

**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 31, 2002.

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

#### *Engrossed Bill — Laid before Acting Governor.*

The engrossed Bill relative to certain amendments to the General Appropriation Act for fiscal year 2003 and certain other laws (see House Bill, printed in House, No. 5359, amended) (which originated in the House), having been passed to be enacted and signed by the Acting President (Ms. Melconian) on Monday, October 28, 2002,— **was laid before the Acting Governor for her approbation on Tuesday, October 29, 2002.**

#### *Communication.*

A communication from the Executive Office for Administration and Finance (under Section 3B of Chapter 7 of the General Laws) submitting notice of the Secretary's intention relative to proposed fee increases relating to the Civil Service Commission and the Registry of Motor Vehicles (received Thursday, October 31, 2002),— **was placed on file.**

#### *Distinguished Guest.*

There being no objection, the President introduced, seated in the rear of the Chamber, Judi Best, the Intern Coordinator from the Washington State Senate. Ms. Best was accompanied by Anne Ziaja of the Senate Legislative Education Office. Ms. Best signed the guest book and withdrew from the Chamber. She was the guest of the Senate.

#### *Report of a Committee.*

By Ms. Chandler, for the committee on Public Service, on Senate, Nos. 2229, 2307, 2363, 2381 and 2399, an Order relative to authorizing and directing the joint committee on Public Service to make an investigation and study of certain current Senate documents relative to creditable service (Senate, No. 2491) [Local approval received on Senate, Nos. 2307, 2381 and 2399]; **Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.**

#### PAPER FROM THE HOUSE.

A Bill relative to payment of certain medical expenses of retired Boston firefighter Charles J. Kelly (House, No. 4626,— on House, No. 4000, in part) [Local approval received on House, No. 4626],— **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. Jacques and Mr. Magnani) “congratulating Joan Craig on receiving the 2002 Harriet F. Siegel Shining Light Award for Lifelong Volunteer Achievement”;

Resolutions (filed by Ms. Jacques and Mr. Magnani) “congratulating the Cognex Corporation on receiving the Business Leadership Award from the Natick Education Foundation”;

Resolutions (filed by Ms. Jacques and Mr. Magnani) “congratulating Tilly & Salvy’s Bacon Street Farm on receiving the Business Leadership Award from the Natick Education Foundation”;

Resolutions (filed by Mr. Tisei) “on the occasion of the retirement of Robert C. Burgess, Sr.”; and

Resolutions (filed by Ms. Walsh) “congratulating Danny K. Quillen on the occasion of his retirement.

#### PAPERS FROM THE HOUSE.

##### *Engrossed Bills.*

The following engrossed bills (the first 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 President and laid before the Acting Governor for her approbation, to wit:

Designating a portion of the Blackstone River and Canal Heritage Park as the Honorable William A. L. Bazeley Memorial Recreation Area (see Senate, No. 1089); and

Relative to residency requirements for candidates for local office in the city of Newton (see House, No. 5210).

##### *Petition.*

On motion of Mr. Travaglini, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Mr. Nuciforo, accompanied by bill) of Andrea F. Nuciforo, Jr. (by vote of the town) for legislation to authorize the town of Lee to enter into contracts for construction, operation and maintenance, lease or sale, and modification of its water and wastewater treatment facilities,— **and the same was referred to the committee on State Administration.**  
**Sent to the House for concurrence.**

##### *Matters Taken Out of the Orders of the Day.*

There being no objection, the following matters were taken out of the Orders of the Day and considered as follows:

The Senate Bill establishing a capital investment fund in the town of Holbrook (Senate, No. 2485),— was read a second time, ordered to a third reading, read a third time and passed to be engrossed.  
**Sent to the House for concurrence.**

The Senate Bill relative to the town of Norwell (Senate, No. 2486),— **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 exempting the position of deputy police chief in the town of Norwell from the civil service law”.**  
**Sent to the House for concurrence.**

The House Bill relative to state highways in Barnstable County (House, No. 4737),— was read a second time.

Mr. O’Leary presented an amendment, striking out section 1 and inserting in place thereof the following section:—

“SECTION 1. Notwithstanding section 15C of chapter 40 of the General Laws, chapter 61 of the acts of 1992 or any other general or special law to the contrary, before any reconstruction, realignment or re-engineering on state highways in Barnstable county, not including United States highway route 6 except in the town of Eastham, that pass through recognized historic districts that have registered with the department of highways and provided the department with the approximate boundaries of the historic district, whether or not the work pertains to trees or stone walls abutting thereto, the department shall hold a public hearing before any initial design phase. Before holding the hearing, the department shall advertise it in a newspaper of general circulation in the area once in each of 2 successive weeks, the last publication not to be less than 7 days before the date of the hearing, as to time, date, place and purpose. The department shall send special notice to each municipality and the commission of each historic district in which the work is to be performed. The department shall send the notice by certified mail, return receipt requested.”.

**The amendment was adopted.**

**The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.**

**Sent to the House for concurrence in the amendment.**

PAPER FROM THE HOUSE.

*Engrossed Bill.*

An engrossed Bill validating certain votes taken by the town of Hopkinton (see House Bill, printed in House, No. 5343) (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.**

*Report of a Committee.*

By Mr. Montigny, for the committee on Ways and Means, that the House Bill relative to creditable service in the armed forces of the United States (House, No. 5103),— ought to pass, with an amendment, striking out section 1 (as printed).

**There being no objection, the rules were suspended, on motion of Mr. Tisei, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

**The bill, as amended, was then ordered to a third reading.**

*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.

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