

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, November 24, 1999.

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

Reports.

A report of the Massachusetts Legal Assistance Corporation (under the provisions of Section 10 of Chapter 221A of the General Laws) submitting its annual report for 1999 (received Monday, November 22, 1999),— **was placed on file.**

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 October 1999 (received Tuesday, November 23, 1999),— **was read and sent to the House for its information.**

Petition.

Ms. Resor presented a petition (subject to Joint Rule 12) of Pamela P. Resor, Antonio F. D. Cabral, Andrea F. Nuciforo, Jr., Patricia A. Walrath and other members of the General Court for legislation to proclaim June as Portuguese American month,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

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 House Bill relative to the rural cemetery in the city of Worcester (House, No. 3613).

PAPERS FROM THE HOUSE

A Bill relative to the organization and supervision of fraternal benefit societies (House, No. 4507, amended,— on House, No. 987),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

A report of the committee on Banks and Banking, recommending that the Communication from the Commissioner of Banks (under Section 2(31) of Chapter 167F of the General Laws) submitting regulations permitting state-chartered banks to exercise certain powers granted to national banking institutions (House, No. 4861) be placed on file,— came from the House, accepted by the House.

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

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 Nuciforo of Berkshire, Hampden, Hampshire and Franklin to fill the vacancy.

Reports of Committees.

By Mr. Birmingham, 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 and Barry R. Finegold (by vote of the town) for legislation to authorize the town of Andover to establish a special account to employ outside consultants and to impose certain fees [Local approval received]. **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 Local Affairs.**

Sent to the House for concurrence.

By Mr. Birmingham, 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, James R. Miceli and David M. Nangle (by vote of the town) for legislation to authorize the Division of Capital Asset Management and Maintenance to convey a certain parcel of land located in the town of Tewksbury [Local approval received].

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.

PAPERS FROM THE HOUSE

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4918) of Ellen Story and Benjamin Swan relative to electronically recording conversations of police officers conducting official business;

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

Petition (accompanied by bill, House, No. 4919) of Brian Knuuttila, Robert A. Antonioni, Emile J. Goguen and another relative to the issuance of license plates to antique motor car dealers;

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

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 Senate Bill providing for the conveyance by the town of Rowley of conservation land (Senate, No. 1718),— **was read a second time, 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 to read as follows: "An Act providing for the conveyance by the town of Rowley of certain conservation land".**

Sent to the House for concurrence.

The Senate Bill relative to vacancies of town meeting members in the town of Saugus (Senate, No. 1940),— **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.

Reports 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 House Bill relative to the Worcester Firemen's Relief Association (House, No. 4709).

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

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 House Bill relative to the Dracut Water Supply District (House, No. 4833, changed and amended).

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

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:—
Resolutions (filed by Messrs. Birmingham, Travaglini, Tolman and Havern) "honoring Cambridge Mayor Francis H. Duehay for his many accomplishments";
Resolutions (filed by Mr. Creedon) "congratulating Ian Christopher Blair-Lamb on receiving the Eagle Award of the Boy Scouts of America";
Resolutions (filed by Mrs. Sprague) "congratulating Jonathan S. Crosbie of Stoughton upon his elevation to the rank of Eagle Scout"; and
Resolutions (filed by Mr. Tisei) "congratulating George F. Ohlson on the occasion of his retirement."

Recess.

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

Committee Changes.

The President announced the resignation of Senator Knapik of Second Hampden and Hampshire as a member of the committee on Bills in the Third Reading and the appointment of Senator Tarr of First Essex and Middlesex to fill the vacancy.

The House Bill relative to certain capital spending authorizations (House No. 4574),— came from the House with the endorsement that the House had concurred in the Senate amendments:

Striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2033, amended in section 2 by striking out items "7113-0963", "7113-2960", "7113-2961", "7113-2962", "7113-2963", "7113-2964", "7502-0961 and "7502-0963"; in section 3 by striking line "6001-8800, 6001-8840"; 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 to provide forthwith for certain capital spending authorizations for the fiscal year ending June 30, 1999, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience." *with further amendments* in Section 1, by striking out items "0330-7872, 2120-9954, 2120-9955 and 2150-7874"; in Section 2, by striking out item "7514-7961" [at "F"] and by inserting after item 8095-1966 the following three items "8100-9101, 8100-9102 and 8100-9510"; and in Section 3, by inserting after line "4000-8860, 4016-8860" the following line "4000-8860, 4021-8860" and by inserting after line "4000-8860, 8900-1835" the following line "4010-8831, 1102-8831".

The rules were suspended, on motion of Mr. Tarr, and the House amendments were considered forthwith and adopted, in concurrence.

Recess.

There being no objection, at nine minutes before twelve o'clock noon, the President declared a recess subject to the call of the Chair and, at twelve minutes past one o'clock P.M., the Senate reassembled, Mr. Jajuga in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

Emergency Preambles Adopted; Engrossed Bills Enacted.

An engrossed Bill relative to certain capital spending authorizations (see House, No. 4574), 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 2 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.

An engrossed Bill relative to the Department of Public Health in the city of Boston (see Senate, No. 1857, amended), 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 2 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.

Engrossed Bill.

An engrossed Bill authorizing the retirement board of the city of Salem to grant certain retirement benefits (see House, No. 4796) (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.**

Committee Changes.

The Chair (Mr. Jajuga) announced the resignation of Senator Nuciforo of Berkshire, Hampden, Hampshire and Franklin from the second position of the committee on Bills in the Third Reading and the re-appointment of Senator Moore of Worcester and Norfolk to said position and the resignation of Senator Tarr of First Essex and Middlesex from the fifth position of said committee and the re-appointment of Senator Knapik of Second Hampden and Hampshire to said position thereto.

Order Adopted.

On motion of Mr. Tarr,—

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 twenty-five minutes past one o'clock P.M., the Senate adjourned to meet on the following Monday at eleven o'clock A.M.
