

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 21, 1999.

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

Reports.

The following reports were severally read and placed on file:

A report of the Department of Revenue (under the provisions of Section 38 of Chapter 63 of the General Laws) submitting the 1997 Defense Corporation Report (received Monday, October 18, 1999); and

A report of the Commission on Indian Affairs (under the provisions of Section 8A of Chapter 6A of the General Laws) submitting its annual report for 1998 (received Tuesday, October 19, 1999).

The following reports were severally read and sent to the House for its information:

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of the M.C.I. Boston Pre-Release Center (received Thursday, October 14, 1999); and

A report of the Bureau of Special Investigations (under the provisions of Section 15D(6) of Chapter 22 of the General Laws) submitting its report for the month of September 1999 (received Tuesday, October 19, 1999).

Petitions.

Petitions were presented and referred, as follows:

By Ms. Creem, a petition (subject to Joint Rule 12) of Cynthia S. Creem for legislation relative to the removal of those resident minor children whose custody is subject to probate court jurisdiction from the Commonwealth; and

By the same Senator, a petition (subject to Joint Rule 12) of Cynthia S. Creem for legislation relative to officials taking bail and persons admitted to bail; and

By Mr. Travaglini, a petition (subject to Joint Rule 12) of Robert E. Travaglini and Kathi-Anne Reinstein for legislation relative to the appointment of Joseph Cafarelli to the Massachusetts State Police;

Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Committee Changes.

The President announced the resignation of Senator Moore of Worcester and Norfolk as a member of the committee on Bills in the Third Reading and the appointment of Senator Melconian of Hamp den to fill the vacancy.

Reports of Committees.

By Mr. Creedon, for the committee on the Judiciary, on petition (accompanied by bill, Senate, No. 2016), an Order relative to authorizing the joint committee on the Judiciary to sit during the recess of the General Court for the purpose of making an

investigation and study of a certain Senate document relative to lis pendens memoranda (Senate, No. 2021);
Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Pacheco, for the committee on Natural Resources and Agriculture, on petition (accompanied by bill, Senate, No. 1981), a Bill establishing the Quaboag and Ware Rivers Valley Heritage District Commission (Senate, No. 2019);
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 matters be placed in the Orders of the Day for the next session:

The Senate bills

Relative to teacher certification (Senate, No. 207);

Relative to raffles conducted by political committees (Senate, No. 326); and

Allowing for the sale of innovative insurance and financial planning products (Senate, No. 1996); and

The House Bill relative to the compensation of a town clerk upon certification (House, No. 1992, amended).

Committee Discharged.

By Ms. Melconian, for the committee on Rules, to whom was referred the Senate Order authorizing and directing the joint committee on Taxation to make an investigation and study of various Senate documents relative to excise, income, property and sales taxes (Senate, No. 1883), reported, in part, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 1508) of Edward J. Clancy, Jr., for legislation to clarify the tax treatment of prepaid calling arrangements; and

Of the petition (accompanied by bill, Senate, No. 1520) of Robert A. Havern for legislation to exempt photocopies provided by libraries from the sales tax; and

By the same Senator, for the same committee, to whom was referred the Senate Order relative to authorizing the joint committee on Taxation to sit during the recess of the General Court for the purpose of making an investigation and study of certain current Senate documents relative to corporate taxation (Senate, No. 1824), reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1657) of Marian Walsh for legislation relative to the taxation of financial institutions;

And recommending that the same severally be recommitted to the committee on Taxation.

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

PAPERS OF THE HOUSE.

Bills

Further regulating the tax escrow requirements for certain mortgages (House, No. 2085,— on House, No. 1880); and

Relative to the leasing of certain property by the towns of Groveland, Merrimac and West Newbury (House, No. 3112,— on petition);

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

A Bill relative to water supply in the town of West Newbury (House, No. 4044,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

A report of the committee on Education, Arts and Humanities, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4809) of Arthur J. Broadhurst and James P. Jajuga for legislation to authorize access to criminal offender record information of certain public school personnel, and recommending that the same be referred to the committee on the Judiciary,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4832) of Harriette L. Chandler and other members of the General Court relative to the disposition of documents or objects in the custody of museums;

Under suspension of Joint Rule 12, to the committee on Education, Arts and Humanities.

