

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, August 12, 1999.

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

Petitions.

Petitions were presented and referred, as follows:

By Mr. Brewer, a petition (subject to Joint Rule 12) of Stephen M. Brewer, David H. Tuttle and Donald Neilsen for legislation to further regulate the use of crossbows in the Commonwealth;

By Mr. Glodis (by request), a petition (subject to Joint Rule 12) of Jude Cristo and Larry Brodeur for legislation relative to zoning and non-resident property owners; and

By Mr. Panagiotakos, a petition (subject to Joint Rule 12) of Steven C. Panagiotakos and Thomas A. Golden, Jr., for legislation relative to city or town zoning ordinances or bylaws to allow a facility to be used as a community-based human service facility; **Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Committee 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 bills

Establishing a special commission on the status of children, youth and families (Senate, No. 575);

Relative to child support and custody (Senate, No. 833);

Relative to shellfishing practices in the Commonwealth (Senate, No. 1045);

Establishing a special commission to study mandatory firefighter training (Senate, No. 1086); and

To establish a commission to study Group I benefits (Senate, No. 1804);

Of the Senate resolves

To create a special commission on homelessness (Senate, No. 566);

To create a commission to examine the deferred compensation committee (Senate, No. 1779); and

Providing for an investigation and study by the Attorney General relative to the need for additional access to criminal records by housing authorities for screening purposes (Senate, No. 1807); and

Of the Senate Order relative to authorizing the joint committee on Human Services and Elderly Affairs to sit during the recess of the General Court for the purpose of making an investigation and study of Senate document numbered 937, relative to child care zoning (Senate, No. 1802);

And recommending that the same severally be referred to the Senate committee on Rules.

Under Senate Rule 36, the reports were severally considered forthwith and accepted.

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:— Resolutions (filed by Mr. Joyce) "congratulating Thomas and Deborah Joyce on the occasion of their twenty-fifth wedding anniversary"; and Resolutions (filed by Mrs. Sprague) "congratulating Henry Chipman of the Stoughton Fire Department on the occasion of his retirement".

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 Swampscott to rescind its acceptance of a certain General Law (House, No. 4382),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act revoking the acceptance by the town of Swampscott of a certain general law."**

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4674) of Patricia A. Walrath and Pamela P. Resor for legislation to require certain persons engaged in the business of selling condominium units to be licensed;
Under suspension of Joint Rule 12, to the committee on Government Regulations.

Petition (accompanied by bill, House, No. 4675) of Eric Turkington and Henri S. Rauschenbach relative to the issuance of bonds by the Oak Bluffs Water District;
Under suspension of Joint Rule 12, to the committee on Natural Resources and Agriculture.

Petition (accompanied by bill, House, No. 4676) of Stephen P. LeDuc, Barbara Gardner and Pamela P. Resor relative to the appointment of Kevin P. McAllister to the state police, notwithstanding certain maximum age requirements;
Under suspension of Joint Rule 12, to the committee on Public Service.

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 Cynthia S. Creem, Charles E. Shannon, Michael W. Morrissey, Robert E. Travaglini and Susan C. Fargo for legislation to expand intensive parole supervision for sex offenders.

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

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 Henri S. Rauschenbach, Michael W. Morrissey, Mark C. Montigny, Therese Murray and Daniel E. Bosley for legislation to require the merger of a gas or electric company to file an annual report of the savings to the ratepayers of the Commonwealth.

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

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 Stephen M. Brewer, Robert A. Antonioni, Beth Emery Pond and Harold M. Lane, Jr., for legislation to mandate coverage for ectodermal dysplasia.

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

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 Robert A. Antonioni and Brian Knuutila for legislation to validate the authorization of certain bonds by the Holmes Water District.

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

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 Cynthia S. Creem, Linda J. Melconian, Kay Khan and Marian Walsh for legislation relative to medical examinations in correctional facilities.

Senate Rule 36 was suspended, on motion of Mr. Jajuga, 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.

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 Susan C. Tucker, Colleen M. Garry, Pamela P. Resor, Guy W. Glodis and other members of the General Court for legislation to establish a special commission to restructure the Registry of Motor Vehicles based on the best models of customer service.

Senate Rule 36 was suspended, on motion of Mr. Jajuga, 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.

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 Ilene Hofstein for legislation to exempt earned income from foreign sources from the Massachusetts tax code.

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

PAPERS FROM THE HOUSE.

A Bill authorizing the licensing authority of the town of Palmer to issue an additional license for the sale of only wines and malt beverages to be drunk on the premises located at 1320 Park Street, Palmer, Massachusetts (House, No. 4253,— on petition) [Local approval received],— was read.

The rules were suspended, on motion of Mr. Bernstein, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Order Adopted.

On motion of Mr. Bernstein,—

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.

Recess.

There being no objection, at ten minutes past eleven o'clock A.M., the Chair (Ms. Melconian) declared a recess subject to the call of the Chair; and, at nineteen minutes before twelve o'clock noon, the Senate reassembled, Ms. Melconian in the Chair.

PAPERS FROM THE HOUSE.

A Bill relative to nongroup and small group health insurance products (House, No. 4666,— on House, No. 1006) (Representative George of Yarmouth dissenting),— was read.

The rules were suspended, on motion of Mr. Bernstein, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Recess.

There being no objection, at eighteen minutes before twelve o'clock noon, the Chair (Ms. Melconian) declared a further recess subject to the call of the Chair; and, at twelve minutes past twelve o'clock noon, the Senate reassembled, Ms. Melconian in the Chair.

PAPERS FROM THE HOUSE.

Emergency Preamble Adopted; Engrossed Bill Enacted.

An engrossed Bill relative to nongroup and small group health insurance products (see House, No. 4666), 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 3 to 0.

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

Subsequently, the bill, which originated in the House, came from the House with the endorsement that it had been enacted in that branch.

The Senate then passed the bill to be enacted; and it was signed by the Acting President and laid before the Governor for his approbation.

On motion of Mrs. Sprague, at nineteen minutes past twelve o'clock noon, the Senate adjourned to meet on the following Monday at eleven o'clock A.M.
