

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, March 22, 2001.

Met at three minutes past eleven o'clock A.M. (Ms. Melconian in the Chair).

Communications.

Notice was received that the President had made the following appointments to the Council of State Governments committees:

The President to the Governing Board/Executive Committee, Senators Wilkerson of Suffolk to the Annual Meeting Committee, Walsh of Norfolk and Suffolk to the Intergovernmental Affairs Committee, Brewer of Worcester, Hampden, Hampshire and Franklin to the Associates Advisory Committee, Shannon of Middlesex to the Finance Committee, Joyce of Suffolk and Norfolk to the International Committee, Melconian of Hampden to the Strategic Planning Committee, Travaglini of Suffolk and Middlesex to the Suggested State Legislation Committee, Jajuga of Essex to the Corrections and Public Safety Taskforce, Pacheco of Plymouth and Bristol to the Environmental Taskforce, Moore of Worcester and Norfolk to the Health Capacity Taskforce, Melconian of Hampden, to the Executive committee (Rosenberg of Hampshire and Franklin, alternate), Knapik of Hampden and Hampshire to the Agricultural Forum, Montigny of Bristol to Budget Chairmen Roundtable, Wilkerson of Suffolk to the Criminal Justice Board of Directors, Nuciforo of Berkshire, Hampden, Hampshire and Franklin and Tarr of Essex and Middlesex to the Economic Affairs Committee, Morrissey of Norfolk and Plymouth to the Electricity Restructuring Task Force, Resor of Middlesex and Worcester, Glodis of Worcester, Fargo of Middlesex and O'Leary of Cape and Islands to the Environment/Energy Committee, Havern of Middlesex and Hedlund of Plymouth and Norfolk, to the Transportation Committee, Tisei of Middlesex and Hedlund of Plymouth and Norfolk to the ERC/Eastern Canadian Provinces Committee.

Notice was received that the President had made the following appointments to the National Conference of State Legislatures committees:

Senators Pacheco of Plymouth and Bristol to the committee on Agriculture and International Trade, Magnani of Middlesex, Norfolk and Worcester to the committee on Commerce and Communication, Antonioni of Worcester and Middlesex to the committee on Education, Labor and Job Training, Murray of Plymouth and Barnstable to the committee on Energy and Transportation, Pacheco of Plymouth and Bristol to the committee on Environment, Montigny of Bristol to the committee on Federal Budget and Taxation, Chandler of Worcester to the committee on Health, Tucker of Essex and Middlesex to the committee on Human Services, and Creem of Middlesex and Norfolk to the committee on Law and Justice.

A communication from the Joint Committee on Insurance submitting its rules of procedure for the 2001-2002 legislative session (received Wednesday, March 21, 2001),— **was placed on file.**

Reports.

A report of the Advisory Council on Workers' Compensation (under Section 17 of Chapter 23E of the General Laws) relative to the state of the workers' compensation system (received Thursday, March 15, 2001),— **was placed on file; a copy thereof having been transmitted by the Advisory Council to the chairpersons of the committees on Ways and Means and Commerce and Labor.**

A report of the committee on Post Audit and Oversight (under the provisions of Section 63 of Chapter 3 of the General Laws, as most recently amended by Chapter 557 of the Acts of 1986) entitled: *Guarding Our Children, A Review of Massachusetts' Guardian Ad Litem Program within the Probate and Family Court* (Senate, No. 1828) (received Tuesday, March 20, 2001),— **was placed on file.**

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 Pondville Correctional Center (received Thursday, March 15, 2001),— **was read and sent to the House for its information.**

The following reports were severally read and placed on file:

A report of the Human Resources Division, Executive Office for Administration and Finance (under the provisions of Section 25 of Chapter 31 of the General Laws) submitting eligibility lists that were revoked March 1, 2001 (received Thursday, March 15, 2001);

A report of the Massachusetts Development Finance Agency (under the provisions of Section 24 of Chapter 463 of the Acts of 1998) submitting a report on the Brownfields Redevelopment Fund for the period of March 16, 2000 through March 15, 2001 (received Thursday, March 15, 2001); and

A report of the Division of Standards (under the provisions of Section 115A of Chapter 6 of the General Laws) submitting its annual report on unit pricing (received Thursday, March 15, 2001).

Petition.

A petition (having been filed in the Office of the Clerk of the Senate prior to five o'clock P.M. on Wednesday, December 6, 2000, and having been transmitted to the Secretary of the Commonwealth under the provisions of Section 5 of Chapter 3 of the General Laws, and returned by him with memoranda relative thereto) was referred as follows, to wit:—

By Mr. Travaglini, a petition (accompanied by bill, Senate, No. 1830) of Robert E. Travaglini and Stephen F. Lynch for legislation to authorize the Department of Environmental Protection to grant a license to the Boston Tea Party Ship, Inc.,— **and the same was referred, under Senate Rule 20, to the committee on Natural Resources and Agriculture.**

Sent to the House for concurrence.

