

**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, July 19, 2000.

Met at four 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 was received from the President announcing the following appointments:

The Senator from Bristol, Mr. Montigny, the Senator from Worcester and Norfolk, Mr. Moore, and the Senator from Cape and Islands, Mr. Rauschenbach, to the Northeast Legislative Association on Prescription Drug Prices.

A communication from the Board of Higher Education (under the provisions of Section 7 of Chapter 150E of the General Laws) submitting a copy of a request for an appropriation to fund a collective bargaining agreement between the Board of Higher Education and the Massachusetts Community College Council (received Wednesday, July 19, 2000),— **was placed on file.**

### *Petition.*

Mr. Glodis presented a petition (accompanied by bill, Senate, No. 2246) of Guy W. Glodis and Paul K. Frost (by vote of the town) for legislation relative to the Millbury sewer system and assessments for new developments,— **and the same was referred, under Senate Rule 20, to the committee on Local Affairs.**

**Sent to the House for concurrence.**

### *Report of a Committee.*

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

Designating a certain bridge in the town of Andover as the Captain George L. Street Bridge (Senate, No. 1783); and

Authorizing the Massachusetts highway department to install certain signs (Senate, No. 2191).

*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 and directing the joint committee on Criminal Justice to make an investigation and study of Senate document numbered 2192, relative to drunk driving penalties (Senate, No. 2241),— 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.**

A petition (accompanied by bill, House, No. 5369) of Anne M. Paulsen and Steven A. Tolman (by vote of the town) relative to the granting of licenses for the sale of alcoholic beverages to golf courses in the town of Belmont,— **was referred, in concurrence, to the committee on Government Regulations.**

A Bill relative to patient choice (House, No. 3074,— on petition),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

A report of the committee on House Steering, Policy and Scheduling asking to be discharged from further consideration of the House Bill relative to the conservation commission of the town of Lexington (House, No. 4983), and recommending that the same be referred to the committee on Natural Resources and Agriculture,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence, inasmuch as relates to the reference to the joint committee.**

The Senate Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land under the care and control of the Department of Correction to the town of Concord housing authority (printed as House, No. 2047, amended),— came from the House passed to be engrossed, in concurrence, with amendments in section 2, in line 7, inserting after the word “operation.” the following three sentences: “The inspector general shall review and comment on said appraisal, and said review and comment shall include an examination of the methodology utilized for said appraisal. The commissioner shall, 30 days prior to the conveyance authorized by this act, submit said appraisal and a report thereon to the inspector general. The inspector general shall prepare a report of his review of said appraisal and file said report with the commissioner, and copies of the same shall be filed with house and senate committees on ways and means and the chairmen of the joint committees on state administration.”; and in line 11 inserting after the word “direct” the following: “and its further disposition shall be subject to sections 40E to 40J, inclusive, of chapter 7 of the General Laws and to the prior approval of the general court”. **The rules were suspended, on motion of Mr. Bernstein, and the House amendments were considered forthwith and adopted, in concurrence.**

*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 House bills

Authorizing a privatized wastewater facility for the town of Provincetown (House, No. 4325); and

Relative to town meetings in the town of Truro (House, No. 5169);

**Were severally read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to the investment of trust funds by the town of Winchester (House, No. 4920),— was read a second time.

Mr. Shannon presented an amendment striking out the words “in which savings banks are permitted to invest and in the shares of stock registered on a national securities exchange as provided in the Securities Exchange Act of 1934, 15USC78a or for which quotations are available through the National Association of Securities Dealers Automated Quotation System or any comparable service, such investments to be made in the exercise of the judgement and care of a prudent investor as provided by chapter 203C

of the General Laws”, in lines 6 to 13, inclusive, and inserting in place thereof the following words:— “which are eligible for inclusion in the list of legal investments for savings banks pursuant to paragraph 1 of section 15B of chapter 167 of the General Laws, whether or not such security has been included by the commissioner of banks on such list. All provisions of said section 54 of said chapter 44 regarding the percentage of investment in the securities of any one corporation shall apply to investments under the provisions of this act. Nothing in this act shall prohibit investing such trust funds in any investment otherwise described in said section 54”.

**The amendment was adopted.**

**The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.**

**Sent to the House for concurrence in the amendment.**

The House bills

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

Relative to the leasing of certain property by the towns of Groveland, Merrimac and West Newbury (House, No. 3112); **Were severally read a third time and passed to be engrossed, in concurrence.**

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

The House Bill relative to underage drinking (House, No. 4506, amended),— came from the House with the endorsement that the House had concurred in the Senate amendment inserting before the enacting clause an emergency preamble; and had NON-concurred with the Senate in its amendments striking out section 2 (inserted by amendment by the House) and striking out the title and inserting in place thereof the following title: “An Act relative to the sale or delivery of alcoholic beverages or alcohol to a person under 21 years of age”.

**On motion of Mr. Tisei, the rules were suspended, and the matter was considered forthwith. on further motion of the same Senator, the Senate insisted on its amendments to section 2 and striking out the title and inserting in place thereof a new title.**

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

#### ***Engrossed Bill.***

An engrossed Bill authorizing the town of Provincetown operate a sewer system (see House, No. 5083) (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 Acting President and laid before the Governor for his approbation.**

#### ***Reports of Committees.***

By Mr. Rosenberg, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of David P. Magnani and James P. Jajuga for legislation relative to prohibiting dealers from obscuring prices on motor fuel dispensing devices.

**Senate Rule 36 was suspended, on motion of Ms. Murray, 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 Mr. Rosenberg, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Robert S. Cain for legislation relative to authorizing the Registrar of Motor Vehicles to issue distinctive initial license plates consisting of up to eight letters or numbers.

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

*Recess.*

There being no objection, at eleven minutes past eleven o'clock A.M., the Chair (Mr. Rosenberg) declared a recess subject to the call of the Chair; and, at twenty-nine minutes before four o'clock P.M., the Senate reassembled, Mr. Rosenberg in the Chair.

*Order Adopted.*

On motion of Mr. Tisei,—

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

On motion of Mr. Tisei, at twenty-eight minutes before four o'clock P.M., the Senate adjourned to meet again tomorrow at one o'clock P.M.

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