

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.



JOURNAL OF THE SENATE.

Thursday, October 17, 2002.

Met at six 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).

Communications.

A communication was received from the Minority Leader announcing the appointment of the Senator from Essex and Middlesex, Mr. Tarr, to the special commission established (pursuant to Section 234 of Chapter 184 of the Acts of 2002) to conduct an investigation and study of the vitality of the dairy farming industry of the commonwealth.

A communication from the Public Employee Retirement Administration Commission (PERAC) submitting a copy of the Actuarial Valuation Report as of January 2002 (received Thursday, October 3, 2002),— **was placed on file.**

Reports.

The following reports were severally read and placed on file:

A report of the University of Massachusetts Biological Laboratories (under the provisions of Section 43(f) of Chapter 75 of the General Laws) submitting its sixth annual report for said laboratories (received Tuesday, October 1, 2002);

A report of the Department of Mental Retardation (under the provisions of Section 4 of Chapter 574 of the Acts of 1991) submitting its annual report of the Belchertown Carousel Trust (received Thursday, October 3, 2002); and

A report of the Merrimack Valley Regional Transit Authority (under the provisions of Section 8 of Chapter 161B of the General Laws) submitting its annual report for fiscal year 2002 (received Tuesday, October 8, 2002).

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 Western Massachusetts Correctional Alcohol Center in Springfield (received Thursday, October 3, 2002),— **was read and sent to the House for its information.**

Petitions.

Petitions were presented and referred, as follows:

By Mr. Hedlund, a petition (subject to Joint Rule 12) of Robert L. Hedlund for legislation to authorize the Massachusetts Water Resources Authority to grant access to its sewer system to a certain property in the town of Hingham; and

By Mr. O'Leary (by request), petition (subject to Joint Rule 12) of Kenneth Moulton, Virginia Moulton, Heather Moulton and Bridget Moulton for legislation to provide for remedies and enforcement of state and local building codes;
Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Report of a Committee.

By Ms. Chandler, for the committee on Public Service, on petition, a Bill relative to the retirement allowance of David San Antonio (printed as House, No. 5004) [Local approval received];

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

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 5354) of Peter J. Larkin, Andrea F. Nuciforo Jr., Shaun P. Kelly and Christopher J. Hodgkins (with the approval of the mayor and city council) that the city of Pittsfield be authorized to implement an early retirement incentive program for certain employees of said city,— **was referred, in concurrence, to the committee on Public Service.**

A Bill establishing a sick leave bank for Kevin J. Welch, an employee of the Trial Court of the Commonwealth (House, No. 5333,— on petition),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Resolutions.

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

Resolutions (filed by Messrs. Birmingham, Brewer, Havern and Pacheco, Ms. Resor and Ms. Walsh) “commending James R. Gomes for his distinguished public service”;

Resolutions (filed by Ms. Fargo) “on the retirement of John F. Snedeker”;

Resolutions (filed by Mr. Magnani) “on the retirement of Police Chief W. David Lambirth”;

Resolutions (filed by Mr. Montigny) “honoring James H. Mathes upon his recognition by the Prince Henry Society of Massachusetts as Person of the Year”;

Resolutions (filed by Ms. Walsh) “congratulating Ryan D. Picklesimer on the occasion of his Court of Honor”; and

Resolutions (filed by Ms. Wilkerson) “on the occasion of St. Vincent and the Grenadines Independence Celebration Days in Boston.”

PAPERS FROM THE HOUSE.

Engrossed Bills.

The following engrossed bills (the first three of which originated in the Senate), 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:

Relative to the Board of Registration in Veterinary Medicine (see Senate, No. 386);

Relative to credit union real estate loans (see Senate, No. 2214);

Relative to apprenticeship training programs (see Senate, No. 2421, amended);

Authorizing the town of Ware to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 5121);

Relative to recall in the town of North Brookfield (see House, No. 5150); and

Placing the police chief in the town of Randolph under the civil service law (see House, No. 5273).

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 relative to the eligibility of Robert Better for death and disability benefits under the cancer law (House, No. 5206),— **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 relative to the eligibility of certain beneficiaries for accidental death retirement benefits”.**

Order Adopted.

On motion of Mr. Travaglini,—

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.

Adjournment in Memory of Jeremiah F. Bresnahan.

The Chair (Ms. Melconian) recognized Senator McGee, who moved that when the Senate adjourns today; it adjourn in memory of Jeremiah F. Bresnahan of Lynn. Jeremiah F. Bresnahan, a Senate staff member for the Office of Senator Thomas M. McGee, died suddenly Monday evening, October 14th. He was the former U.S. Congressional Chief of Staff for Congressman Glenn M. Anderson of California, a retired teacher and school administrator in the city of Lynn and the state of California. Mr. Bresnahan was a U.S. Marine, A Company, 1st Tank Battalion, 1st Marine Brigade, Veteran of the Korean War, where he participated in combat operations against Northern Korean Forces and in the assault and seizure of Inchon and Seoul, Korea. He also was a participant in the Wonsan-Hungham-Chosin Campaign, and had been an active member of the “Chosin Few”, Survivors of the Battle of Chosin, Korea. The motion prevailed.

Accordingly, as a mark of respect to the memory of Jeremiah F. Bresnahan, at eleven minutes past eleven o’clock A.M., on motion of Mr. Hedlund, the Senate adjourned to meet again on Monday next at eleven o’clock A.M.