

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, December 26, 2001.

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

Communication.

The following communications were severally placed on file:

Communication from the Norfolk County Sheriff's Office relative to its plan of correction in response to an inspection of Norfolk County Correctional Center (received Thursday, December 20, 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 Friday, December 21, 2001).

Reports.

A report of the Public Employee Retirement Administration Commission (under the provisions of Chapter 114 of the Acts of 2000) relative to the costs and actuarial liabilities associated with the new benefit structure established by said chapter (received Thursday, December 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 an inspection of the Billerica House of Correction (received Friday, December 21, 2001),— **was read and sent to the House for its information.**

Petitions.

Petitions were presented and referred, as follows:

By Mr. Rosenberg, a petition (subject to Joint Rule 12) of Stanley C. Rosenberg and Nancy Flavin for legislation to release certain land in Hadley from the operation of an agricultural preservation restriction;

By the same Senator, a petition (subject to Joint Rule 12) of Stanley C. Rosenberg and Stephen Kulik for legislation to release certain land in Deerfield from the operation of an agricultural preservation restriction; and

By the same Senator, a petition (subject to Joint Rule 12) of Stanley C. Rosenberg for legislation to release certain land in Hatfield from the operation of an agricultural preservation restriction;

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

Committee Discharged.

Mr. Moore, for the committee on Health Care, reported, asking to be discharged from further consideration of the communication from Board of Trustees of the Health Care Security Trust (under the provisions of Section 4(h) of Chapter 29D of the General Laws) submitting its proposed budget for fiscal year 2002 (Senate, No. 2196),— and recommending that the same be referred to the Senate committee on Ways and Means.

**Under Senate Rule 36, the report was considered forthwith and accepted.
Sent to the House for concurrence in the discharge of the joint committee.**

*Bill Previously Recalled from the Acting Governor
Laid Before the Senate.*

The engrossed Bill relative to the charter of the town of Swampscott (see House, No. 4720) which, at a previous session, had been returned by Her Honor the Lieutenant-Governor, Acting Governor, at the request of the Senate,— was laid before the Senate.

There being no objection, on motion of Mr. Tisei, the Senate reconsidered the vote by which, at a previous session, it had passed the bill to be enacted.

On motion of the same Senator, Senate Rule 49 was suspended.

Mr. Clancy presented an amendment, in section 1, by striking out chapters 15 to 17, inclusive, and inserting in place thereof the following 2 chapters:—

“CHAPTER 15.

Continuation of Government.

SECTION 15-1: Continuation of Government.

All town agencies shall continue to perform their duties until reappointed, reelected or until successors to their respective positions are duly appointed or elected, or their duties have been transferred and assumed by another town agency in accordance with this charter.

CHAPTER 16.

Review Committee to be Appointed.

SECTION 16-1: Review Committee to be Appointed.

The town moderator shall appoint a committee consisting of 1 member of each of 6 precincts and 1 member at large which shall prepare a report to be presented at the annual town meeting 4 years after the effective date of chapters 7 to 16, inclusive. The review committee shall have the power to make recommendations necessary in the interest of good town government.”

The amendment was adopted.

Sent to the House for concurrence in the amendment.

Resolutions.

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

Resolutions (filed by Mr. Moore) “congratulating the Sergeant John W. Powers American Legion Post 59 baseball club on its outstanding 2001 season.”

Bill Recalled from the Acting Governor.

On motion of Mr. Lees, it was voted that a messenger be appointed to wait upon Her Honor the Lieutenant-Governor, Acting Governor, requesting the return to the Senate of the engrossed Bill authorizing the town of Needham to establish a post retirement insurance liability fund (see House, No. 4306).

Mr. Lees was appointed the messenger. Subsequently, the bill was returned to the Senate.

Order Adopted.

On motion of Mr. Tisei,—

Ordered, That when the Senate adjourns today, it adjourn to meet again on Friday 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. Lees, at seven minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Friday at eleven o'clock A.M.