Petition (accompanied by bill, House, No. 4833) of Colleen M. Garry relative to the recall of elected officials of the Dracut Water Supply District and further regulating the membership of said district;

Under suspension of Joint Rule 12, to the committee on Election Laws.

Petition (accompanied by bill, House, No. 4834) of Francis L. Marini for legislation to establish a juvenile justice advisory committee within the Executive Office of Public Safety;

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

Petition (accompanied by bill, House, No. 4835) of Geoffrey D. Hall relative to the retirement allowance of Doris M. Hanigan, the widow of Francis Owen Hanigan, a former police chief of the town of Littleton;

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 Jan Heatley for legislation to allow equal access to public facilities to volunteer puppy raisers and certified trainers for Canine Companions for Independence.

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

Sent to the House for concurrence.

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:

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The Senate Bill providing for the establishment of a traffic commission in the city of Lynn (Senate, No. 1860),— **was 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 validating the action taken at a special district meeting and a special district election of the Tantasqua Regional School District and also making certain technical changes to chapter 71, section 14D of the General Laws (Senate, No. 1927).

The rules were suspended, on motion of Mr. Lees, and the bill was read a second time.

An amendment, presented by Mr. Brewer, striking out section 2,— was considered; and it was adopted.

The bill (Senate, No. 1927, amended) was then ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading, so as to read as follows: "An Act validating the action taken at a special district meeting and a special district election of the Tantasqua Regional School District."

Sent to the House for concurrence.

PAPERS OF THE HOUSE.

The Senate Bill validating the authorization of certain bonds by the Holmes Park Water District (Senate, No. 1969, changed and amended),— came from the House passed to be engrossed, in concurrence, *with an amendment* in line 5 by striking out the figures "110,000" (inserted by amendment by the Senate) and inserting in place thereof the figures "143,000" (inserted by change and stricken out by amendment by the Senate).

The rules were suspended, on motion of Ms. Melconian, and the House amendment was 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 the town of Palmer to issue an additional license for the sale of wine and malt beverages to be drunk on the premises (House, No. 4473); and

Authorizing the town of Palmer to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4474);

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

PAPERS OF THE HOUSE.

Order Adopted.

The following House order (approved by the committees on Rules of the two branches, acting concurrently) was considered forthwith and adopted, in concurrence, to wit:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Tuesday, October 26, 1999, within which to make its final report on current House document numbered 3962, a message from His Excellency the Governor recommending legislation relative to providing for an accelerated transportation development and improvement program for the Commonwealth.

Resolutions.

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

Resolutions (filed by Mr. Morrissey) "on the occasion of the twentieth anniversary of Manet Community Health Center, Inc."; Resolutions (filed by Mr. Pacheco) "honoring Andrew Sleeper Cottrill of Marion upon his elevation to the rank of Eagle Scout"; Resolutions (filed by Mr. Shannon) "honoring John L. and Evelyn McAnneny on the occasion of their fiftieth wedding anniversary";

Resolutions (filed by Mr. Tarr) "on the occasion of Phil Knowles Scouting Recognition Night";

Resolutions (filed by Ms. Wilkerson) "congratulating the Massachusetts Alliance for Small Contractors, Inc."; and

Resolutions (filed by Ms. Wilkerson) "honoring Laura Eugenia Younger".

Committee Changes.

The President announced the resignation of Senator Melconian of Hampden as a member of the committee on Bills in the Third Reading and the reappointment of Senator Moore of Worcester and Norfolk to fill the vacancy.

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. Tarr, at thirteen minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Monday at eleven o'clock A.M.
