

**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, June 21, 2001.

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

### *Communications.*

The following communications were severally placed on file:

Communication from the Massachusetts Property and Casualty Insurance Company Community and Economic Development Initiative submitting its annual report for the year 2000 (received Thursday, May 31, 2001);

Communication from the Commission on the Status of Women (under the provisions of Section 1 of Chapter 138 of the Acts of 1998) submitting a copy of its annual report (received Wednesday, June 6, 2001);

Communication from the Wonderland Greyhound Park, Inc. (under the provisions of Section 2 of Chapter 128C of the General Laws) submitting copies of simulcasting contracts entered into by Wonderland (received Thursday, June 7, 2001);

Communication from Michael J. Ashe, Jr., Sheriff of Hampden County, submitting a response of corrective action to an inspection conducted by the Department of Public Health (received Thursday, June 7, 2001); and

Communication from the Wonderland Greyhound Park, Inc. (under the provisions of Section 2 of Chapter 128C of the General Laws) submitting copies of simulcasting contracts entered into by Wonderland (received Wednesday, May 30, 2001).

### *Reports.*

A report of the Massachusetts Life Insurance Community Investment Initiative (under the provisions of Section 2 of Chapter 259 of the Acts of 1998) submitting its annual report for the year 2000 (received Friday, June 1, 2001),— **was placed on file.**

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 Bristol County Jail (received Monday, June 4, 2001); and

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 M.C.I. Norfolk (received Thursday, June 7, 2001).

*Petition.*

Mr. Havern presented a petition (subject to Joint Rule 12) of Robert A. Havern and Carol A. Donovan for legislation to designate the Woburn Regional Transportation Center as the Anderson Regional Transportation Center,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

*Reports of Committees.*

By Mr. Jajuga, for the committee on Public safety, on the recommitted petition, a Bill creating the Massachusetts prison industries enhancement program (Senate No. 1204); and

By the same Senator, for the same committee, on petition, a Bill further regulating the use of plowing equipment on motor vehicles (Senate, No. 1270) (Senator Brewer and Representative Coppola of Foxborough dissenting);

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

By Mr. Jajuga, for the committee on Public Safety, on petition, a Bill to regulate the speed of school buses on limited access highways (Senate, No. 1226); and

By the same Senator, for the same committee, on petition, a Bill relative to stealing registration plates and the possession of stolen registration plates (Senate, No. 1836);

**Severally 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 (accompanied by bill, House, No. 4080), a Bill authorizing the city of Medford to grant certain licenses (Senate, No. 1898) [Local approval received on House, No. 4080];

By Mr. Tolman, for the committee on Local Affairs, on petition, a Bill relative to the Amherst town government (Senate, No. 1855) [Local approval received]; and

By the same Senator, for the same committee, on Senate, No. 1872 and House, No. 4151, a Bill to allow Cohasset water commissioners to serve in other town offices (Senate, No. 1872) [Local approval received on Senate, No. 1872 and House, No. 4151];

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

By Ms. Chandler, for the committee on Federal Financial Assistance, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 365) of Michael R. Knapik, Brian P. Lees and Carol A. Donovan for legislation to permanently extend daylight savings time;

**Referred, under Senate Rule 36, to the committee on Steering and Policy.**

**PAPERS FROM THE HOUSE.**

Messages were referred, in concurrence, as follows:

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 validating the results of the 2001 annual town election held in the town of Dennis (House, No. 4229);

**To the committee on Election Laws.**

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 validating the actions taken at the 2001 annual town meeting of the town of Eastham (House, No. 4230);

**To the committee on Local Affairs.**

A message from Her Honor the Lieutenant-Governor, Acting Governor, recommending legislation relative to revising the membership of the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority (House, No. 4232);

**To the committee on Transportation.**

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4233) of Robert J. Nyman and Robert S. Creedon, Jr. (by vote of the town) that the licensing authority of the town of Hanover be authorized to issue an additional license for the sale of wines and malt beverages not to be drunk on the premises; and

Petition (accompanied by bill, House, No. 4234) of Matthew C. Patrick (by vote of the town) that the licensing authority of the town of Mashpee be authorized to issue additional licenses for the sale of all alcoholic beverages to be drunk on the premises;

**Severally to the committee on Government Regulations.**

Petition (accompanied by bill, House, No. 4235) of Bradley H. Jones, Jr., Paul C. Casey and Richard R. Tisei (by vote of the town) that the town of Reading be authorized to establish an affordable housing trust fund; and

Petition (accompanied by bill, House, No. 4236) of Douglas W. Petersen and Edward J. Clancy, Jr. (by vote of the town) for legislation to provide for the appointment of a town clerk-collector-treasurer in the town of Swampscott;

