

# HOUSE . . . . . No. 6163

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, April 7, 1980.

The committee on the Judiciary, to whom was referred the petition (accompanied by bill, House, No. 5566) of Michael F. Flaherty and another relative to the availability of certain public information, reports recommending that the accompanying bill (House, No. 6163) ought to pass.

For the committee,

MICHAEL F. FLAHERTY

The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Eighty.

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AN ACT RELATIVE TO THE RECORDING OF PHONE CONVERSATIONS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Subparagraph 1 of paragraph D of Section 99 of  
2 Chapter 272 of the General Laws as appearing in Section 1 of  
3 Chapter 738 of the Acts of 1968 is hereby amended by adding after  
4 clause d. the following new clause: —

5 e. for a municipal or state police department, or fire depart-  
6 ment, to record incoming telephone calls, on official telephone  
7 lines with published telephone numbers.

1 SECTION 2. Subparagraph 2 of said paragraph D of said Sec-  
2 tion 99 of said Chapter 272 of the Acts of 1968 is hereby amended  
3 by adding after clause e. the following new clause: —

4 f. Any investigation or law enforcement officer, or fire depart-  
5 ment representative, who has obtained knowledge or evidence  
6 from recordings referred to in section D. 1. e. above, may use such  
7 knowledge or evidence in the proper performance of his official  
8 duties, and such recordings may be used as evidence in a trial if  
9 otherwise admissible.