

**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.

Monday, July 15, 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).

#### *Distinguished Guests.*

There being no objection, the Chair (Ms. Melconian) introduced, seated in the rear of the Chamber, the Nipmuc Regional Middle/High School Warriors varsity baseball team, Division III State Champions. The team was accompanied by their head coach Bill McInnis, and his assistant coaches, as well as High School Principal Joan Scribner and Superintendent Paul Daigle. They were the guests of Senators Moore and Glodis.

There being no objection, the Chair (Ms. Melconian) introduced, seated in the rear of the Chamber, the Douglas Middle/High School Tigers varsity softball team, Division III State Champions. The team was accompanied by their head coach Emily Vaillant and her assistant coaches and High School Principal Mary Stone. They were the guests of Senator Moore.

#### *Petitions.*

Petitions were presented and referred, as follows:

By Mr. Glodis, a petition (subject to Joint Rule 12) of Guy W. Glodis, Vincent P. Ciampa, David M. Nangle and other members of the General Court for legislation relative to the Massachusetts motor vehicle inspection and maintenance program;

By Mr. Morrissey, a petition (subject to Joint Rule 12) of Michael W. Morrissey for legislation relative to decreasing the years of service required for municipal employees to receive a superannuation benefit; and

By the same Senator, a petition (subject to Joint Rule 12) of Michael W. Morrissey for legislation relative to the years of service required for a retired disabled firefighter or police officer to receive fifty percent of grade;  
**Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

#### *Reports of Committees.*

Mr. Magnani, for the committee on Science and Technology, that the Senate Bill relative to unauthorized access to computers and penalties (Senate, No. 173),—ought to pass;

**Referred, under Senate Rule 26, to the committee on Steering and Policy.**

By Mr. Nuciforo, for the committee on Banks and Banking, on Senate, No. 17 and House, No. 2467, a Bill establishing community reinvestment obligations for certain mortgage lenders (Senate, No. 2405); and

By Mr. Moore, for the committee on Health Care, on Senate, No. 2353 and House, No. 5124, a Bill relative to toxic mold (Senate, No. 2406);

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

*Committees Discharged.*

Ms. Menard, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration of the Senate Order relative to authorizing the joint committee on Government Regulations to make an investigation and study of Senate document numbered 388, relative to the management of adoption records by cities and towns (Senate, No. 2402),— and recommending that the same be referred to the Senate committee on Rules.

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

Mr. Moore, for the committee on Health Care, reported, asking to be discharged from further consideration of the communication from (accompanied by communication, Senate, No. 2360) of the 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 2003,— 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.**

#### PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5227) of Cory Atkins (by vote of the town) relative to authorizing the town of Concord to send certain information to registered voters of said town;

**To the committee on Election Laws.**

Petition (accompanied by bill, House, No. 5228) of Edward G. Connolly (with the approval of the mayor and city council) that the city of Everett be authorized to issue certain bonds for the Lafayette School project;

Petition (accompanied by bill, House, No. 5229) of Matthew C. Patrick and Ruth W. Provost (by vote of the town) relative to the appointment of associate members to the conservation commission of the town of Bourne;

Petition (accompanied by bill, House, No. 5230) of Vincent A. Pedone, Robert Spellane and Harriette L. Chandler (with the approval of the mayor and city council) relative to parking violations in the city of Worcester; and

Petition (accompanied by bill, House, No. 5231) of Elizabeth A. Poirier and Cheryl A. Jacques (by vote of the town) relative to establishing the position of treasurer-collector in the town of North Attleborough;

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

Petition (accompanied by bill, House, No. 5232) of Michael J. Coppola, Elizabeth A. Poirier and Jo Ann Sprague (by vote of the town) relative to authorizing Leona S. Ferrara to take the civil service examination for the position of fire fighter in the town of Mansfield, notwithstanding the maximum age requirements; and

Petition (accompanied by bill, House, No. 5233) of J. James Marzilli, Jr., Robert A. Havern, Anne M. Paulsen and Jay R. Kaufman (by vote of the town) for legislation to designate certain positions in the town of Arlington as “civil service” positions;

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

#### Bills

Relative to certain tanks used for the storage of fluids (House, No. 4209, amended,— on House, No. 160);

Further regulating firearms (House, No. 5102, amended,— on House, No. 1087); and

Relative to the disposition of certain state owned property in the city of Somerville (House, No. 5138,— on House, No. 5041);

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

A Bill relative to fuel cell technology (House, No. 5063 amended,— on House, No. 5020),— **was read and, under Senate Rule 26A, referred to the committee on Science and Technology.**

A Bill relative to protection offered in connection with rental agreements (House, No. 5174,— on House, No. 3748),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

Bills

Relative to open space in the town of Saugus (House, No. 2081,— on petition) [Local approval received];

Establishing the Plymouth Development Corporation (House, No. 4917, changed,— on House Nos. 4983 and 4917) [Local approval received on House, No. 4917];

Authorizing the town of Westford to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 5130,— on petition) [Local approval received]; and

Authorizing the town of Canton to grant an easement to the town of Stoughton (House, No. 5143,— on petition);  
**Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

*Resolutions.*

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

Resolutions (filed by Mr. Pacheco) “honoring W. Joseph Cannon upon his elevation to the rank of Eagle Scout”; and

Resolutions (filed by Mrs. Sprague) “on the occasion of the retirement of Thomas Caulfield.”

PAPER FROM THE HOUSE.

*Engrossed Bill.*

An engrossed Bill relative to workers’ compensation coverage for sole proprietors, partnerships and corporate officers (see House, No. 4348, amended) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and was signed by the Acting President and laid before the Acting Governor for her approbation.**

*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 a certain lease agreement of the city known as the town of Methuen (House, No. 5030),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

PAPERS FROM THE HOUSE.

A Bill relative to the charter of the city of Lawrence relative to the residency requirement for city employees (House, No. 4806,— on petition) [Local approval received],— was read.

**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, 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 residency requirement for employees of the city of Lawrence.”**

A Bill authorizing the Attorney General to suspend certain labor laws in an emergency (House, No. 5189,— on House, No. 5116),— was read.

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

*Ordered*, That when the Senate adjourns today, it adjourn to meet again tomorrow at eleven o’clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

On motion of Ms. Chandler, at nineteen minutes past eleven o’clock A.M., the Senate adjourned to meet on the following day at eleven o’clock A.M.