

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.



Thursday, October 25, 2001.

Met at three minutes past eleven o'clock A.M.

Petitions.

Mr. Magnani presented a petition (accompanied by bill, Senate, No. 2144) of David P. Magnani and Paul J. P. Loscocco (by vote of the town) for legislation relative to the town of Holliston and the establishment of a cemetery care fund [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. Pacheco presented a petition (subject to Joint Rule 12) of Marc R. Pacheco, Thomas J. O'Brien and William M. Straus for legislation to allow the Department of Highways to construct, expend or implement any project or road widening at the intersection of South Main Street and Route 28 in Middleborough,— **and the same was referred, under Senate Rule 20, 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 Public Safety to make an investigation and study of certain current Senate documents relative to miscellaneous public safety issues (Senate, No. 2143),— and recommending that the same be referred to the Senate committee on Rules.

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

PAPER FROM THE HOUSE.

A Bill authorizing certain terms for borrowing by the town of Norfolk for constructing a golf course (House, No. 4423,— on petition) [Local approval received],— **was 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 Ms. Creem) “congratulating Judge Herbert N. Goodwin on the occasion of his retirement”;

Resolutions (filed by Mr. Knapik) “congratulating the Society of American Magicians upon its celebration of National Magic Week”;

Resolutions (filed by Mr. Pacheco) “honoring Matthew B. Terra of Taunton on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mrs. Sprague) “congratulating Stewart Chapenter of Seekonk upon his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mrs. Sprague) “congratulating Benjamin Clark of Seekonk upon his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mrs. Sprague) “congratulating Timothy Hubbard of Seekonk upon his elevation to the rank of Eagle Scout”; and

Resolutions (filed by Mrs. Sprague) “congratulating Brendan O’Grady of Seekonk upon his elevation to the rank of Eagle Scout.”

Resignation of Senator Stephen F. Lynch of First Suffolk.

The following communication, received by the Clerk of the Senate from the President of the Senate, was read by the Clerk, to wit:—

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

October 16, 2001.

The Honorable Thomas F. Birmingham
Senate President
State House, Room 332
Boston, MA 02133

Dear Mr. President:

This letter is to inform you that because I have been elected to represent the residents of the 9th Congressional District in the United States House of Representatives, I am resigning as the State Senator representing the 1st Suffolk District effective at the close of business today.

It has been my great honor and privilege to serve as a member of the Massachusetts State Senate and to represent the residents of the First Suffolk District. My thanks to you, my colleagues, and the highly capable Senate staff for everything you have done for me during my tenure.

Sincerely,

STEPHEN F. LYNCH,
State Senator.

On motion of Mr. Tisei, the above communication was ordered printed in the journal of the Senate, and placed on file.

Report of a Committee.

By Mr. Pacheco, for the committee on Natural Resources and Agriculture, on petition, a Bill authorizing the town of Stoughton to join the Massachusetts Water Resources Authority (Senate, No. 2086, changed in Section 1, in line 3, by striking out the words “ ‘Arlington’, in line 3” and inserting in place thereof the following words:— “ ‘Stoneham’, in line 9”) [Local approval received]. **The bill was read. The rules were suspended, on motion of Mr. Knapik, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act requiring the Massachusetts Water Resources Authority to provide water to the town of Stoughton.”**

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 Frederick E. Berry for legislation relative to imposing punishment for those instances of controlled substance distribution where death results.

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

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 Cynthia S. Creem, Frank I. Smizik and Gregory L. Holmes, M.D. for legislation to establish and encourage donations to the Massachusetts Epilepsy Research Fund.

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

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 Robert E. Travaglini, Edward J. Clancy, Jr., Anthony Petruccelli and Salvatore F. DiMasi for legislation to clarify the tax status of pilot boats, so-called.

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

Severally sent to the House for concurrence.

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 alcoholic beverage license in the town of Westborough (House, No. 4143),— **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 creation of a Belmont senior center furnishings and accessories fund (House, No. 4206,— 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 authorizing the town of Belmont to establish a senior center furnishings and accessories and operations fund.”

Engrossed Bill.

An engrossed Bill relative to voting precincts in the town of Ludlow (see House Bill, printed in House, No. 4518, changed) (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, two-thirds of the members present having voted in the affirmative, and it was signed by the President and laid before the Acting Governor for her approbation.**

Order Adopted.

On motion of Mr. Knapik,—

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.

On motion of Mr. Tisei, at eleven minutes past eleven o’clock A.M., the Senate adjourned to meet on the following Monday at eleven o’clock A.M.
