

***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, August 6, 2001.

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

### *Distinguished Guests.*

There being no objection, the Chair (Ms. Melconian) introduced, seated in the rear of the Chamber, several foreign dignitaries traveling the United States under the sponsorship of the International Visitor Program of the United States Department of State. The visitors, Mr. Hafez of Egypt, Mr. Turk of Israel, Dr. Dallaji and Mr. Samsseme of Morocco, and Ms. Awwad of the West Bank were accompanied by Mr. Kaibni and Mr. Shaheen who are the groups interpreters. They were the guests of Senator Tolman.

### *Special Report.*

A report of the special commission (under the provisions of Section 338 of Chapter 127 of the Acts of 1999 and most recently revised and continued by Chapter 1 of the Resolves of 2001) on the practice of nursing and the delivery of health care services by nurses (received Tuesday, July 31, 2001),— **was placed on file.**

### *Petitions.*

Mr. Joyce presented a petition (accompanied by bill, Senate, No. 2098) of Brian A. Joyce (by vote of the town) for legislation to authorize the town of Milton to transfer land to the Milton school department [Local approval received],— **and the same was referred, under Senate Rule 20, to the committee on Local Affairs.**  
**Sent to the House for concurrence.**

Mr. Joyce presented a petition (subject to Joint Rule 12) of Brian A. Joyce (by vote of the town) for legislation relative to certain school construction projects in the town of Milton [Local approval received],— **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. Morrissey, for the committee on Government Regulations, on Senate, Nos. 372, 375, 389, 390, 429, 442 and 455, an Order relative to authorizing the joint committee on Government Regulations to make an investigation and study of Senate documents relative to the state lottery (Senate, No. 2100);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1963), an Order relative to authorizing the joint committee on Government Regulations to make an investigation and study of Senate document numbered 1963, relative to energy efficiency and renewable energy (Senate, No. 2101);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 2003), an Order relative to authorizing the joint committee on Government Regulations to make an investigation and study of Senate document numbered 2203, relative to home improvement (Senate, No. 2102); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 2004), an Order relative to authorizing the joint committee on Government Regulations to make an investigation and study of Senate document numbered 2204, relative to victualler licensing (Senate, No. 2103);

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

By Ms. Tucker, for the committee on Human Services and Elderly Affairs, on petition, a Bill regarding the oversight of the Department of Social Services (Senate, No. 660);

By the same Senator, for the same committee, on petition, a Bill to ensure medical consultation services for children being served by the Department of Social Services (Senate, No. 695);

By the same Senator, for the same committee, on petition, a Bill establishing a direct care worker reserve fund (Senate, No. 721); and

By Mr. Joyce, for the committee on Public Service, on the recommitted petition, a Bill relative to probation officers (Senate, No. 1327);

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

By Mr. Morrissey, for the committee on Government Regulations, on petition, a Bill authorizing the city of Peabody to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2002) [Local approval received];

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

By Ms. Tucker, for the committee on Human Services and Elderly Affairs, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 671) of Robert L. Hedlund, Brian P. Lees, Bruce E. Tarr and Michael R. Knapik for legislation to require the Department of Social Services to provide notice to foster parents of court proceedings affecting foster children;

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

*Committee Discharged.*

Ms. Menard, for the committee on Rules, to whom was referred the Senate Order relative to authorizing and directing the joint Committee on Election Laws to sit during the recess of the General Court for the purpose of making an investigation and study of certain current Senate documents relative to election matters (Senate, No. 1913), reported, in part, asking to be discharged from further consideration of the Senate petition (accompanied by bill, Senate, No. 1862) of Stanley C. Rosenberg and John F. Merrigan (by vote of the town) for legislation to allow for recall of elected officials in the town of Bernardston [Local approval received],— **and recommending that the same be recommitted to the committee on Election Laws.**

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

PAPER FROM THE HOUSE.

A Bill establishing the position of town manager in the town of Weston (House, No. 4016,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

*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 House Bill authorizing the Ashfield Water District to assess certain betterments (House, No. 1129),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

*Petition.*

On motion of Mr. Moore, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Mr. Travaglini (accompanied by bill) of Robert E. Travaglini and Anthony Petruccelli for legislation to exempt a theatrical group from the provisions of certain child labor laws,— **and the same was referred to the committee on Commerce and Labor. 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 Edward J. Clancy, Jr. for legislation relative to small claims procedures.

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

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 Edward J. Clancy, Jr. for legislation to authorize the issuance of distinctive registration plates for certain military reserve force personnel.

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

**Severally sent to the House for concurrence.**

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4446) of Kay Khan and Cynthia S. Creem relative to granting creditable service to certain teachers in the city of Newton; and

Petition (accompanied by bill, House, No. 4447) of Vincent A. Pedone relative to pension benefits for persons returning to public service;

**Severally, under suspension of Joint Rule 12, to the committee on Public Service.**

Petition (accompanied by bill, House, No. 4448) of Vincent A. Pedone relative to the definition of buses;

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

*Communication.*

The Clerk read the following communication:

COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE  
STATE HOUSE, BOSTON 02133-1053

August 2, 2001.

Mr. Patrick F. Scanlan, *Clerk*  
Massachusetts Senate  
State House  
Room 335  
Boston, MA 02133

Dear Mr. Clerk:

On August 2nd, 2001, I was away from the State House on a personal matter and I was therefore unable to be present for the roll call votes taken on the following items:

- S. 2093 Making appropriations for certain one-time investments, improvements, and payments and changes in laws relative to the budget surplus;
- S. 1984 To ensure eligibility for unemployment insurance for victims of domestic violence;
- H. 1753 Relative to the installation and maintenance of additional gas transmission lines and telecommunications lines;
- H. 1503 Relative to a water supply easement held by the Massachusetts Water Resources Authority in the town of Southborough;

- S. 1045 To authorize the town of Andover to convey land to the Andover Village Improvement Society for a pedestrian easement;
- H. 4189 Relative to authorizing the conservation commission of the town of Littleton to transfer a certain parcel of land to the water department of said town;
- H. 4276 Authorizing the commissioner of capital asset management and maintenance to acquire conservation restrictions to lands of the Springfield Water and Sewer Commission.

Had I been present, I would have voted in the affirmative on all these matters.

I would appreciate your assistance with the printing of this communication in the Senate journal. Thank you in advance for your help with this request.

Sincerely,

DIANNE WILKERSON,  
*State Senator,*  
Second Suffolk District.

**On motion of Mr. Tolman, the above communication was ordered printed in the Journal of the Senate.**

*Resolutions.*

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

Resolutions (filed by Mr. Clancy) “congratulating Chief John Ernest Toomey, Esq. on the occasion of his retirement”; and

Resolutions (filed by Mr. Montigny) “on the occasion of the Norwegian Fishing Memorial dedication”.

*Order Adopted.*

On motion of Mr. Moore,—

*Ordered.* That when the Senate adjourns today, it adjourn to meet again on Thursday 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. Knapik, at eleven minutes past eleven o’clock A.M., the Senate adjourned to meet on the following Thursday at eleven o’clock A.M.