" the following words "and one from the Massachusetts Bay Transportation Authority").

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 petition, a Bill protecting consumers against additional charges from new area codes (Senate, No. 381); and
By Mr. Jajuga, for the committee on Public Safety, on petition, a Bill requiring motor vehicle operators to activate the vehicle's interior lighting when stopped by a police officer during the nighttime (Senate, No. 1072); and
By the same Senator, for the same committee, on petition, a Bill to regulate the speed of school buses on limited access highways (Senate, No. 1111);

Severally 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 smoking in flea markets, so-called (Senate, No. 494);

Relative to the reporting of abuse of persons with disabilities (Senate, No. 581); and

Relative to the zoning of adult entertainment (Senate, No. 964); and

The Senate reports

Of the committee on Counties, ought NOT to pass:

On the petition (accompanied by bill, Senate, No. 127) of Linda J. Melconian, Michael R. Knapik and Brian P. Lees for legislation relative to technical assistants employed by the Registry of Deeds;

On the petition (accompanied by bill, Senate, No. 128) of Linda J. Melconian, Brian P. Lees, Michael R. Knapik, Benjamin Swan and Joseph F. Wagner for legislation to regulate the appointment and removal of a second assistant register of deeds for Hampden County; and

On the petition (accompanied by bill, Senate, No. 129) of Linda J. Melconian, Brian P. Lees, Michael R. Knapik, Benjamin Swan and Joseph F. Wagner for legislation relative to designating a second assistant register of deeds in Hampden County.

Mr. Brewer, for the committee on Steering and Policy, reported that the following matter be placed in the Orders of the Day for the next session:

The Senate Bill designating the Orange Peace Statue as the official peace statue of the Commonwealth (Senate, No. 1406).

There being no objection, the rules were suspended, on motion of Ms. Melconian, 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.

Mr. Brewer, for the committee on Steering and Policy, reported that the following matter be placed in the Orders of the Day for the next session:

The Senate Bill designating an official Korean War Memorial for the Commonwealth (Senate, No. 1410).

There being no objection, the rules were suspended, on motion of Mr. Magnani, 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.

Committee Discharged.

Mr. Jajuga, for the committee on Public Safety, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1101) of James P. Jajuga, Kevin L. Finnegan, Brian S. Dempsey, Bruce E. Tarr and Mary Jeanette Murray for legislation relative to emergency flood assistance,— 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.

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 Stephen F. Lynch for legislation relative to the creation of job training vouchers.

Senate Rule 36 was suspended, on motion of Ms. Melconian, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Commerce and Labor.

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 Stephen F. Lynch and John A. Hart, Jr., for legislation relative to the inspection of juvenile offender records.

Senate Rule 36 was suspended, on motion of Ms. Melconian, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on 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 Raymond V. Mariano, mayor, Thomas R. Hoover, city manager, Robert A. Bernstein, Guy W. Glodis and other members of the General Court (with the approval of the city council) for legislation relative to the reinstatement of the employees of the city of Worcester previously retired due to permanent disabilities [Local approval received].

Senate Rule 36 was suspended, on motion of Ms. Melconian, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service.

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 Raymond V. Mariano, mayor, Thomas R. Hoover, city manager, Robert A. Bernstein, Guy W. Glodis and other members of the General Court (with the approval of the city council) for legislation relative to the implementation of the early intervention program in the city of Worcester [Local approval received].

Senate Rule 36 was suspended, on motion of Ms. Melconian, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4278) of Lida E. Harkins and Susan W. Pope that the Department of Revenue be directed to refund a certain overpayment of taxes to Peter and Marlene Phildius of the town of Wayland;

Petition (accompanied by bill, House, No. 4279) of Lida E. Harkins and Susan W. Pope that the Department of Revenue be directed to refund a certain overpayment of taxes to Michael and Susan Kenyon of the town of Wayland; and

Petition (accompanied by bill, House, No. 4280) of Lida E. Harkins that the Department of Revenue be directed to refund a certain overpayment of taxes to Douglas and Jan Scott of the town of Dover;

Severally, under suspension of Joint Rule 12, to the committee on Taxation.

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 providing for the election of a town clerk in the town of Belchertown (House, No. 4172),— **was read a second time and ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

PAPER FROM THE HOUSE.

A petition (accompanied by bill, Senate No. 1772) of Robert A. Antonioni for legislation relative to credit cards,— came from the House with endorsement that the House concurred in the suspension of Joint Rule 12; and had NON-concurred in the reference to the committee on Commerce and Labor. The petition bore the further endorsement that the matter had been referred to the committee on Banks and Banking.

On motion of Mr. Tarr, the Senate receded from its reference to the committee on Commerce and Labor and concurred in the reference to the committee on Banks and Banking.

Resolutions.

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

Resolutions (filed by Mr. Antonioni) "commending Firefighters James Ricci and Kevin Paton of the Lunenburg Fire Department for their heroic actions";

Resolutions (filed by Mr. Bernstein) "on the occasion of the American Antiquarian Society's announcement of a capital campaign";

Resolutions (filed by Ms. Melconian) "on the occasion of the one hundred and thirtieth anniversary of the Third Baptist Church in Springfield";

Resolutions (filed by Mr. Moore, Ms. Fargo, Mr. Glodis, Ms. Jacques and Mr. Magnani) "congratulating John J. Jack' O'Neil, III on receiving the 1999 Distinguished Citizen Award by the Knox Trail Council, Boy Scouts of America";
Resolutions (filed by Ms. Murray) "on the occasion of Earth Day 99 in the town of Kingston";
Resolutions (filed by Mr. Pacheco) "congratulating James Willard Luther Duane of Marion upon his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Shannon) "on the occasion of the twenty-fifth anniversary of the Somerville Center For Adult Learning Experiences";
Resolutions (filed by Mr. Shannon) "on the occasion of the dedication of the Winter Hill School cafeteria in the city of Somerville in memory of John M. Russell";
Resolutions (filed by Mrs. Sprague) "congratulating John Aprea III of West Bridgewater upon his elevation to the rank of Eagle Scout";
Resolutions (filed by Mrs. Sprague) "congratulating Joseph Mardo of West Bridgewater upon his elevation to the rank of Eagle Scout";
Resolutions (filed by Mrs. Sprague) "on the occasion of the retirement of James A. Cappelletti"; and
Resolutions (filed by Ms. Walsh) "congratulating Doctor William J. Doc' Carrabis."

Order Adopted.

On motion of Ms. Melconian,—

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