

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, July 8, 1999.

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

Reports

The following reports were severally read and placed on file:

A report of the Department of Telecommunications and Energy (under the provisions of Section 193 of Chapter 164 of the Acts of 1997) submitting a report on the growth for the past year of cogeneration, renewable energy and other on-site generation facilities (received Friday, July 2, 1999); and

A report of the Department of Telecommunications and Energy (under the provisions of Section 1E(d) of Chapter 164 of the General Laws) submitting its biannual report on mediation claims (received Tuesday, July 6, 1999).

Petition — Placed on File

A petition (accompanied by bill, Senate, No. 1762) of Bruce E. Tarr and Anthony J. Verga (with the approval of the city council) for legislation relative to the charter of the city of Gloucester,— **was placed on file.**

[The petition, having been filed in the office of the Clerk of the Senate on March 22, 1999, did not contain the approval of the mayor, and the Senate, by order (Senate, No. 1764), requested the opinions of the Honorable the Justices of the Supreme Judicial Court concerning the validity of the local approval. On Wednesday, June 30, 1999, the Honorable the Justices of the Supreme Judicial Court responded that the petition (Senate, No. 1762) did not meet the Constitutional requirement of local approval as it did not contain the signature of the mayor [for opinions, see Senate, No. 1919].]

Petition

Mr. Jajuga presented a petition (subject to Joint Rule 12) of James P. Jajuga for legislation relative to retirement benefits for John O'Brien,— **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. Creedon, for the committee on the Judiciary, on Senate, Nos. 252 and 278, an Order relative to authorizing the joint committee on the Judiciary to sit during the recess of the General Court for the purpose of making an investigation and study of Senate documents numbered 252 and 278, relative to criminal record information and parental responsibility (Senate, No. 1931); **Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.**

By Mr. Morrissey, for the committee on Government Regulations, on petition, a Bill providing for the safer distribution and delivery of natural gas (Senate, No. 397, changed in section 1, by striking out, in lines 5 and 6, the words "companies and public utilities companies as defined in section three of chapter 25" and inserting in place thereof the following words:— "companies, public utilities companies or entities which perform such work for said natural gas pipeline, cable television and public utilities companies");

By Mr. Moore, for the committee on Health Care, on Senate, Nos. 346 and 506 and House, No. 1937, a Bill relative to providing additional information about physicians (Senate, No. 346);

By the same Senator, for the same committee, on Senate, No. 440 and House, Nos. 1951 and 2699, a Bill relative to public hospitals (Senate, No. 440);

By the same Senator, for the same committee, on petition, a Bill ensuring the safety and protection of hospital patients (Senate, No. 469);

By Mr. Panagiotakos, for the committee on Housing and Urban Development, on petition, a Bill designating the Pleasure Bay Lagoon in South Boston as the John E. Powers Lagoon (Senate, No. 1805);

By Mr. Pacheco, for the committee on Natural Resources and Agriculture, on petition, a Bill relative to the retail sale of live fishing bait in plastic containers (Senate, No. 1038); and

By Mr. Joyce, for the committee on Public Service, on petition, a Bill to define "a person" for retirement purposes (Senate, No. 1296);

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

By Mr. Lynch, for the committee on Commerce and Labor, on petition, a Bill relative to the refusal to reissue a credit card (Senate, No. 20);

By the same Senator, for the same committee, on petition, a Bill relative to fairness in credit reporting (Senate, No. 91);

By the same Senator, for the same committee, on petition, a Bill to clarify employer sanctions for improper expenditure of withholdings or deductions from wages (Senate, No. 92);

By the same Senator, for the same committee, on petition, a Bill relative to negative option mailings (Senate, No. 98);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 64), a Bill relative to the Boston Police Relief Association (Senate, No. 1898); and

By Ms. Creem, for the committee on Criminal Justice, on petition, a Bill relative to the rights of victims of crimes (Senate, No. 184);

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

PAPERS FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation relative to protecting the Commonwealth from paying excessive attorneys' fees (House, No. 4499),— **was referred, in concurrence, to the committee on State Administration.**

A petition (accompanied by bill, House, No. 4500) of Mark J. Carron and Richard T. Moore (by vote of the town) that the town of Charlton be authorized to expend certain funds from the debt service reserve fund of said town, — **was referred, in concurrence, to the committee on Taxation.**

A Bill designating a certain interchange in the city of Woburn as the James McKeown Interchange (House, No. 2257,— on petition),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

Bills

Relative to the salary of the mayor of Medford (House, No. 4428,— on petition) [Local approval received]; and

Authorizing the town of Milford to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4440,— 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 Human Services and Elderly Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4459) of Mary Jane Simmons relative to periodic statements of child support payments

received by the Division of Child Support Enforcement, and recommending that the same be referred to the committee on Taxation,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:—
Resolutions (filed by Mr. Bernstein) "congratulating Doctor John P. Gusha on the occasion of his retirement";
Resolutions (filed by Ms. Jacques) "congratulating Doctor Larry R. Clausen on the occasion of his retirement as President of the New England College of Optometry";
Resolutions (filed by Mr. Morrissey) "commending John Joseph Daneu for his dedicated service in the United States Navy";
Resolutions (filed by Mr. Morrissey) "congratulating Officer Robert Smith upon his retirement from the Braintree Police Department"; and
Resolutions (filed by Messrs. Tolman and Jajuga, Ms. Wilkerson, Mr. Shannon, Ms. Melconian, Messrs. Clancy and Nuciforo, Ms. Murray, Mr. Berry, Ms. Fargo, Mr. Glodis, Ms. Creem, Messrs. Havern, Norton and Creedon, Ms. Tucker, Ms. Jacques, Mr. Bernstein, Mrs. Sprague and Messrs. Lynch and Morrissey) "condemning the murder of human rights lawyer Rosemary Nelson and calling for the protection of defense attorneys in Northern Ireland."

PAPERS FROM THE HOUSE.

The House Bill relative to the sex offender registry (House, No. 4387),— came from the House with the endorsement that the House had NON-concurred in the Senate amendments:
Striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 1930; and striking out the title and inserting in place thereof the following title: "An Act improving the sex offender registry and establishing civil commitment and community parole supervision for life for sex offenders.", and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Haley of Weymouth, Tobin of Quincy and Finnegan of Newburyport had been appointed the committee on the part of the House.
On motion of Ms. Melconian, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Bernstein, Creem and Knapik were appointed on the part of the Senate.
The bill was returned to the House endorsed accordingly.

Engrossed Bill.

An engrossed Bill further extending the time for which certain land in Norfolk County may be used as a temporary minimum security alternative correction center (see House, No. 4419, amended) (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 enacted and was signed by the President and laid before the Governor for his approbation.**

A petition (accompanied by bill, House, No. 4523) of Kevin G. Honan and other members of the General Court relative to granting retirement credit to certain teachers for service performed in nonpublic schools,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

Petition

On motion of Ms. Murray, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Mr. Creedon (accompanied by bill) of Robert S. Creedon, Jr., for legislation to establish a sick leave bank for Lawrence Waithe, an employee of the Trial Court,—**and the same was referred to the committee on the Judiciary.**

Sent to the House for concurrence.

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