

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, June 1, 2000.

Met at two minutes past eleven o'clock A.M. (Mr. Rosenberg in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

Communications.

A communication from the Counsel to the Senate and the Counsel to the House of Representatives submitting (under the authority of section 53 of chapter 3 of the General Laws) proposed legislation making certain corrective changes in certain general and special laws (Senate, No. 2212) (received Thursday, June 1, 2000),— **was referred to the committee on Senate Rules.**

The following communications were severally placed on file:

Communication from Michael J. Ashe, Jr., Sheriff, Hampden County, submitting a plan of action in response to an inspection of the Hampden County Sheriff's Department and Correctional Center (received Tuesday, May 16, 2000); and

Communication from Diane Wholley, Director of Fiscal Services, Bridgewater Correctional Complex, submitting the corrective action and/or plans for corrective actions to the Bridgewater Correctional Complex Central Kitchen (received Friday, May 26, 2000).

Reports.

A report of the Public Employee Retirement Administration Commission submitting its annual report for the year ending December 31, 1999 (received Tuesday, May 30, 2000),— **was placed on file.**

The following reports were severally read and sent to the House for its information:

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of M.C.I.-Shirley Minimum Security Facility (received Tuesday, May 16, 2000); and

A report of the Bureau of Special Investigations (under the provisions of Section 15D(6) of Chapter 22 of the General Laws) submitting its report for the month of April, 2000 (received Monday, May 22, 2000).

Petitions.

Petitions were presented and referred, as follows:

By Ms. Jacques, a petition (subject to Joint Rule 12) of Cheryl A. Jacques, David T. Donnelly, Carol A. Donovan, Cory Atkins and other members of the General Court for legislation relative to correcting the incest statute;

By the same Senator, a petition (subject to Joint Rule 12) of Cheryl A. Jacques, David P. Magnani and David P. Linsky (by vote of the town) for legislation relative to changing the position of Natick treasurer-collector from an elected to an appointed position [Local approval received];

By Mr. Morrissey, a petition (subject to Joint Rule 12) of Michael W. Morrissey, A. Stephen Tobin, Ronald Mariano and Bruce J. Ayers (with the approval of the mayor and city council) for legislation to authorize the city of Quincy Retirement Board to define John Baldi as a veteran for the purpose of utilizing Chapter 71 of the Acts of 1996 [Local approval received];

By the same Senator, a petition (subject to Joint Rule 12) of Michael W. Morrissey, A. Stephen Tobin, Ronald Marino and Bruce J. Ayers (with the approval of the mayor and the city council) for legislation to authorize the city of Quincy to establish a hotel tax and an open space, recreational and tourism fund [Local approval received]; and

By Ms. Murray, a petition (subject to Joint Rule 12) of Thomas F. Reilly, Attorney General, and Therese Murray for legislation relative to clarifying confidentiality of abuse prevention records;

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

Reports of Committees.

By Mr. Bernstein, for the committee on Insurance, on Senate, Nos. 2198 and 2203, an Order relative to authorizing the joint committee on Insurance to sit during the recess of the General Court for the purpose of making an investigation and study of Senate documents numbered 2198 and 2203, relative to insurance regulation (Senate, No. 2209);

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

By Mr. Panagiotakos, for the committee on Housing and Urban Development, on petition (accompanied by bill, Senate, No. 2125), a Bill to promote the long term viability of affordable housing opportunities to persons of low and moderate income through the reinvention of the Julian D. Steele public housing development (Senate, No. 2211) [Local approval received on Senate, No. 2125] (Representatives Koczera of New Bedford, Wolf of Cambridge, Khan of Newton and Barrios of Cambridge dissenting); and

By Mr. Joyce, for the committee on Public Service, on petition (accompanied by bill, Senate, No. 1329), a Bill relative to the retirement rights of managerial employees of the Department of Correction (Senate, No. 2208);

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

By Ms. Wilkerson, for the committee on State Administration, on petition, a Bill designating the 181st Engineer Battalion building in the town of Northbridge as the Rosaire J. Rajotte National Guard Armory (Senate, No. 2201);

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 matter be placed in the Orders of the Day for the next session:

The House Bill relative to the South Grafton Water District (House, No. 4942).

