

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, June 23, 2003.

Met according to adjournment at eleven o'clock A.M.

The President, members, guests and employees then recited the pledge of allegiance to the flag.

Distinguished Guests.

There being no objection, the President handed the gavel to Senator Baddour, who introduced, seated in the rear of the Chamber, the 1st Essex Senatorial District Student Advisory Group. The group, made up of high school students from the various cities and towns and schools within the 1st Essex District, were in the State House conferring with Senator Baddour on issues that the students feel strongly about, and also to observe the Senator while he was performing his duties. They were the guests of Senator Baddour.

Petition.

Mr. Morrissey presented a petition (subject to Joint Rule 12) of Michael W. Morrissey, Brian A. Joyce and Joseph R. Driscoll for legislation to authorize the Commissioner of Capital Asset Management and Maintenance to convey certain land to Thayer Academy in Braintree,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 3906) of David M. Torrissi, Steven A. Baddour, Bruce E. Tarr and Barbara A. L'Italien (by vote of the town) relative to the date for annual elections in the town of North Andover;
To the committee on Election Laws.

Petition (accompanied by bill, House, No. 3907) of James B. Leary and Harriette L. Chandler (by vote of the town) relative to the administrative oversight of the hiring process in the town of West Boylston;
To the committee on Public Service.

Petition (accompanied by bill, House, No. 3908) of Barbara A. L'Italien, Bruce E. Tarr and Bradford Hill (by vote of the town) relative to certain real property tax exemptions in the town of Boxford;

Petition (accompanied by bill, House, No. 3909) of Kirsten D. Roopenian and others (by vote of the town) relative to property tax exemptions for certain elderly persons in the town of Sudbury; and

Petition (accompanied by bill, House, No. 3910) of Eric Turkington and Robert A. O'Leary (by vote of the town) that the town of Nantucket be authorized to impose a tax on residential construction and use revenues generated for the benefit of community housing;

Severally to the committee on Taxation.

Petition (accompanied by bill, House, No. 3911) of David M. Torrissi, Steven A. Baddour, Bruce E. Tarr and Barbara A. L'Italien (by vote of the town) that the town of North Andover be authorized to discontinue the use of Dale Street as a public way;

To the committee on Transportation.

Communication.

The Clerk read the following communication:

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

June 23, 2003.

Patrick F. Scanlan, *Clerk*
Massachusetts Senate
State House, Room 335
Boston, MA 02133

Dear Mr. Clerk:

I was absent from the Senate on Friday, June 20, 2003 because of a continuing family medical emergency. Any roll call votes I missed on that date were due to this fact.

Thank you for your attention to this matter.

Sincerely,
FREDERICK E. BERRY,
Majority Leader.

On motion of Ms. Murray, the above communication was ordered printed in the Journal of the Senate.

Resolutions.

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

Resolutions (filed by Ms. Wilkerson) "recognizing the contributions and accomplishments of Malia Lazu."

Reports of Committees.

By Mr. Brewer, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Bruce E. Tarr, Dianne Wilkerson and Anthony J. Verga for legislation to establish a preparatory skills program for women and minorities.

Senate Rule 36 was suspended, on motion of Mrs. Sprague, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Commerce and Labor.

By Mr. Brewer, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Bruce E. Tarr, Brian P. Lees, Michael R. Knapik, Brian A. Joyce and other members of the General Court for legislation to establish the Massachusetts municipal capital partnership program.

Senate Rule 36 was suspended, on motion of Mrs. Sprague, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Housing and Urban Development.

By Mr. Brewer, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Bruce E. Tarr for legislation relative to health insurance purchasing cooperatives.

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

By Mr. Brewer, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Bruce E. Tarr and Anthony J. Verga for legislation to protect consumers in the issuance of automobile insurance policy forms.

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

By Mr. Brewer, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Bruce E. Tarr, Brian P. Lees, Richard R. Tisei, Michael R. Knapik and other members of the General Court for legislation to exempt certain volunteers from civil damages.

Senate Rule 36 was suspended, on motion of Mrs. Sprague, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

Committee of Conference.

The House Bill providing relief and flexibility to municipal officials (House, No. 4003, printed as amended),— came from the House with the endorsement that the House had NON-concurred in the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2014), and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Larkin of Pittsfield, Walrath of Stow and Hill of Ipswich had been appointed the committee on the part of the House.

On motion of Mrs. Sprague, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Rosenberg, Tolman and Knapik were appointed on the part of the Senate. The bill was returned to the House endorsed accordingly.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 3915) of Michael J. Rodrigues, Joan M. Menard and another relative to notices to notaries public and justices of the peace prior to the expiration of their commissions;
Under suspension of Joint Rule 12, to the committee on the Judiciary.

Petition (accompanied by bill, House, No. 3916) of Michael J. Rodrigues and Joan M. Menard for legislation to authorize the Department of Correction to establish a sick leave bank for Emanuel Roque, an employee of said department;
Under suspension of Joint Rule 12, to the committee on Public Service.

Petition (accompanied by bill, House, No. 3917) of Vincent A. Pedone and other members of the General Court (with the approval of the mayor and city council) relative to authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the city of Worcester;
Under suspension of Joint Rule 12, to the committee on State Administration.

Order Adopted.

On motion of Mr. Baddour,—

Ordered, That when the Senate adjourns today, it adjourn to meet again on Wednesday 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. Baddour, at six minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Wednesday at eleven o'clock A.M.