

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, July 1, 2004.

Met at seven minutes past one o'clock P.M.

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

Distinguished Guests.

The President handed the gavel to Mr. Havern who introduced, seated in the rear of the Chamber, Easton Orsino, of Phoenix, Arizona. Easton, a fourth grade student, is the class Secretary of her Kindergarten through eighth grade school.

The President handed the gavel to Mr. Antonioni who introduced, standing in the rear of the Chamber, a group of Russian newspaper editors, who are enrolled in an international program sponsored by Fitchburg State College.

The Chair (Ms. Menard) handed the gavel to Mr. Barrios who introduced, seated in the rear of the Chamber, his sons Nathaniel Cruz and Javier Vasquez who were accompanied by their sister Melinda Vasquez and Rashelle Poirier, an employee of the Department of Social Services.

The President handed the gavel to Mr. Nuciforo who introduced a group from PBS who were filming a documentary for the 2005 Black History Month on Reverend Samuel Harrison of Pittsfield. Reverend Harrison was the Chaplain of the historic 54th regiment from Massachusetts during the Civil War. The group from PBS included Mike Kirk, Executive Producer, Greg J. Hickey, Associate Producer, John Mann, Rob Lewis and Marty Graff.

Report.

The President in the Chair, 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 Hampden County Correctional Facility (received Tuesday, June 29, 2004),— **was read and sent to the House for its information.**

PAPER FROM THE HOUSE.

A Bill relative to the eligibility for health insurance for school employees (House, No. 241,— on petition) (Representative Reinstein of Revere of the committee on Public Service dissenting),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

Resolutions.

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

Resolutions (filed by Mr. Joyce) “congratulating Paul Casey Hart.”

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 the financial stability in the city of Springfield (printed in House, No. 4799, amended),— was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Tolman moved that the bill be amended by inserting after section 9 the following section:—

“Section 9A. Notwithstanding any general or special law to the contrary, the terms and conditions of employment set forth in any collective bargaining agreement in effect from June 30, 2003 to June 30, 2004 between the city of Springfield or the Springfield school committee, and any of the exclusive bargaining representatives of employees of the city of Springfield, including but not limited to the grievance and arbitration provision of those agreements, shall remain in effect until the parties agree to a successor agreement and it is approved and funded pursuant to this act.”

After remarks, the amendment was rejected.

Mr. Lees and Ms. Melconian moved that the bill be amended by striking the figure “\$22,000,000” and inserting in place thereof the following figure:— “\$32,000,000.”

After remarks, the amendment was adopted.

After further remarks, the bill was then passed to be engrossed, in concurrence, with the amendments.

Sent to the House for concurrence in the amendments previously adopted by the Senate.

PAPER FROM THE HOUSE.

Engrossed Bill.

An engrossed Bill relative to special elections to fill vacancies for Senator and Representative in Congress (see Senate, No. 2404) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,— was considered, the question being on passing the bill to be enacted.

After remarks, Mr. Lees moved that the engrossed Bill be laid on the table; and, in accordance with the provisions of Senate Rule 24, the consideration of the motion to lay on the table was postponed without question until the next session.

Order Adopted.

Mr. Havern offered the following order, to wit:—

Ordered, that when the Senate adjourns today, it adjourn to meet again forthwith for a second legislative day.

After remarks, the order was adopted.

The Senate then adjourned at twenty-six minutes past one o'clock P.M, to meet forthwith for a second legislative day.

Second Legislative Day.

Met according to adjournment.

The engrossed Bill relative to special elections to fill vacancies for Senator and Representative in Congress (see Senate, No. 2404) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,— was considered, the question being on laying the engrossed Bill on the table.

After debate, the motion to lay the engrossed Bill on the table was negatived.

Mr. Lees moved that when a vote on passing the bill to be enacted is taken, it be taken by a call of the yeas and the nays.

This motion prevailed.

Pending the question on passing the bill to enacted, Mr. Knapik moved that the engrossed Bill be laid on the table; and, in accordance with the provisions of Senate Rule 24, the consideration of the motion to lay on the table was postponed without question until the next session.

Order Adopted.

