

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.



Monday, March 25, 2002.

Met at five minutes past eleven o'clock A.M. (Ms. Melconian 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 Mr. Glodis, a petition (subject to Joint Rule 12) of Guy W. Glodis and John P. Fresolo for legislation to allow the state Board of Retirement to grant Sandra Pigaga creditable service for the purpose of determining a retirement allowance; and

By Mr. Nuciforo, a petition (subject to Joint Rule 12) of Andrea F. Nuciforo, Jr., Daniel E. Bosley and Shaun P. Kelly for legislation relative to establishing the Berkshire County Regional Housing Authority;

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

Reports of a Committee.

By Mr. Morrissey, for the committee on Government Regulations, on Senate, Nos. 404, 407 and 456, an Order relative to authorizing the joint committee on Government Regulations to make an investigation and study of certain current Senate documents relative to alcoholic beverages (Senate, No. 2292);

Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Morrissey, for the committee on Government Regulations, on petition, a Bill relative to municipal light plants' residential conservation service (Senate, No. 367); and

By the same Senator, for the same committee, on Senate, No. 413 and House, No. 1370, a Bill relative to municipal light plants (Senate, No. 413);

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

Committees Discharged.

Ms. Menard, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration

Of the Senate Order relative to authorizing the joint committee on Government Regulations to make an investigation and study of certain current Senate documents relative to government regulations (Senate, No. 2288); and

Of the Senate Order relative to authorizing the joint committee on Government Regulations to make an investigation and study of certain current Senate documents relative to utilities (Senate, No. 2289);

And recommending that the same severally be referred to the Senate committee on Rules.
Under Senate Rule 36, the reports were severally considered forthwith and accepted.

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4977) of Ruth B. Balser, Cynthia S. Creem, Kay Khan and Peter J. Koutoujian (with the approval of the mayor and city council) relative to establishing a voting subprecinct in the city of Newton;
To the committee on Election Laws.

Petition (accompanied by bill, House, No. 4967) of Shaun P. Kelly and Stanley C. Rosenberg (by vote of the town) relative to the acceptance of the community preservation act by the town of Buckland;
To the committee on Taxation.

Bills

Establishing an affordable housing trust fund in the town of Provincetown (House, No. 4145,— on petition) [Local approval received]; and

Authorizing the Division of Capital Asset Management and Maintenance to convey certain easements to the city of Gardner (House, No. 4821,— on petition) ;

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

Bills

Relative to the sounding of train whistles in the town of Tewksbury (House, No. 765,— on petition);

Relative to child passenger safety (House, No. 4199,— on House, Nos. 1080, 1458, 1635 and 3393);

Relative to consumer and merchant protection (House, No. 4329, amended,— on Senate, No. 35 and House, Nos. 400 and 401); and

Increasing the penalty for passing a school bus (House, No. 4405,— on House, No. 4239);

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

Bills

Relative to the appointment of retired police officers in the town of Stoneham (House, No. 4168, changed,— on petition) [Local approval received]; and

Authorizing the city of Easthampton to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4871,— on petition) [Local approval received];

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

A report of the committee on Taxation, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4956) of John J. Binienda and other members of the House relative to the exemption of the sales tax on energy efficient appliances, and recommending that the same be referred to the committee on Energy,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Notice was received from the House that the Minority Leader of the House of Representatives has announced the appointment (under Section 17 of Chapter 55A of the General Laws) of Representative Hahn of Westfield as his designee to the Special Commission on Clean Elections.

Resolutions.

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

Resolutions (filed by Messrs. Montigny, Berry, Travaglini, Lees, Nuciforo, O’Leary, Creedon, Glodis, Tarr, Morrissey, Ms. Jacques, Messrs. Tolman, Hedlund, Rosenberg, Joyce, Ms. Resor, Mr. Brewer, Ms. Menard, Mrs. Sprague, Mr. Pacheco, Ms. Murray, Mr. Havern, Ms. Fargo, Ms. Chandler and Mr. Magnani) “recognizing April 7 to April 13, 2002 as Multiple Sclerosis Week.”

Report 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 Brian A. Joyce, Walter F. Timilty, William C. Galvin, Joseph C. Sullivan and Bruce J. Ayers for legislation to direct the Division of Capital Asset Management and Maintenance to convey a certain parcel of land located in the town of Randolph.

Senate Rule 36 was suspended, on motion of Mr. Rosenberg, 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. 4979) of J. James Marzilli, Jr., and William M. Straus relative to the disclosure of consumer credit reporting information;

Under suspension of Joint Rule 12, to the committee on Commerce and Labor.

Petition (accompanied by bill, House, No. 4980) of Lida E. Harkins relative to authorizing hospital emergency room nursing staffs to take physical custody of certain infants;

Under suspension of Joint Rule 12, to the committee on Human Services and Elderly Affairs.

Petition (accompanied by bill, House, No. 4981) of Thomas F. Reilly, Attorney General, Marie J. Parente, Steven A. Tolman, Anthony J. Verga and Susan W. Pope relative to the number of selectmen and terms of office in towns;

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

Reports of a Committee.

By Mr. Montigny, for the committee on Ways and Means, that the Senate Bill relative to complaints of sexual harassment and other forms of discrimination (Senate, No. 915),—ought to pass.

There being no objection, the rules were suspended, on motion of Mr. Rosenberg, 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 Senate Bill relative to street lists (Senate, No. 2084),—ought to pass.

There being no objection, the rules were suspended, on motion of Mr. Rosenberg, 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 relative to handicapped stickers for motorcycle license plates (House, No. 4099) — ought to pass, with amendments, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2293; 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 extend handicap access rights to persons owning motorcycles, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

There being no objection, the rules were suspended, on motion of Ms. Chandler, 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 relative to veteran registration plates for motorcycles (House, No. 4334) — ought to pass, with amendments, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2294; 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 extend the right to display certain 'veteran' registration plates and emblems to qualified owners of motorcycles, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

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

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 report of the committee on Counties, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 438) of Andrea F. Nuciforo, Jr. and Daniel E. Bosley for legislation relative to the fee charged for a license of a specially trained dog for disabled persons,— was considered, the question being on accepting the adverse report.

On motion of Mr. Rosenberg, the petition was recommitted to the committee on Counties.

PAPERS FROM THE HOUSE.

A Bill establishing a special police force in the town of Agawam (House, No. 4190,— 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, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act establishing a special police force in the city known as the town of Agawam”.

Engrossed Bills.

The following engrossed bills (both of which originated in the House), 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:

Authorizing leaves of absence for certain employees participating in Red Cross emergencies (see House, No. 4602); and

Authorizing the town of Winchester to establish stabilization funds (see House, No. 4831, amended).

Order Adopted.

On motion of Mr. Rosenberg,—

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow at one o’clock P.M., in full formal session.

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