

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, September 20, 1999.

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

Resignation of Senator Thomas C. Norton of First Bristol.

The following communication, received by the Clerk of the Senate, from the President of the Senate, was placed on file.

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133

September 17, 1999.

Honorable Thomas F. Birmingham
Senate President
State House, Room 330
Boston, Massachusetts 02133

Dear Mr. President:

I would like to take this opportunity to inform you that effective at the close of business today, I hereby resign my position as state senator from the first Bristol District.

From this day forward, please remove my name from the roll call roster. It has been my distinct pleasure to serve with you and my distinguished colleagues. I will look back fondly over the years to the many wonderful moments that have been part of my 27 years of service in the Massachusetts Legislature.

Sincerely,
THOMAS C. NORTON,
State Senator.

Reports.

A report of the Bureau of Special Investigations (under the provisions of Section 15D(6) of Chapter 22 of the General Laws) submitting a report of its activities for the month of July, 1999 (received Wednesday, September 1, 1999),— **was read and sent to the House for its information.**

The following reports were severally read and placed on file:

A report of the Massachusetts Capital Resource Company (under the provisions of Section 12 of Chapter 816 of the Acts of 1977) relative to its current status (received Wednesday, September 1, 1999); and

A report of the Boston University/Chelsea Partnership (under the provisions of Section 13 of Chapter 133 of the Acts of 1989) submitting a copy of its 1999 annual report (received Wednesday, September 1, 1999).

Reports of Committees.

By Mr. Joyce, for the committee on Public Service, on petition, a Bill relative to continuation of certain insurance by a surviving spouse or dependent (Senate, No. 682, changed by striking out section 3) (Representative Casey of Winchester dissenting);
Read and, under Senate Rule 27, referred to the committee on Ways and Means.

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 Senate Bill to regulate restocking fees (Senate, No. 1966).

Committee Discharged.

Mr. Joyce, for the committee on Public Service, reported, asking to be discharged from further consideration of the recommitted petition (accompanied by bill, Senate, No. 1387) of Dianne Wilkerson, Brian P. Lees, Christopher J. Hodgkins, Susan C. Fargo and other members of the General Court for legislation relative to equal employment benefits for public sector employees,— and recommending that the same be referred to the Senate committee on Ways and Means.

**Under Senate Rule 36, the report was considered forthwith and accepted.
Sent to the House for concurrence in the discharge of the joint committee.**

PAPERS FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation relative to ensuring violence free schools in the Commonwealth (House, No. 4744),— **was referred, in concurrence, to the committee on Criminal Justice.**

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4745) of John A. Stefanini, John H. Stasik and David P. Magnani (by vote of the town) that police officers of the town of Framingham be granted jurisdiction on property owned or controlled by the housing authority of said town;

To the committee on Public Safety.

Petition (accompanied by bill, House, No. 4746) of Thomas J. O'Brien, David L. Flynn and Marc R. Pacheco (by vote of the town) that the position of plumbing inspector of the town of Halifax be exempt from the provisions of civil service law; and
Petition (accompanied by bill, House, No. 4747) of Ronald Mariano, Paul R. Haley and Robert L. Hedlund (by vote of the town) relative to the reclassification of civil service positions in the town of Weymouth;

Severally to the committee on Public Service.

Petition (accompanied by bill, House, No. 4748) of James E. Vallee (by vote of the town) that the city known as the town of Franklin be authorized to abate certain betterment assessments relative to the acquisition of a certain street in said town;

To the committee on Taxation.

A Bill relative to the construction and maintenance of the statewide Vietnam veterans memorial at Green Hill Park in the city of Worcester (House, No. 4481,— on House, No. 4211),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

Bills

Authorizing the town of Amherst to convey a certain easement (House, No. 288,— on petition) [Local approval received]; and
Authorizing the town of Danvers to issue an additional license for the sale of wine and malt beverages to be drunk on the premises (House, No. 4414,— on petition) [Local approval received];

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

Senate Order Adopted.

On motion of Ms. Melconian,—

Ordered, That by the authority of article IV of section II of chapter I of the Constitution of the commonwealth, the Senate hereby declares that, by reason of the resignation of Thomas C. Norton as senator from the First Bristol senatorial district, the office of senator from the First Bristol district is vacant. By authority of article XXIV of the amendments to the constitution, the president of the senate is hereby directed to issue a precept setting forth Tuesday, December 21, 1999, as the day for holding an election to fill the vacancy now existing in said First Bristol district, comprising the city of Fall River and the towns of Freetown, Somerset, Swansea and Westport, all in the county of Bristol.

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

Designating a certain interchange in the city of Woburn as the James McKeown Interchange (House, No. 2257); and
Relative to the municipal gas and electric commission of the city of Holyoke (House, No. 4309);

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

Report 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 Robert A. Bernstein and Nancy Flavin for legislation to allow for the sale of innovative insurance and financial planning products.

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

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A Bill authorizing the town of Webster to accept easements in the state of Connecticut (House, No. 4238,— on petition) [Local approval received],— was read.

There being no objection, the rules were suspended, on motion of Ms. Wilkerson, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Communication.

The following communication was read by the Clerk:

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133

September 20, 1999.

Mr. Patrick F. Scanlan,
Senate Clerk
State House, Room 335
Boston, Massachusetts 02133

Dear Mr. Clerk:

Due to the poor weather conditions imposed by Hurricane Floyd, my flight to Boston on September 16, 1999, was cancelled. As such, I missed three roll call votes. If I were present when the roll calls were taken, I would have voted **YEA** on the following bills:

Senate Bill No. 1988 — relative to community preservation;

Senate Bill No. 1945 — overriding the Governor's decision to cut \$50 million from Chapter 90 on item 6037-0019 in Section 2B;

Senate Bill No. 1945 — overriding the Governor's decision to eliminate on item 6037-0019 Section 2F in its entirety.

Thank you for your attention to this matter.

Sincerely,
State Senator Susan C. Fargo,
Fifth Middlesex District.

On motion of Mr. Travaglini, the above statement was ordered printed in the Journal of the Senate.

Order Adopted.

On motion of Ms. Melconian,—

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday 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. Knapik, at nine minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Thursday at eleven o'clock A.M.