Mr. Havern offered the following order, to wit:—

Ordered, that when the Senate adjourns today, it adjourn to meet again forthwith for a third legislative day.

The order was adopted.

The Senate then adjourned at seventeen minutes before two o'clock P.M, to meet forthwith for a third legislative day.

Third Legislative Day.

Met according to adjournment.

The pending motion to lay the engrossed Bill on the table was negatived.

The question on passing the bill to be enacted was then determined by a call of the yeas and nays at sixteen minutes before two o'clock P.M, on motion of Mr. Lees, as follows to wit (yeas 31 — nays 7) [**Yeas and Nays No. 595**]:

YEAS.	
Antonioni, Robert A.	Hart, John A., Jr.
Baddour, Steven A.	Havern, Robert A.
Barrios, Jarrett T.	Joyce, Brian A.
Berry, Frederick E.	Magnani, David P.
Brewer, Stephen M.	McGee, Thomas M.
Chandler, Harriette L.	Melconian, Linda J.
Creedon, Robert S., Jr.	Menard, Joan M.
Creem, Cynthia Stone	Montigny, Mark C.
Fargo, Susan C.	Moore, Richard T.
Glodis, Guy W.	Morrissey, Michael W.
Murray, Therese	Rosenberg, Stanley C.
Nuciforo, Andrea F., Jr.	Tolman, Steven A.
O'Leary, Robert A.	Tucker, Susan C.
Pacheco, Marc R.	Havern, Robert A.
Panagiotakos, Steven C.	Hedlund, Robert L. — 31.
Resor, Pamela	
NAYS.	
Brown, Scott P.	Shannon, Charles E.
Hedlund, Robert L.	Sprague, Jo Ann
Knapik, Michael R.	Tarr, Bruce E. — 7.
Lees, Brian P.	

ABSENT OR NOT VOTING.	
Tisei, Richard R. — 1.	

The yeas and nays having been completed at thirteen minutes before two o'clock P.M, the bill (Senate, No. 2404) was passed to be enacted and was signed by the President and laid before the Governor for his approbation.

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 House Bill regarding the authorization for possession by law enforcement agencies and sales to law enforcement agencies of electronic weapons (House, No. 3400),— was read a third time.

Pending the question on passing the bill to be engrossed, Messrs. Barrios and Joyce moved that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2423.

Pending the question on adoption of the amendment, Mr. Rosenberg in the Chair, Messrs. Brewer and Joyce moved that the proposed amendment be amended by adding after the words "law enforcement officer" in proposed clause (i) of section 131J the following words:— " , deputy sheriff or member of a special reaction team in a state prison or designated special operations or tactical team in a county correctional facility,".

After remarks, the further amendment was adopted.

After remarks, the pending amendment (Barrios-Joyce) was then adopted, as amended.

The question on passing the bill to be engrossed was determined by a call of the yeas and nays at six minutes past two o'clock P.M, on motion of Mr. Barrios, as follows to wit (yeas 38 — nays 0) [**Yeas and Nays No. 596**]:

YEAS.	
Antonioni, Robert A.	Brewer, Stephen M.
Baddour, Steven A.	Brown, Scott P.
Barrios, Jarrett T.	Chandler, Harriette L.
Berry, Frederick E.	Creedon, Robert S., Jr.
Creem, Cynthia Stone	Morrissey, Michael W.
Fargo, Susan C.	Murray, Therese
Glodis, Guy W.	Nuciforo, Andrea F., Jr.
Hart, John A., Jr.	O'Leary, Robert A.
Havern, Robert A.	Pacheco, Marc R.
Hedlund, Robert L.	Panagiotakos, Steven C.
Joyce, Brian A.	Resor, Pamela
Knapik, Michael R.	Rosenberg, Stanley C.
Lees, Brian P.	Shannon, Charles E.

Magnani, David P.	Sprague, Jo Ann
McGee, Thomas M.	Tarr, Bruce E.
Melconian, Linda J.	Tolman, Steven A.
Menard, Joan M.	Tucker, Susan C.
Montigny, Mark C.	Walsh, Marian
Moore, Richard T.	Wilkerson, Dianne — 38
NAYS — 0.	
ABSENT OR NOT VOTING.	
Tisei, Richard R. — 1.	

