

***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, January 30, 2002.

Met at three minutes past eleven o'clock A.M. (Mr. Rosenberg 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 Ms. Creem, a petition (subject to Joint Rule 12) of Cynthia S. Creem, Kay Khan, Ruth B. Balser, Peter J. Koutoujian and others (being the Zervas Elementary School 4th Grade Class) for legislation to declare September 11th the official state day honoring all September 11, 2001 victims and heroes and promoting peace, unity and social action;

By Mr. Tisei, a petition (subject to Joint Rule 12) of Richard R. Tisei for legislation relative to selective service system registration and motor vehicle operator's licenses; and

By the same Senator, a petition (subject to Joint Rule 12) of Richard R. Tisei, Paul C. Casey and Bradley H. Jones, Jr. for legislation to establish a sick leave bank for Frank Orlando, an employee of the Division of Capital Asset Management and Maintenance;
Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of a Committee.

By Mr. Tolman, for the committee on Local Affairs, on petition, a Bill validating certain actions by the Blackstone Valley Vocational Regional School District and its member towns (Senate, No. 2212, changed in Section 1, in line 4, by striking out the figure "\$360,000,000" and inserting in place thereof the figure "\$36,000,000"); and

By the same Senator, for the same committee, on petition, a Bill relative to the charter of the town of Eastham (Senate, No. 2225) [Local approval received];
Severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

PAPERS FROM THE HOUSE.

A message from Her Honor the Lieutenant-Governor, Acting Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to providing for the 2002 annual town election in the town of Milton to be held on March 26, 2002 (House, No. 4883),— **was referred, in concurrence, to the committee on Election Laws.**

A petition (accompanied by bill, House, No. 4871) of Nancy Flavin and Michael R. Knapik (with the approval of the mayor and city council) that the licensing authority of the city of Easthampton be authorized to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises,— **was referred, in concurrence, to the committee on Government Regulations.**

Bills

Relative to veteran registration plates for motorcycles (House, No. 4334,— on Senate, Nos. 1182, 1184 and 1268 and House, Nos. 2394, 2588 and 3782); and

Relative to a certain employee of the Division of Industrial Accidents (House, No. 4418,— on petition);

Were severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

Bills

Relative to name changes by inmates (House, No. 144,— on House, No. 136, in part);

Authorizing the assumption of certain utility costs by lessees and tenants (House, No. 408,— on petition);

Relative to the privacy of municipal employees (House, No. 853,— on petition);

Relative to the commitment of mentally ill persons (House, No. 3359,— on petition); and

Validating the actions taken at certain town meetings held in the town of Oak Bluffs (printed in House, No. 4383,— being a message from Her Honor the Lieutenant-Governor, Acting Governor);

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

Bills

Authorizing the city of Waltham to establish a post employment health insurance trust fund (House, No. 349,— on petition) [Local approval received];

Authorizing the town of Uxbridge to establish a capital improvement fund (House, No. 4294,— on petition) [Local approval received];

Relative to recall elections in the town of Fairhaven (House, No. 4473,— on petition) [Local approval received];

Transferring certain administrative responsibilities to the chief of the police department of the town of Sandwich (House, No. 4693,— on petition) [Local approval received]; and

Exempting the position of deputy chief of police in the town of Webster from the civil service law (House, No. 4758,— on petition) [Local approval received];

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

Resolutions.

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

Resolutions (filed by Mrs. Sprague) “congratulating Dustin R. Benoit of Norton upon his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mrs. Sprague) “congratulating Michael J. Coyne of Norton upon his elevation to the rank of Eagle Scout”; and

Resolutions (filed by Mrs. Sprague) “congratulating Michael A. Hebner of Norton upon his elevation to the rank of Eagle Scout.”

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4884) of Ruth B. Balser and other members of the General Court relative to safety of school-sponsored travel;

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

Petition (accompanied by bill, House, No. 4885) of Thomas J. O’Brien, Michael E. Festa, Gale D. Candaras, Susan W. Pope and Rachel Kaprielian relative to the licensing of second hand motor vehicle dealers;

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

A Bill relating to the debt limit of the town of Millis (House, No. 4421,— on petition) [Local approval received],— was read.

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

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 Acting President and laid before the Acting Governor for her approbation, to wit:

Designating natural heritage functions of the Department of Fisheries, Wildlife and Environmental Law Enforcement (see Senate, No. 1112, amended);

Relative to clinical reports in certain actions for the appointment of guardians and conservators (see House, No. 3367); and

Authorizing the town of Maynard to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4200).

Reports of a Committee.

By Mr. Montigny, for the committee on Ways and Means, that the Senate Bill authorizing the Department of Highways to acquire lands in the city of Quincy and the town of Milton for the purpose of flood control and prevention (Senate, No. 2145),— ought to pass, with an amendment, substituting a new draft entitled “An Act authorizing the Department of Highways to acquire land in the city of Quincy for the purpose of flood control and prevention” (Senate, No. 2232).

There being no objection, the rules were suspended, on motion of Ms. Resor, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2232) was then ordered to a third reading.

By Mr. Montigny, for the committee on Ways and Means, that the Senate Bill relative to public service in the Armed Forces of the United States (Senate, No. 2177),— ought to pass, with an amendment, substituting a new draft entitled “An Act relative to public employees serving in the Armed Forces of the United States” (Senate, No. 2233).

There being no objection, the rules were suspended, on motion of Mrs. Sprague, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2233) was then ordered to a third reading.

By Mr. Montigny, for the committee on Ways and Means, that the Senate Bill relative to open trenches and construction safety (Senate, No. 2208),— ought to pass, with an amendment, substituting a new draft with the same title (Senate, No. 2234).

There being no objection, the rules were suspended, on motion of Mr. Brewer, and the

bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2234) was then ordered to a third reading.

By Mr. Montigny, for the committee on Ways and Means, that the House Bill establishing a victims of drunk driving trust fund (House, No. 4601),— ought to pass, with an amendment, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2235.

There being no objection, the rules were suspended, on motion of Ms. Murray, 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.

By Mr. Montigny, for the committee on Ways and Means, that the House Bill authorizing leaves of absence for certain employees participating in Red Cross emergencies (House, No. 4602),— ought to pass.

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

By Mr. Montigny, for the committee on Ways and Means, that the House Bill authorizing and directing the reinstatement of Robert W. Aylward as a member in service of the teachers' retirement system (House, No. 4738),— ought to pass.

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

PAPER FROM THE HOUSE.

Engrossed Bill.

An engrossed Bill relative to a special fund in the town of Plymouth (see Senate, No. 1030) (which originated in the Senate), **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 Acting Governor for her approbation.**

Order Adopted.

On motion of Mr. Shannon,—

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow at one o'clock P.M.

On motion of Mr. Tarr, at a quarter past eleven o'clock A.M., the Senate adjourned to meet on the following day at one o'clock P.M.
