

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.



Monday, July 12, 1999.

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

Petitions.

Mr. Clancy presented a petition (accompanied by bill, Senate, No. 1933) of Edward J. Clancy, Jr., and Steven Angelo (by vote of the town) for legislation relative to the Board of Playground Commissioners in the town of Saugus [Local approval received],—**and the same was referred, under Senate Rule 20, to the committee on Local Affairs.**

Sent to the House for concurrence.

Mr. Hedlund (by request) presented a petition (subject to Joint Rule 12) of Lawrence Aherne for legislation relative to limiting personal liability for handicapped corporate officers,—**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 petition, a Bill regarding appellate jurisdiction (Senate, No. 872); and By Ms. Wilkerson, for the committee on State Administration, on petition, a Bill regulating emergency contracts (Senate, No. 1481);

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 apprentice training under the Department of Labor and Workforce Development (Senate, No. 33, changed in section 2, by striking out lines 15 to 18, inclusive, and inserting in place thereof the following sentence:—"Any violation of this section shall be considered a violation of the apprentice agreement.");

By the same Senator, for the same committee, on petition, a Bill relative to reporting violations of the prevailing wage law to the division of apprentice training (Senate, No. 65); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 78), a Bill relative to apprentice agreements (Senate, No. 1900);

By Ms. Creem, for the committee on Criminal Justice, on petition, a Bill establishing a crime of trespass on a school bus (Senate, No. 1732);

By the same Senator, for the same committee, on House, Nos. 2093 and 4163, a Bill relative to domestic violence (Senate, No. 1889);

By the same Senator, for the same committee, on House, Nos. 1898 and 3034, a Bill relative to the crime of stalking (printed as House, No. 1898, changed in section 2 by striking out lines 22 and 23); and

By the same Senator, for the same committee, on petition, a Bill further regulating emergency temporary releases for persons incarcerated for drunk driving convictions (printed as House, No. 3228);

By Mr. Morrissey, for the committee on Government Regulations, on Senate, Nos. 376, 377 and 401 and House, No. 957, a Bill

clarifying wine and malt beverage tastings (Senate, No. 1895);and

By the same Senator, for the same committee, on petition (accompanied by bill, House, No. 656),a Bill relative to real estate brokers (Senate, No. 1896);

By Mr. Bernstein, for the committee on Insurance, on petition, a Bill relative to ambulanceservices (Senate, No. 654);

By Mr. Creedon, for the committee on the Judiciary, on petition, a Bill to prohibit the use of certain liability waivers as against public policy (Senate, No. 837);

By Mr. Tolman, for the committee on Local Affairs, on petition (accompanied by bill, Senate, No. 932), a Bill relative to land transfer of development rights (Senate, No. 1872);

By Mr. Pacheco, for the committee on Natural Resources and Agriculture, on petition, a Bill relative to condominium septic systems (Senate, No. 1030); and

By the same Senator, for the same committee, on petition, a Bill relative to the North East Solid Waste Committee (Senate, No. 1043);

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

By Mr. Pacheco, for the committee on Natural Resources and Agriculture, on petition, Resolutions regarding solid waste planning (Senate, No. 1052, changed by striking out, in line 15, the words "July 1, 1999" and inserting in place thereof the following words:— "March 1, 2000"),— **were referred, under Senate Rule 26, 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 Bill limiting liability resulting from the use of automatic external defibrillation (Senate, No. 1918);

The House Bill relative to contract interpretation providing for continuity of contract in view of currency changes in Europe (House, No. 1508); and

The Senate report of the committee on Health Care, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 448) of Robert L. Hedlund and Jeffrey Tonello for legislation relative to the registration of orthopedic physician assistants.

Papers from the House.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4512) of Joseph T. Geller, Ronny M. Sydney, David T. Donnelly, Ruth B. Balser, Cynthia S. Creem, Paul C. Demakis, Brian Paul Golden and others (by vote of the town) relative to the regulation of lodging houses in the town of Brookline;

To the committee on Housing and Urban Development.

Petition (accompanied by bill, House, No. 4513) of Paul C. Casey, Michael E. Festa and Richard R. Tisei (by vote of the town) that the town of Stoneham be authorized to grant easements over certain conservation land located in said town;

To the committee on Local Affairs.

Petition (accompanied by bill, House, No. 4514) of Joseph T. Geller, Ronny M. Sydney, David T. Donnelly, Ruth B. Balser, Cynthia S. Creem, Paul C. Demakis, Brian Paul Golden and others (by vote of the town) relative to granting certain provisional employees in the town of Brookline permanent civil service status; and

Petition (accompanied by bill, House, No. 4515) of David M. Torrisi, Jose L. Santiago and others (with the approval of the mayor and city council) that the position of deputy police chief in the city of Lawrence be exempt from the provisions of civil service law;

Severally 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. Brewer and Rosenberg) "honoring Jay DiPucchio";

Resolutions (filed by Ms. Resor) "congratulating Mabel Stow Carvill on the occasion of her one hundredth birthday"; and

Resolutions (filed by Mrs. Sprague) "congratulating William J. McCabe, Jr., on the occasion of his retirement".

Papers from the House.

A Bill protecting patients in the Commonwealth (House, No. 4525, printed as amended,— on Senate, Nos. 500, 501, 502 and 523 and House, Nos. 254, 1130, 1736, 1741, 1943, 2887, 3470, 3658, 3856, 3857, 3858 and 4005),— was read.

There being no objection, the rules were suspended, on motion of Mr. Moore, and the bill was read a second time.

Pending the question on ordering the bill to a third reading, Mr. Montigny presented the following amendments:

Striking out all after the enacting clause, and inserting in place thereof the text of Senate document numbered 1746; and by striking out the title and inserting in place thereof the following title: "An Act protecting the health and safety of consumers from certain managed care practices in the insurance industry."

The amendments were adopted.

The bill as amended, was ordered to a third reading, read a third time and passed to be engrossed, in concurrence. Sent to the House for concurrence in the amendments.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4526) of George Rogers (with the approval of the mayor and city council) that the city of New Bedford be authorized to impound motor vehicles for certain ordinance violations;

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

Petition (accompanied by bill, House, No. 4527) of Michael E. Festa and Richard R. Tisei (with the approval of the mayor and board of aldermen) for legislation to authorize the city of Melrose to issue pension obligation bonds;

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

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 Milford to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4440), — **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.

An engrossed Bill authorizing the town of Shirley to establish a sewer commission (see House, No. 4270) (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.**

House 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, joint standing committees and the committees on Rules of the two branches, acting concurrently, be granted until Wednesday, September 29, 1999, within which to make reports on all matters referred to them.

Pending the question on adoption of the order, an amendment, presented by Mr. Lees, striking out in line 3, "Wednesday, September 29" and inserting in place thereof the following "Saturday, July 31". **The amendment was adopted. The order, as amended, was then adopted.**

Sent to the House for concurrence in the amendment.

Order Adopted.

On motion of Ms. Melconian,—

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow at one o'clock P.M., and that the Clerk be directed to dispense with the printing of a calendar.

On motion of Mr. Tarr, at fourteen minutes past eleven o'clock A.M., the Senate adjourned to meet on the following day at one o'clock P.M.