The yeas and nays having been completed at ten minutes past two o'clock P.M, the bill was passed to be engrossed, in concurrence, with the amendment. [For text of the Senate amendments, see Senate, No. 2423, printed as amended.]

Sent to the House for concurrence in the amendment.

The House Bill relative to the safe placement of newborn infants (House, No. 4325, amended) (its title having been changed by the committee on Bills in the Third Reading),— was read a third time.

After remarks, the question on passing it to be engrossed, in concurrence, was determined by a call of the yeas and nays, at twenty-four minutes past two o'clock P.M., on motion of Mr. O'Leary, as follows, to wit (yeas 38 — nays 0) [**Yeas and Nays No. 597**]:

YEAS.	
Antonioni, Robert A.	Brewer, Stephen M.
Baddour, Steven A.	Brown, Scott P.
Barrios, Jarrett T.	Chandler, Harriette L.
Berry, Frederick E.	Creedon, Robert S., Jr.
Creem, Cynthia Stone	Morrissey, Michael W.
Fargo, Susan C.	Murray, Therese
Glodis, Guy W.	Nuciforo, Andrea F., Jr.
Hart, John A., Jr.	O'Leary, Robert A.
Havern, Robert A.	Pacheco, Marc R.
Hedlund, Robert L.	Panagiotakos, Steven C.
Joyce, Brian A.	Resor, Pamela
Knapik, Michael R.	Rosenberg, Stanley C.
Lees, Brian P.	Shannon, Charles E.
Magnani, David P.	Sprague, Jo Ann

McGee, Thomas M.	Tarr, Bruce E.
Melconian, Linda J.	Tolman, Steven A.
Menard, Joan M.	Tucker, Susan C.
Montigny, Mark C.	Walsh, Marian
Moore, Richard T.	Wilkerson, Dianne — 38
NAYS — 0.	
ABSENT OR NOT VOTING.	
Tisei, Richard R. — 1.	

Ms. Menard in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair), the yeas and nays having been completed at twenty-seven minutes past two o'clock P.M., the bill was passed to be engrossed, in concurrence, with amendments previously adopted by the Senate.

Sent to the House for concurrence in the further amendments.

Report of a Committee.

Mr. Magnani, 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 relative to fire safety in the Commonwealth (House, No. 4550).

Mr. Pacheco moved to suspend the rules so that the bill could be further considered; but objection was made thereto by Mr. Lees.

The bill was placed in the Orders of the Day for the next session.

PAPERS FROM THE HOUSE.

Engrossed Bill.

An engrossed Bill increasing the number of the permanent intermittent police force in the city of Methuen (see House. No. 4175) (which originated in 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 (Ms. Menard) and laid before the Governor for his approbation.**

Engrossed Bills — Land Taking for Conservation, Etc.

An engrossed Bill authorizing the Department of Highways to acquire certain parcels of land in the town of Bourne (see House, No. 4866) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,— was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, as defined by Article XCVII of the Amendments to the constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-nine minutes before three o'clock P.M., as follows, to wit (yeas 37 — nays 1) [**Yeas and Nays No. 598**]:

YEAS.	
Antonioni, Robert A.	Brewer, Stephen M.
Baddour, Steven A.	Brown, Scott P.
Barrios, Jarrett T.	Chandler, Harriette L.

Berry, Frederick E.	Creedon, Robert S., Jr.
Creem, Cynthia Stone	Morrissey, Michael W.
Fargo, Susan C.	Murray, Therese
Glodis, Guy W.	Nuciforo, Andrea F., Jr.
Hart, John A., Jr.	O'Leary, Robert A.
Havern, Robert A.	Pacheco, Marc R.
Hedlund, Robert L.	Panagiotakos, Steven C.
Joyce, Brian A.	Resor, Pamela
Knapik, Michael R.	Rosenberg, Stanley C.
Lees, Brian P.	Shannon, Charles E.
Magnani, David P.	Sprague, Jo Ann
McGee, Thomas M.	Tarr, Bruce E.
Melconian, Linda J.	Tolman, Steven A.
Menard, Joan M.	Tucker, Susan C.
Montigny, Mark C.	Walsh, Marian
Moore, Richard T.	Wilkerson, Dianne — 37
NAYS.	
McGee, Thomas M. — 1.	
ABSENT OR NOT VOTING.	
Tisei, Richard R. — 1.	

