

**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.



Wednesday, June 21, 2000.

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

### *Communication.*

A communication was received from the Clerk of the House of Delegates of West Virginia transmitting the following resolutions adopted by the West Virginia Legislature:

House concurrent Resolution No. 5, "Applying to and petitioning the Congress of the United States of America for submission to the states for ratification prohibiting federal courts from ordering a state or political subdivision thereof to levy or increase taxes"; and

House concurrent Resolution No. 32, "Urging the passage of national legislation to increase benefits to surviving spouses under the Railroad Retirement Act of 1974".

**The communication was placed on file.**

### *Report of a Committee.*

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 to accommodate the patriotic expressions of the citizens of the Commonwealth (House, No. 3565).

### *Committees Discharged.*

Ms. Melconian, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration of the Senate Order relative to authorizing the joint committee on Banks and Banking to sit during the recess of the General Court for the purpose of making an investigation and study of a certain current Senate document numbered 2202, relative to abusive practices in high-cost home mortgage lending (Senate, No. 2228),— and recommending that the same be referred to the Senate committee on Rules.

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

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

The semi-annual report of the Insurance Fraud Bureau (under Section 99(k) of Chapter 398 of the Acts of 1991) on the disposition of matters referred to said bureau (having been sent by the House to the Senate for its information),— **was returned to the House to be placed on file.**

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5251) of Scott P. Brown and Jo Ann Sprague (by vote of the town) that the licensing authority of the town of Walpole be authorized to issue two additional licenses for the sale of all alcoholic beverages to be drunk on the premises;

**To the committee on Government Regulations.**

Petition (accompanied by bill, House, No. 5252) of David C. Bunker and Robert A. Bernstein (by vote of the town) that the town of Holden be authorized to establish and maintain a public works depreciation fund;

**To the committee on Local Affairs.**

Petition (accompanied by bill, House, No. 5253) of Thomas J. O'Brien and Therese Murray (by vote of the town) that certain positions in the police department of the town of Plympton be subject to the provisions of civil service law; and

Petition (accompanied by bill, House, No. 5254) of Joseph T. Geller, Ronny M. Sydney, Paul C. Demakis, Ruth B. Balser, Cynthia S. Creem and others (by vote of the town) that the town of Brookline be authorized to extend group insurance benefits to domestic partners and their dependents;

**Severally to the committee on Public Service.**

Bills

Establishing the Assabet public safety district (House, No. 2747, changed,— on petition); and

Validating the action taken at the special town election held in the town of Acushnet (printed in House, No. 5207,— being a message from His Excellency the Governor);

**Were severally read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

Bills

Relative to the traffic commission of the city of Marlborough (House, No. 4605,— on petition) [Local approval received]; and

Relative to the powers of the Malden redevelopment authority (House, No. 4624,— on petition) [Local approval received];

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

A report of the committee on Local Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 5218) of Ellen Story (by vote of the town) relative to authorizing the town of Amherst to control rents in certain governmentally or former governmentally involved housing in said town, and recommending that the same be referred to the committee on Housing and Urban Development,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

### ***Emergency Preamble Adopted.***

An engrossed Bill relative to certain tobacco manufacturers (see Senate, No. 2157), 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 2 to 0.**

**The bill was signed by the President and sent to the House for enactment.**

### ***Engrossed Bills.***

The following engrossed bills (the first of which originated in the Senate), 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 President and laid before the Governor for his approbation, to wit:

Relative to the Whittier Regional School District Committee (see Senate, No. 1218);

Relative to the charter of the town of Truro (see House, No. 4321, amended); and

Relative to the contributory retirement system for public employees (see House, No. 5110, printed as amended).

### ***Petition.***

On motion of Ms. Walsh, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Mr. Shannon (accompanied by bill) of Charles E. Shannon, Patricia D. Jehlen, Timothy J. Toomey, Jr., Dorothy A. Kelly Gay, Mayor, Somerville, and Vincent P. Ciampa (with the approval of the mayor and the board of aldermen) for legislation relative to an

increase in the exemption for residential real property in the city of Somerville from 20 percent to 30 percent [Local approval received],— **and the same was referred to the committee on Taxation.**

**Sent to the House for concurrence.**

**PAPERS FROM THE HOUSE.**

A petition (accompanied by bill, House, No. 0000) of David T. Donnelly and Robert S. Creedon, Jr., relative to appellate review of charges against uniformed members of the state police,— came from the House, under suspension of Joint Rule 12, to the committee on Public Safety.

**The Senate concurred in the suspension of Joint Rule 12, and NON-concurred in the reference to the committee on Public Safety. On motion of Mr. Bernstein, the petition was referred to the committee on the Judiciary.**

**Sent to the House for its action.**

***Resolutions.***

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

Resolutions (filed by Mr. Shannon) “honoring Stephen L. Powers.”

***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 report of the committee on Public Safety, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 1116) of Brian P. Lees, Dennis M. Murphy and Elizabeth A. Malia for legislation relative to the enforcement of the seat belt law,— was considered, the main question being on accepting the report of the committee.

**On motion of Ms. Melconian, the further consideration thereof was postponed until Monday, June 26.**

The Senate Resolutions opposing United States naval activities on the island of Vieques (Senate, No. 2183),— were considered. **Pending the motion to lay the resolutions on the table, and pending the main question on adoption of the resolutions, on motion of Mr. Bernstein, the further consideration thereof was postponed until Monday, June 26.**

The House Bill relative to certain conservation land in the town of Chatham (House, No. 4625),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

**PAPERS FROM THE HOUSE.**

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5270) of Kathleen M. Teahan and other members of the General Court relative to establishing a special advisory committee on oral health;

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

Petition (accompanied by bill, House, No. 5271) of Joseph F. Wagner, Linda J. Melconian, Michael R. Knapik, Thomas M. Petrolati, Walter A. DeFilippi and Jack Keough (with the approval of the mayor and city council) relative to authorizing the Division of Capital Asset Management and Maintenance to acquire certain parcels of park land in the city of Chicopee for the construction and operation of a women’s correctional facility;

**Under suspension of Joint Rule 12, to the committee on State Administration.**

Petition (accompanied by bill, House, No. 5272) of Mark J. Carron and other members of the General Court for legislation to provide an excise tax credit for the donation of vehicles to be used on the Access to Jobs Program within the Executive Office of Transportation and Construction;

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

Petition (accompanied by bill, House, No. 5273) of Vincent A. Pedone and other members of the General Court for legislation to designate a portion of state highway Route 146 as the Veterans of the Battle of the Bulge, Central Massachusetts Chapter highway; and

Petition (accompanied by bill, House, No. 5274) of Thomas N. George and other members of the General Court relative to repairs and maintenance along state highway Route 6A;

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

### ***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 Michael R. Knapik and Evelyn G. Chesky for legislation relative to retirement benefits for municipal retirement board trustees.

**Senate Rule 36 was suspended, on motion of Mr. Rauschenbach, 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 Michael W. Morrissey, A. Stephen Tobin, Ronald Mariano 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].

**Senate Rule 36 was suspended, on motion of Mr. Rauschenbach, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Taxation.**

### ***Recess.***

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

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

On motion of Mr. Bernstein,—

*Ordered*, That when the Senate adjourns today, it adjourn to meet again tomorrow at one o'clock P.M.

On motion of Mr. Rauschenbach, at twenty-two minutes past two o'clock P.M., the Senate adjourned to meet again tomorrow at one o'clock P.M.

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