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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Tuesday, April 22, 2003.

Met according to adjournment at eleven o'clock A.M. (Mr. Rosenberg in the Chair).

The Senator from Hampden and Hampshire, Mr. Lees, led the Chair (Mr. Rosenberg), members, guests and employees in the recitation of the pledge of allegiance to the flag.

Communications.

The following communications were severally placed on file:

Communication from the Public Employee Retirement Administration Commission submitting its Actuarial Valuation Report for the State Employee Retirement System, as of January 2003 (received Tuesday, April 8, 2003); and

Communication from the Hampden County Sheriff's Office relative to its plan of corrective action in response to an inspection of Hampden County Correctional Center (received Thursday, April 10, 2003).

Reports.

The following reports were severally read and placed on file:

A report of the Massachusetts Bay Transportation Authority (under the provisions of Section 151(11) of Chapter 127 of the Acts of 1999) relative to efforts to maximize non-transportation revenue (received Friday, April 11, 2003);

A report of the Department of Telecommunications and Energy (under the provisions of Section 69I of Chapter 164 of the General Laws) relative to the reliability and diversity of electricity and natural gas supplies in Massachusetts during 2002 (received Friday, April 11, 2003); and

A report of the Information Technology Commission (under the provisions of Chapter 142 of the Acts of 2002) submitting its Enterprise IT Strategy Final Report (received Thursday, April 17, 2003).

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 Essex County Correctional Facility and the Massachusetts Alcohol and Substance Abuse Center (received Tuesday, April 8, 2003),— **was read and sent to the House for its information.**

Petitions.

Petitions were presented and referred as follows:

By Ms. Fargo, a petition (accompanied by bill, Senate, No. 1979) of Susan C. Fargo and Charles A. Murphy (by vote of the town) for legislation to authorize the town of Bedford to lease a certain parcel of land for affordable housing [Local approval received];

By Ms. Resor, a petition (accompanied by bill, Senate, No. 1981) of Pamela P. Resor, James B. Eldridge and Cory Atkins (by vote of the town) for legislation to authorize the Board of Selectmen of Acton to lease a certain parcel of land for construction of a private parking facility [Local approval received]; and

By the same Senator, a petition (accompanied by bill, Senate, No. 1982) of Pamela P. Resor, James B. Eldridge and Cory Atkins (by vote of the town) for legislation to authorize the Board of Selectmen of Acton to send certain information to the registered voters in the town of Acton [Local approval received];

Severally, under Senate Rule 20, to the committee on Local Affairs.

By Mr. Morrissey, a petition (accompanied by bill, Senate, No. 1980) of Michael W. Morrissey, Bruce J. Ayers, A. Stephen Tobin and Ronald Mariano (with the approval of the mayor and city council) for legislation to designate a certain bridge in Quincy as the Paul D. Harold Memorial Bridge [Local approval received];

Under Senate Rule 20, to the committee on Transportation.

Severally sent to the House for concurrence.

Ms. Resor presented a petition (subject to Joint Rule 12) of Pamela P. Resor, James B. Eldridge, Deborah D. Blumer and another for legislation to declare September twenty-first as Myositis Awareness Day,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Ms. Menard presented a petition (subject to Joint Rules 12, and 9) of Joan M. Menard for legislation relative to the merger of Moby Dick Council, Inc., Boy Scouts of America of Massachusetts with the Narragansett Council, Boy Scouts of America of Rhode Island,— **and the same was transmitted, under the provisions of Section 7 of Chapter 3 of the General Laws, to the Secretary of State.**

Report of a Committee.

Ms. Jacques, for the committee on Steering and Policy, reported that the following matter be placed in the Orders of the Day for the next session:

The House Bill designating the Bay State Tartan as the official Commonwealth of Massachusetts district tartan (House, No. 627).

Committees Discharged.

Mr. Brewer, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration of the Senate Bill relative to a state agency office space procurement study (Senate, No. 1973),— and recommending that the same be referred to the Senate committee on Ethics and Rules.

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

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 3828) of Peter J. Larkin, Shaun P. Kelly, Andrea F. Nuciforo, Jr., and William Smitty Pignatelli (with the approval of the mayor and city council) relative to certain temporary employees of the city of Pittsfield,— **was referred, in concurrence, to the committee on Public Service.**

A report of the Department of Education (under the provisions of Section 9 of Chapter 70B of the General Laws) submitting a copy of interim regulations for the School Building Assistance Program (House, No. 3827),— **was referred, in concurrence, to the committee on Education, Arts and Humanities.**

Reports

Of the committee on Public Safety, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 816) of Joseph F. Wagner for legislation to authorize the Hampden County Sheriff's Department to establish a revenue retention account for community restitution and juvenile crime prevention programs; and

Of the committee on State Administration, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3078) of the Mass. Municipal Accountants & Auditors and Kevin G. Honan that the Department of the State Auditor be authorized to conduct audits of certain municipal and county accounts;

And recommending that the same severally be referred to the House committee on Ways and Means.

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence, insomuch as relates to the discharge of the joint committee.

Reports

Of the committee on Human Services and Elderly Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2982) of Stephen P. LeDuc and other members of the General Court that the Department of Public Health be directed to provide for an annual assessment on the impact of the public welfare system on children in the Commonwealth,— and recommending that the same be referred to the committee on Health Care.

Of the committee on Public Safety, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3570) of Barry R. Finegold and Charles A. Murphy for legislation to impose a period of post incarceration supervision,— and recommending that the same be referred to the committee on Criminal Justice.

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.

Resolutions.

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

Resolutions (filed by Mr. Knapik) “honoring the Westfield High School ‘Bombers’ 2002-2003 State Champion Ice Hockey Team”; and

Resolutions (filed by Mr. Shannon) “congratulating Christine A. Cullen on the occasion of her retirement.”

Report of a Committee.

Ms. Jacques, for the committee on Steering and Policy, reported that the following matter be placed in the Orders of the Day for the next session:

The House Bill providing for the annual observance of Tartan Day (House, No. 2528).

There being no objection, the rules were suspended, on motion of Mr. Lees, 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. Hedlund,—

Ordered. That when the Senate adjourns today, it adjourn to meet again on Thursday 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 Reverend Julios A. Jutt.

The Chair (Mr. Rosenberg) requested that when the Senate adjourns today, it adjourn in memory of Reverend Julios A. Jutt of South Deerfield, a pastor at St. James Catholic Church in South Deerfield for the past 31 years and a director of the former St. Michael’s School in Northampton. Father Jutt passed away on April 10, 2003, and he is remembered not only for serving his communities as a priest but also for being a friend to all parishioners. Senator Rosenberg stated that Father Jutt will be greatly missed and was loved by many.

Accordingly, as a mark of respect to the memory of Reverend Julios A. Jutt, at eight minutes past eleven o’clock A.M., on motion of Mr. Brewer, the Senate adjourned to meet on Thursday next at eleven o’clock A.M.