The yeas and nays having been completed at twenty-five minutes before three o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Ms. Menard) and laid before the Governor for his approbation.

An engrossed Bill authorizing the towns of Dennis and Brewster to grant conservation restrictions to the department of conservation and recreation (see Senate, No. 2196) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, — was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-four minutes before three o'clock P.M., as follows, to wit (yeas 38 — nays 0) [**Yeas and Nays No. 599**]:

YEAS.	
Antonioni, Robert A.	Brewer, Stephen M.
Baddour, Steven A.	Brown, Scott P.
Barrios, Jarrett T.	Chandler, Harriette L.

Berry, Frederick E.	Creedon, Robert S., Jr.
Creem, Cynthia Stone	Morrissey, Michael W.
Fargo, Susan C.	Murray, Therese
Glodis, Guy W.	Nuciforo, Andrea F., Jr.
Hart, John A., Jr.	O'Leary, Robert A.
Havern, Robert A.	Pacheco, Marc R.
Hedlund, Robert L.	Panagiotakos, Steven C.
Joyce, Brian A.	Resor, Pamela
Knapik, Michael R.	Rosenberg, Stanley C.
Lees, Brian P.	Shannon, Charles E.
Magnani, David P.	Sprague, Jo Ann
McGee, Thomas M.	Tarr, Bruce E.
Melconian, Linda J.	Tolman, Steven A.
Menard, Joan M.	Tucker, Susan C.
Montigny, Mark C.	Walsh, Marian
Moore, Richard T.	Wilkerson, Dianne — 38
NAYS — 0.	
ABSENT OR NOT VOTING.	
Tisei, Richard R. — 1.	

The yeas and nays having been completed at twenty minutes before three o'clock P.M., the bill was passed to be enacted, two-thirds of the members present, having agreed to pass the same, and it was signed by the Acting President (Ms. Menard) and laid before the Governor for his approbation.

Orders of the Day.

The Orders of the Day were considered, as follows:

Bills

Placing certain school department positions in the city of Gardner under the civil service law (House, No. 4204, amended); and

Authorizing the town of Easton to pay a certain unpaid bill (House, No. 4498);

Were severally read a second time and ordered to a third reading.

The Senate bills

Establishing the Berkshire county commission on the status of women (Senate, No. 142);

Relative to medical screening and evaluation of foster children (Senate, No. 801, amended) (its title having been changed by the committee on Bills in the Third Reading);

Establishing the Massachusetts principal and income act (Senate, No. 962);

Protecting the environment (Senate, No. 1193);

Establishing a sick leave bank for Thomas F. Sweeney, Jr., an employee of the Department of Correction (Senate, No. 2333, amended);

Protecting the Nashua River Basin (Senate, No. 2347);

Authorizing the sale of certain land in the town of Milton (Senate, No. 2365, amended);

Relative to the establishment of a retained revenue account for the End of Life Commission (Senate, No. 2412);

Relative to patient and physician safety and protection (Senate, No. 2413);

To assure the safe, humane care of day surgery patients (Senate, No. 2414); and

To establish standards for long term care insurance (Senate, No. 2415);

**Were severally read a third time and passed to be engrossed.
Severally sent to the House for concurrence.**

The House bills

Relative to the standard for commercially used weights and measures devices (House, No. 27);

Establishing uniform primary procedures for unenrolled voters (House, No. 2229); and

Relative to public charities (House, No. 4234);

Were severally read a third time and passed to be engrossed, in concurrence.

The House Bill relative to electronic record standards (House, No. 4298),— **was read a third time and passed to be engrossed, in concurrence, with amendments previously adopted by the Senate.
Sent to the House for concurrence in the Senate amendments.**

The Senate Bill relative to the operation of low-speed vehicles (Senate, No. 2354),— **was considered; and it was passed to be engrossed.
Sent to the House for concurrence.**

Ms. Walsh in the Chair, the House Bill relative to the operation of motorized scooters (House, No. 1544, amended),— was read a second time and, after remarks, was amended, on motion of Mr. Barrios, in section 1, in line 4 (as printed), by striking out after the word “two” the following word:— “tandem”.
The bill, as amended, was then ordered to a third reading.