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5204) of Marie J. Parente and Richard T. Moore (by vote of the town) relative to eligibility for election to the board of selectmen in the town of Mendon;

To the committee on Election Laws;

Petition (accompanied by bill, House, No. 5205) of Mary Jeanette Murray and Robert L. Hedlund (by vote of the town) that the retirement board of the town of Hull be authorized to increase the pension payable to John Clasby, a fire fighter in said town;

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 Messrs. Bernstein, Antonioni, Ms. Creem, Ms. Jacques, Messrs. Lynch, Magnani, Ms. Melconian, Messrs. Moore, Rosenberg and Ms. Wilkerson) “honoring Nancy K. Kaufman”;

Resolutions (filed by Mr. Brewer) “in recognition of Michael Miller for his tireless efforts on behalf of the Sturbridge community”;

Resolutions (filed by Ms. Creem) “on the retirement of Russell J. Halloran”;

Resolutions (filed by Ms. Fargo) “recognizing the contributions of Margaret and Warren Flint, Sr.”;

Resolutions (filed by Mr. Joyce and Ms. Walsh) “congratulating the Canton High School math team for their many years of success”;

Resolutions (filed by Mr. Magnani) “honoring Dr. Barry Ruthfield on the occasion of his retirement as Superintendent of the Ashland school system”;

Resolutions (filed by Mr. Morrissey) “congratulating Edmund L. Myers, Jr., on the occasion of his retirement”;

Resolutions (filed by Mrs. Sprague) “congratulating Patricia Burke on the occasion of her retirement”; and

Resolutions (filed by Mrs. Sprague) “on the retirement of Edward Rosa”.

Bill Recalled from the Governor Laid Before the Senate.

On motion of Ms. Murray, 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 Kingston to grant an easement in certain park land (see House, No. 4140).

Ms. Murray was appointed the messenger. Subsequently, the bill was returned and was laid before the Senate.

There being no objection, on motion of Ms. Murray, 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 and the bill was amended, on further motion of the same Senator, by striking out, in the second sentence, the words “August 18, 1998” and inserting in place thereof the following words:—
October, 1999.

Sent to the House for concurrence in the amendment.

PAPERS FROM THE HOUSE.

Order Adopted.

The following House Order (approved by the committee on Rules of the two branches, acting concurrently) was considered forthwith and adopted, in concurrence, to wit:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Service be granted until Friday, June 30, 2000, the time within which to make its final report on current House documents numbered 4904 and 5080.

Order — Amended.

The following House Order (approved by the committees on Rules of the two branches, acting concurrently) was considered forthwith, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Local Affairs be granted until Friday, June 23, 2000, the time within which to make its final report on Senate documents numbered 2168 and 2204, and House documents numbered 5160, 5165, 5168, 5169, 5171 and 5174, relative to the payment of a city councilor, sewer betterments, the use of certain park land, a water and sewer works system, the use of certain capital improvement funds, a town charter change, and membership on a board of cemetery commissioners.

Pending the question on adoption of the order, an amendment, presented by Mr. Tolman, by striking out all after the number “5171” and inserting in place thereof the following: “, 5174, 5190, 5191, 5197 and 5198”,— was considered; and it was adopted.

The order, as amended, was then adopted.

Sent to the House for concurrence in the amendment.

Report of a Committee.

By Mr. Montigny, for the committee on Ways and Means, that the House Bill relative to the New England Center for Children, Inc. (House, No. 5023),— ought to pass, with an amendment, adding at the end thereof the following paragraph:—

“The contract may permit the authority to charge the center for all expenses and costs of connection and for sewer services it provides to the center and shall contain other terms and conditions applicable to the connection and for the provision of sewer services as determined by the authority. The political subdivision, if any, may charge the center for the use of its sewer system to convey sewage to the authority’s sewer system. Nothing in this act shall grant to the town of Southborough any rights to receive sewer services from the authority or otherwise cause said town to have any of the rights or obligations of the political subdivisions listed in said paragraph (c) of said section 8(e) of said chapter 372.”.

There being no objection, the rules were suspended, on motion of Ms. Resor, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means. The bill, as amended, as then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act authorizing the Massachusetts Water Resources Authority to enter into a contract with the New England Center for Children, Inc." Sent to the House for concurrence in the amendment.

PAPERS FROM THE HOUSE.

Engrossed Bills.

The following engrossed bills (all of which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the Acting President and laid before the Governor for his approbation, to wit:

Authorizing the town of Billerica to establish a certain fund (see House, No. 4147);

Relative to the use of the subdivision forfeiture account in the town of Billerica (see House, No. 4484, changed);

Relative to the issuance of certain bonds by the town of Auburn (see House, No. 4939); and

Relative to school closings in the city of Woburn (see House, No. 4987, amended).

An engrossed Bill improving teacher recruitment, retention and retirement (see House, No. 5116) (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 re-enacted and was signed by the Acting President and again laid before the Governor for his approbation.**

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5210) of Jack Keough for legislation to authorize the Teachers' Retirement Board to grant certain creditable retirement service to Edward F. Lynch, Jr.;

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

Petition (accompanied by bill, House, No. 5211) of Paul E. Caron and other members of the General Court for legislation to exempt the sale of children's books, so-called, from the sales tax;

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

Order Adopted.

On motion of Mr. Tarr,—

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