Petitions were presented and referred, as follows:

By Mr. Hedlund (by request), a petition (subject to Joint Rule 12) of Marlene Earl for legislation to impose a sentence of life imprisonment without the possibility of parole for individuals convicted of sexual assault on a minor; and

By the same Senator, a petition (subject to Joint Rule 12) of Robert L. Hedlund and Garrett J. Bradley for legislation to provide for the identification, certification and mapping of Native American Trails in the Commonwealth; and

By Mrs. Sprague, a petition (subject to Joint Rule 12) of Jo Ann Sprague, Scott P. Brown, Michael J. Coppola and Cheryl A. Jacques for legislation to establish a sick leave bank for Marilyn Anufrom, an employee of the Wrentham Development Center; **Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Reports of Committees.

By Mr. Magnani, for the committee on Science and Technology, on petition, a Bill relative to electronic communication with shareholders (Senate, No. 1792, changed in line 11 of Section 25 by striking out the words "of the" and inserting in place thereof

the following words:— “or the signature of the stockholder’s”),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

By Mr. Morrissey, for the committee on Government Regulations, on petition, a Bill authorizing farmer-brewers to sell certain alcoholic beverages on Sundays and legal holidays (Senate, No. 373);

By Mr. Panagiotakos, for the committee on Housing and Urban Development, on Senate, No. 652 and House, No. 1767, a Bill to preserve affordable housing (Senate, No. 1831); and

By Mr. Jajuga, for the committee on Public Safety, on petition, a Bill allowing victims of violent crimes to testify at parole board hearings (Senate, No. 1196);

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

By Mr. Tolman, for the committee on Local Affairs, on petition, a Bill establishing a capital investment fund in the town of Blackstone (Senate, No. 1026) [Local approval received]; and

By the same Senator, for the same committee, on petition, a Bill relative to a special fund in the town of Plymouth (Senate, No. 1030) [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.

Reports

Of the committee on Local Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3956) of Brian S. Dempsey and other members of the General Court relative to the creation of technical assistance centers for the delivery of coordinated, comprehensive and continuing services to local governments,— and recommending that the same be referred to the House committee on Science and Technology.

Of the committee on State Administration, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 355) of Barbara Gray that newly constructed public buildings contain certain toilet facilities accessible to handicapped persons; and

Of the petition (accompanied by bill, House, No. 2788) of Carol A. Donovan, Cynthia S. Creem, Susan C. Fargo, Carol C. Cleven, Christopher G. Fallon and Kay Khan for legislation to provide for unisex toilets in public buildings; And recommending that the same severally be referred to the House committee on Ways and Means.

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence, inasmuch as relates to the discharge of the joint committee.

Reports

Of the committee on Education, Arts and Humanities, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 796) of Martin J. Walsh, Eugene L. O’Flaherty and Elizabeth A. Malia for legislation to require monitors on school buses;

Of the petition (accompanied by bill, House, No. 1551) of Francis L. Marini and other members of the House relative to assisting school districts in providing educational materials through the sale of advertising on school buses;

Of the petition (accompanied by resolve, House, No. 3914) of Paul E. Caron for an investigation by a special commission (including members of the General Court) relative to cardiopulmonary resuscitation and first aid training for school bus drivers; and

Of the committee on Government Regulations, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3094) of William M. Straus and Marc R. Pacheco relative to the licensing and certification of stationary gas turbine operators;

And recommending that the same severally be referred to the committee on Public Safety.
Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.

Committee Changes.

The Chair (Ms. Melconian) announced the resignation of Senator Tarr of First Essex and Middlesex as a member of the committee on Bills in the Third Reading and the appointment of Senator Tisei of Third Middlesex to fill the vacancy.

Subsequently, the Chair (Ms. Melconian) announced the resignation of Senator Tisei of Third Middlesex as a member of said committee and the reappointment of Senator Tarr of First Essex and Middlesex thereto.

Resolutions.

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

Resolutions (filed by Mr. Hedlund) “congratulating the Hingham High School Hockey Team”; and

Resolutions (filed by Mr. Joyce) “congratulating Robert Kearney.”

Report of a Committee.

By Ms. Wilkerson, for the committee on State Administration, on petition, a Bill authorizing the establishment of a library district in the towns of Mendon and Upton (Senate, No. 1576);

The bill was read. There being no objection, the rules were suspended, on motion of Mr. Tisei, and the bill was read a second time.

Pending the question on ordering the bill to a third reading, Mr. Moore presented an amendment substituting a new draft with the same title (Senate, No. 1833). The amendment was adopted. The bill (Senate, No. 1833) was ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

Reports of Committees.

By Ms. Menard, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Marc R. Pacheco, Steven A. Tolman, Brian A. Joyce, Christine E. Canavan and other members of the General Court for legislation relative to open trenches and construction safety.

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

By Ms. Menard, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Linda J. Melconian and Daniel F. Keenan for legislation to provide creditable service for certain public officials.

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

Severally sent to the House for concurrence.

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4051) of Kevin G. Honan for legislation to require school superintendents to publish policies on the conduct of teachers and students,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Education, Arts and Humanities.**

Order Adopted.

On motion of Mr. Tisei,—

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