The Senate Bill relative to prepaid legal services (Senate, No. 2285),— was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Glodis moved that the bill be amended by substituting a new draft with the same title (Senate, No. 2425).

This amendment was adopted.

The bill (Senate, No. 2425) was then passed to be engrossed.

Sent to the House for concurrence.

The Senate Bill relative to volunteer physicians (Senate, No. 2356),— was read a third time.

Pending the question on passing the bill to be engrossed, Messrs. Nuciforo, Moore and Joyce moved that the bill be amended by substituting a new draft with the same title (Senate, No. 2426).

This amendment was adopted.

The bill (Senate, No. 2426) was then passed to be engrossed.

Sent to the House for concurrence.

The Senate Bill to further strengthen the mandatory reporting law (Senate, No. 2411),— **was read a third time.**
Pending the question on passing it to be engrossed, on motion of Mr. McGee, the further consideration thereof was postponed until the next session.

The Senate Bill authorizing the Highway Department to convey sewer easements along Route 1 in Lynnfield, Saugus and Peabody (Senate, No. 2417),— **was read a third time and passed to be engrossed.**
Sent to the House for concurrence.

The Senate Bill promoting environmental justice (Senate, No. 2418),— was read a third time.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at one minute past three o'clock P.M., as follows, to wit (yeas 38 — nays 0) **[Yeas and Nays No. 600]:**

YEAS.	
Antonioni, Robert A.	Brewer, Stephen M.
Baddour, Steven A.	Brown, Scott P.
Barrios, Jarrett T.	Chandler, Harriette L.
Berry, Frederick E.	Creedon, Robert S., Jr.
Creem, Cynthia Stone	Morrissey, Michael W.
Fargo, Susan C.	Murray, Therese
Glodis, Guy W.	Nuciforo, Andrea F., Jr.
Hart, John A., Jr.	O'Leary, Robert A.
Havern, Robert A.	Pacheco, Marc R.
Hedlund, Robert L.	Panagiotakos, Steven C.
Joyce, Brian A.	Resor, Pamela
Knapik, Michael R.	Rosenberg, Stanley C.
Lees, Brian P.	Shannon, Charles E.
Magnani, David P.	Sprague, Jo Ann
McGee, Thomas M.	Tarr, Bruce E.
Melconian, Linda J.	Tolman, Steven A.
Menard, Joan M.	Tucker, Susan C.
Montigny, Mark C.	Walsh, Marian
Moore, Richard T.	Wilkerson, Dianne — 38
NAYS — 0.	
ABSENT OR NOT VOTING.	
Tisei, Richard R. — 1.	

The yeas and nays having been completed at four minutes past three o'clock P.M., the bill was passed to be engrossed.
Sent to the House for concurrence.

The Senate Bill establishing the Essex North Shore Agricultural and Technical School district (Senate, No. 2419),— was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Berry moved that the bill be amended, in section 10, line 5, by striking out the figure “20” and inserting in place thereof the figure:— “10”; and

In section 14, in line 3, by inserting after the word “district’s” the following words:— “agricultural or”.

The amendment was adopted.

The bill (Senate, No. 2419, amended) was then passed to be engrossed.

Sent to the House for concurrence.

The House Bill relative to certain utility regulations (House, No. 1458), — was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Panagiotakos moved that the bill be amended, in section 3, by striking out the words “an applicant”, each time it appears, and inserting in place thereof, in each instance, the following words:— “a person or entity”.

The amendment was adopted.

The bill, as amended, was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

The House Bill directing the commissioner of Capital Asset Management and Maintenance to place a conservation restriction on and transfer a certain parcel of land to the Kuzeja Real Estate Trust (House, No. 3985) (its title having been changed by the committee on Bills in the Third Reading),— was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Knapik moved that the bill be amended in section 1, by inserting, in line 9, after the word “parcel” the following words:— “, being a portion of the n/f “Bassett Road” a 1798 county layout between the City of Holyoke City Line to a point in Bassett Road opposite the northwesterly corner of a parcel of land belonging now or formerly of Evandin C. O’Connor & Evadine K. Lennon, as “; and by adding the following sentence:— “The exact boundaries of the parcel shall be determined by the commissioner after completion of a survey.”.