**Severally to the committee on Local Affairs.**

Petition (accompanied by bill, House, No. 4237) of John F. Quinn (by vote of the town) for legislation to authorize the town of Dartmouth to classify the positions of harbor master and natural resource officer in Group 4 of the contributory retirement system; and

Petition (accompanied by bill, House, No. 4245) of Reed V. Hillman and Stephen M. Brewer (by vote of the town) for legislation to authorize the town of Ware to pay certain insurance premiums for retired town employees;

**Severally to the committee on Public Service.**

*Resolutions.*

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

Resolutions (filed by Mr. Joyce) “congratulating Mary Twomey Sheffield”;

Resolutions (filed by Ms. Wilkerson) “honoring Royal L. Bolling, Sr.”; and

Resolutions (filed by Ms. Wilkerson) “honoring Retha Durant-Hill.”

*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 Robert A. O’Leary and Eric Turkington (by vote of the town) for legislation to regulate the affairs of the housing authority of the town of Nantucket [Local approval received].

**Senate Rule 36 was suspended, on motion of Mr. Moore, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Housing and Urban Development.**

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 Robert A. O'Leary and Eric Turkington (by vote of the town) for legislation to establish affordable housing covenants on Nantucket Island [Local approval received].

**Senate Rule 36 was suspended, on motion of Mr. Moore, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Housing and Urban Development.**

By Ms. Menard, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 7B be suspended on the Senate petition of Robert A. Havern, J. James Marzilli, Jr., and Anne M. Paulsen for legislation to authorize the town of Arlington to change the use of a certain parcel of land in the town adjacent to Summer Street from park to public way purposes.

**Senate Rule 36 was suspended, on motion of Mr. Moore, and the report was considered forthwith. Joint Rule 7B was suspended; and the petition (accompanied by bill) was referred to the committee on Local Affairs.**

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 Robert A. O'Leary and Eric Turkington (by vote of the town) for legislation to regulate motor vehicles on Nantucket Island [Local approval received].

**Senate Rule 36 was suspended, on motion of Mr. Moore, 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 Robert A. O'Leary and Eric Turkington (by vote of the town) for legislation to raise fines for parking violations on Nantucket Island [Local approval received].

**Senate Rule 36 was suspended, on motion of Mr. Moore, 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 Brian A. Joyce for legislation to authorize creditable service for Patricia A. Fredericksen.

**Senate Rule 36 was suspended, on motion of Mr. Moore, 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.**

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 Stephen F. Lynch for legislation to classify court officers employed by the Trial Court in Group 4 of the contributory retirement system.

**Senate Rule 36 was suspended, on motion of Mr. Moore, 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.**

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 Robert A. O'Leary and Eric Turkington (by vote of the town) for legislation relative to summer special police officers on Nantucket Island [Local approval received].

**Senate Rule 36 was suspended, on motion of Mr. Moore, 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.**

PAPERS FROM THE HOUSE.

*Committee of Conference.*

The House Bill making appropriations for the fiscal year 2002 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4101, printed as amended),— came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 1901, and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Rogers of Norwood, Flavin of Easthampton and Lepper of Attleboro had been appointed the committee on the part of the House.

**On motion of Ms. Chandler, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Montigny, Berry and Knapik were appointed on the part of the Senate.**

**The bill was returned to the House endorsed accordingly.**

Petitions were referred, in concurrence, a follows:

Petition (accompanied by bill, House, No. 4251) of Michael W. Morrissey, Joseph C. Sullivan and others relative to further extending the time for which certain land in Norfolk County may be used as a temporary minimum security alternative correction center;

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

Petition (accompanied by bill, House, No. 4249) of Martin J. Walsh, A. Stephen Tobin, Kevin G. Honan and Brian A. Joyce for legislation to authorize the Trial Court to restore the vacation accrual rate of Gerald F. Warren, an employee of said court;

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

Petition (accompanied by bill, House, No. 4252) of Thomas M. Petrolati and Brian P. Lees relative to authorizing the Division of Fisheries and Wildlife to take or acquire conservation restrictions in and to lands of the water and sewer commission of the city of Springfield;

**Under suspension of Joint Rule 12, to the committee on State Administration.**

Petition (accompanied by bill, House, No. 4250) of Martin J. Walsh for legislation pertaining to fair and responsible contracting practices at the Massachusetts Bay Transportation Authority;

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

*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 providing for the annual observance of Thomas Paine day (Senate, No. 1602).

**There being no objection, the rules were suspended, on motion of Mr. Tolman, and the bill 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.**

*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 Manchester-by-the-Sea to convey a certain parcel of land held for conservation purposes (House, No. 1239); and

Authorizing the town of Hanover to pay a certain bill (House, No. 3959);

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

*Order Adopted.*

On motion of Mr. Moore,—

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