

**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, October 19, 2000.

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

### *Distinguished Guest.*

The President introduced, seated in the rear of the Chamber, Billy Stevenson from Belfast, Ireland. Mr. Stevenson is a civil servant visiting Massachusetts along with forty-three others in various government positions. Mr. Stevenson was the guest of Senator Tolman.

### *Reports of Committees.*

By Mr. Tolman, for the committee on Local Affairs, on petition, a Bill making a certain corrective change in the act authorizing the town of Andover to enter into certain agreements and to convey and accept certain interest in real estate (Senate, No. 2295) [Local approval received];

**Read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

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

Making corrective changes in certain general and special laws relative to the Commonwealth Corporation (Senate, No. 2278); and

Designating the James Coffin memorial rotary (Senate, No. 2292); and

The House bills

Relative to the fees of justices of the peace for performing marriages (House, No. 4456); and

Further regulating the practice of engineering and land surveying (House, No. 4811).

### *Committee Discharged.*

Mr. Moore, for the committee on Health Care, reported, asking to be discharged from further consideration of the communication of the Board of Trustees of the Health Care Security Trust (under the provisions of Chapter 29D, section 4(h) of the General Laws, submitting an interim budget for said department (Senate, No. 4),— and recommending that the same be referred to the joint committee on Ways and Means.

**Under Senate Rule 36, the report was considered forthwith and accepted.**

**Sent to the House for concurrence.**

### *Resolutions.*

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:

Resolutions (filed by Mr. Glodis) “recognizing Assistant Secretary of the Bureau of Indian Affairs, Kevin Gover.”

## **PAPERS FROM THE HOUSE.**

### *Engrossed Bills.*

The following engrossed bills (the first of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the President and laid before the Governor for his approbation, to wit:

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

Relative to the taxation of certain property in the town of Belmont (see House, No. 5054); and

Authorizing the town of Longmeadow to offer a senior discount in the fee charged for the use of the town’s recycling center (see House, No. 5293).

### *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 Senate Bill relative to the territorial jurisdiction of the Winchendon district court (Senate, No. 2290),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

### *Report of a Committee.*

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 relative to the reporting deadline of the senior care options task force (Senate, No. 2291).

**There being no objection, the rules were suspended, on motion of Mr. Tolman, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

## **PAPERS FROM THE HOUSE.**

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5468) of Barbara C. Hyland and Jo Ann Sprague for legislation to establish a sick leave bank for Edward J. Doyle, an employee of the Department of Social Services;

Petition (accompanied by bill, House, No. 5469) of Kevin G. Honan that the State Boston Retirement Board be directed to grant a retirement pension to Robert Rogers, a detective of the police department in the city of Boston injured in the line of duty; and

Petition (accompanied by bill, House, No. 5470) of Charles A. Murphy and Robert A. Havern (by vote of the town) relative to authorizing Robert A. Giannelli and Eileen O'Meara-Barnard to take the next civil service examination for police officer in the town of Burlington, notwithstanding the maximum age requirements;

**Severally, under suspension of Joint Rule 12, to the committee on Public Service.**

### ***Reports of a Committee.***

By Mr. Montigny, for the committee on Ways and Means, that the House Bill providing for the entry of the Commonwealth into the interstate emergency management assistance compact (printed as Senate, No. 1146, amended),—ought to pass, with amendments, inserting in Article I, after the first paragraph, the following paragraph:—

“The purpose of this compact is to provide for mutual assistance between the states entering into this compact in managing any emergency disaster that is duly declared by the Governor of the affected state, whether arising from natural disaster, technological hazard, man-made disaster, civil emergency aspects of resources shortages, community disorders, insurgency or enemy attack.” and by inserting before the enacting clause the following emergency preamble:—

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to authorize the entry of the commonwealth into the interstate emergency management assistance compact, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.”

**The rules were suspended, on motion of Mr. Shannon, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

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

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

By Mr. Montigny, for the committee on Ways and Means, that the Senate Bill relative to the election of retirement options for certain retirees (Senate, No. 1281),—ought to pass, with an amendment, striking out the words “July 1, 1998” and inserting in place thereof the following words:—“the effective date of this act”.

**The rules were suspended, on motion of Mr. Moore, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

**The bill (Senate, No. 1281, amended) was then ordered to a third reading, read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

By Mr. Montigny, for the committee on Ways and Means, that the Senate Bill extending creditable service for military, Peace Corps and Vista service (Senate, No. 1914),—ought to pass, with an amendment, substituting a new draft entitled “An Act extending creditable service for Peace Corps and Vista service” (Senate, No. 2296).

**The rules were suspended, on motion of Mr. Montigny, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

**The bill (Senate, No. 2296) was then ordered to a third reading, read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

By Mr. Montigny, for the committee on Ways and Means, that the Senate Bill to permit the voluntary withdrawal of land from the registration system (Senate, No. 1955),—ought to pass, with an amendment, substituting a new draft with the same title (Senate, No. 2297).

**The rules were suspended, on motion of Mr. Tisei, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

**The bill (Senate, No. 2297) was then ordered to a third reading, read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

By Mr. Montigny, for the committee on Ways and Means, that the House Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the town of Tewksbury (House, No. 357, amended),—ought to pass, with amendments, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2298; and by inserting before the enacting clause the following emergency preamble:—

*“Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to convey certain land in the town of Tewksbury for sewer purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.”*

**The rules were suspended, on motion of Ms. Melconian, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

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

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

By Mr. Montigny, for the committee on Ways and Means, that the House Bill authorizing the Commissioner of Revenue to act on a certain application for abatement (House, No. 930, amended),—ought to pass.

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

By Mr. Montigny, for the committee on Ways and Means, that the House Bill authorizing and directing the Commissioner of the Department of Revenue to accept an application for abatement of taxes on behalf of certain taxpayers (House, No. 4881),—ought to pass, with an amendment, adding at the end thereof the following sentence:—“Any abatement paid pursuant to said applications shall not include payment of interest or of any costs related to the filing of said applications.”

**The rules were suspended, on motion of Mr. Shannon, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

**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, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act directing the Commissioner of Revenue to accept applications for abatement of taxes on behalf of certain taxpayers.”**  
**Sent to the House for concurrence in the amendment.**

By Mr. Montigny, for the committee on Ways and Means, that the House Bill authorizing the conveyance of real property by the Commonwealth to the town of Falmouth (House, No. 5309),—ought to pass, with amendments, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2299; by inserting before the enacting clause the following emergency preamble:—

*“Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to authorize the conveyance of certain parcels of land, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”; and by striking out the title and inserting in place thereof the following title: “An Act authorizing the conveyance of real property by the Commonwealth in the town of Falmouth.”*

**The rules were suspended, on motion of Mr. Moore, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

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

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

By Mr. Montigny, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Marc Deschamps, an employee of the Department of Correction (House, No. 5316),—ought to pass.

**The rules were suspended, on motion of Mr. Montigny, and the bill 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 establishing a sick leave bank for Marc Deschamps, an employee of the Department of Correction.”**

By Mr. Montigny, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for James F. Broughton, Jr., an employee of the Department of Youth Services (House, No. 5326),— ought to pass, with an amendment, adding at the end thereof the following sentence:— “James F. Broughton may use said sick leave bank after he has exhausted all leave available to him from the Extended Illness Bank administered by the human resources division.”

**The rules were suspended, on motion of Mr. Tolman, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**  
**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.

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

---