This amendment was adopted.

The bill was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

The House Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Plainville (House, No. 4201),— **was read a third time and, after remarks, was passed to be engrossed, in concurrence.**

The House Bill relative to child labor (House, No. 4891, printed as amended),— was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Hart moved that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2424.

This amendment was adopted.

The bill was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

The Senate Bill relative to the worker’s compensation exclusive remedy (Senate, No. 72, amended),— was considered, the question being on passing the bill to be engrossed.

On motion of Mr. Hart, the further consideration thereof was postponed until Thursday, July 8, 2004.

The Senate Bill relative to the modification of the helmet law (Senate, No. 1363, amended),— **was considered, the main question being on ordering it to a third reading.**

The pending motion, previously moved by Mr. Moore, that the matter be laid on the table, was considered; and it was *negatived*.

The recurring question on adoption of the amendment, previously moved by Mr. Shannon, striking out all after the enacting clause and inserting in place thereof the following text:—

“The first paragraph of section 7 of chapter 90 of the General Laws, is hereby amended by inserting after the words “public parade”, inserted by chapter 24 of the acts of 2004, the following words:— “or funeral procession”.”,— was further considered.

There being no objection, on motion of Mr. Shannon, the pending amendment was *withdrawn*.

Messrs. Moore, Brewer and Barrios then moved that the bill be amended by adding at the end thereof the text of Senate document numbered 2385.

Pending the question on adoption of the amendment, and pending the main question on ordering the bill to a third reading, on motion of Messrs. Shannon and Moore, the amendment was ordered printed under the provisions of Senate Rule 31 and laid over until the next session.

The Senate Bill improving the physician credentialing (Senate, No. 2308, amended) (its title having been changed by the committee on Bills in the Third Reading),— **was read a third time**.

The President in the Chair, pending the question on passing the bill to be engrossed, on motion of Mr. Shannon, the further consideration thereof was postponed until Thursday, July 8, 2004.

Matters Taken Out of the Notice Section of the Calendar.

There being no objection, the following matter was taken out of the Notice Section of the Calendar and considered, as follows:

The House Bill providing for an animal control commission in the town of Lancaster (House, No. 3879),— **was read a third time and passed to be engrossed, in concurrence**.

The Senate Bill authorizing the town of Hull to extend leases on Nantasket Pier and to borrow money for the construction of a certain marine or pier facility for a term of not to exceed 30 years (Senate, No. 2214, amended) (its title having been changed by the committee on Bills in the Third Reading),— **was read a third time and passed to be engrossed. Sent to the House for concurrence**.

The Senate Bill authorizing the town of Hull to extend the leases at Pemberton Pier (Senate, No. 2215, amended) (its title having been changed by the committee on Bills in the Third Reading),— **was read a third time and passed to be engrossed. Sent to the House for concurrence**.

Papers from the House.

Emergency Preamble Adopted.

An engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land to the town of Whitman (see House, No. 4688, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,— was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 11 to 0.

The bill was signed by the President and sent to the House for enactment.

A Bill relative to business corporations (House, No. 4833, amended,— on petition),— was read.

There being no objection, the rules were suspended, on motion of Ms. Murray, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

At seventeen minutes past four o'clock P.M., at the request of Mr. Lees, for the purpose of a minority party caucus, the President declared a recess; and, at twenty-five minutes before five o'clock P.M., the Senate reassembled, Mr. Berry in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

Paper from the House.

Engrossed Bill.

An engrossed Bill relative to the Massachusetts Credit Union Share Insurance Corporation (see Senate, No. 2267, amended) (which originated in the Senate), **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 (Mr. Berry) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Havern,—

Ordered, That when the Senate adjourns today, it adjourn to meet again on Tuesday 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. Lees, at twenty-four minutes before five o'clock P.M., the Senate adjourned to meet on the following Tuesday at eleven o'clock A.M.