

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.



Monday, February 2, 2004.

Met at one minute past eleven o'clock A.M. (Mr. Rosenberg in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

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

Petitions.

Petitions were presented and referred, as follows:

By Mr. Joyce, a petition (subject to Joint Rule 12) of Brian A. Joyce, Elizabeth A. Malia, J. James Marzilli, Jr., Alice Hanlon Peisch and other members of the General Court for legislation relative to discharge of a firearm; and

By Mr. Nuciforo (by request), a petition (subject to Joint Rule 12) of Denis E. Guyer for legislation relative to regional school financing;

Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of a Committee.

By Ms. Tucker, for the committee on Human Services and Elderly Affairs, on petition, a Bill assisting cities and towns providing veterans' benefits (Senate, No. 752);

By the same Senator, for the same committee, on petition, a Bill relative to emergency aid to elderly disabled and children (Senate, No. 755);

By the same Senator, for the same committee, on petition, a Bill recognizing certain health care items and services (Senate, No. 757);

By the same Senator, for the same committee, on petition, a Bill to provide for reimbursement of human service providers for increases in minimum wage rates (Senate, No. 771) ;

By the same Senator, for the same committee, on petition, a Bill to restore benefits for adult MassHealth beneficiaries (Senate, No. 777);

By the same Senator, for the same committee, on petition, a Bill establishing a direct care worker training task force (Senate, No. 778);

By the same Senator, for the same committee, on petition, a Bill assisting cities and towns providing veterans' benefits (Senate, No. 779);

By the same Senator, for the same committee, on petition, a Bill to encourage the employment of people with disabilities (Senate, No. 791);

By the same Senator, for the same committee, on Senate, No. 792 and House, No. 165, a Bill to require the Division of Medical Assistance to reimburse hospitals for the costs of psychiatric patients on medical units (Senate, No. 792);

By the same Senator, for the same committee, on petition, a Bill increasing accountability in the use of funds intended for human service programs (Senate, No. 793);

By the same Senator, for the same committee, on petition, a Bill relative to the calculation of asset allowance for spouses of nursing home residents (Senate, No. 806);

By the same Senator, for the same committee, on petition, a Bill to protect DMR clients (Senate, No. 808);

By the same Senator, for the same committee, on petition, a Bill relative to the Medicare buy-in program (Senate, No. 810);

By the same Senator, for the same committee, on petition, a Bill providing for supportive living services for brain-injured individuals (Senate, No. 815);

By the same Senator, for the same committee, on petition, a Bill relative to improvements in private duty nursing care for developmentally disabled children (Senate, No. 818);

By the same Senator, for the same committee, on Senate, No. 819 and House, No. 3534, a Bill establishing state assistance for senior center construction (Senate, No. 819);

By the same Senator, for the same committee, on Senate, No. 825 and House, No. 3177, a Bill to reduce homelessness and promote housing stability for low-income families with children (Senate, No. 825); and

By the same Senator, for the same committee, on petition, a Bill creating a loan forgiveness program for direct care human service workers (Senate, No. 827);

Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Ms. Tucker, for the committee on Human Services and Elderly Affairs, on petition, a Bill providing for public access to licensure and monitoring information maintained by the office of Child Care Services (Senate, No. 809);

Read and, under Senate Rule 26B, referred to the committee on Long-Term Debt and Capital Expenditures.

PAPERS FROM THE HOUSE.

A Bill designating the Criminal Justice Training Academy in the city known as the town of Agawam as the Harold F. Skelton Sr. Criminal Justice Training Center in Agawam (House, No. 2157,— on petition),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

Bills

Authorizing the town of North Andover to discontinue a certain public way (House. No. 3911,— on petition) [Local approval received];

Providing for a special election to fill a vacancy on the board of selectmen in the town of Wilmington (House, No. 3921, changed,— on petition) [Local approval received]; and

Relative to parking fines in the town of Harwich (House, No. 4079,— on petition) [Local approval received];

Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Emergency Preamble Adopted.

An engrossed Bill relative to the Department of Finance in the town of Brookline (see House, No. 4088), 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 2 to 0.

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

Resolutions.

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

Resolutions (filed by Ms. Chandler and Mr. Tisei) “memorializing the Congress of the United States to enact legislation to develop new sources of natural gas”;

Resolutions (filed by Messrs. Moore and Brewer) “congratulating David Cutler on his induction into the New England Press Association Hall of Fame”;

Resolutions (filed by Mr. Pacheco) “on the retirement of Sandra L. Bernier”;

Resolutions (filed by Ms. Tucker, Mr. Baddour, Ms Chandler, Ms. Creem, Ms. Fargo, Messrs. Havern, Joyce, Lees, McGee, Magnani, Montigny, Moore, Nuciforo, O’Leary, Ms. Resor, Mr. Shannon, Ms. Sprague, Mr. Tisei and Ms. Wilkerson) “on the celebration of ‘Wear Red Day For Women’ by the American Heart Association”;

Resolutions (filed by Ms. Walsh) “congratulating James M. Smith on the occasion of his Court of Honor”;

Resolutions (filed by Ms. Walsh) “congratulating Jonathan Wysocki on the occasion of his Court of Honor.”

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 creating a firearms licensing fund in the town of Charlton (Senate, No. 2058),— **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 House Bill authorizing the town of Fairhaven to issue an additional license for the sale of alcoholic beverages (House, No. 4148),— **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 Fairhaven to grant an additional license for the sale of wines and malt beverages to be drunk on the premises”.**

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 Acting President and laid before the Governor for his approbation, to wit:

Providing for a fuel revolving account at Nantucket Memorial Airport (see Senate, No. 1170); and

Relative to the Department of Finance in the town of Brookline (see House, No. 4088).

Report of a Committee.

By Ms. Fargo, for the committee on Local Affairs and Regional Government, on petition, a Bill authorizing the city of Quincy to establish funds to enhance streets and sidewalks and to oversee the Quarry Hills recreation complex (Senate, No. 2167) [Local approval received].

The bill was read.

There being no objection, 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, in concurrence.

PAPERS FROM THE HOUSE.

A Bill authorizing the town of Milton to establish the Milton High School accreditation fund (printed in House, No. 4367,—being a message from His Excellency the Governor),— was read.

There being no objection, 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, in concurrence.

Order — Amended.

The following House Order (approved by the committees on Rules of the two branches, acting concurrently) was considered forthwith, as follows:

Ordered, That the joint committees on Health Care, Insurance, and Ways and Means and the House committee on Medicaid be authorized to sit jointly and report on the initiative petition of Harold Hestnes and others for the passage of a Proposal for an Initiative Amendment to the Constitution relative to the provision of health insurance ([House, No. 4444](#)).

Pending the question on adoption of the order, Mr. Knapik offered an amendment striking out the words “the joint committees on Health Care, Insurance, and Ways and Means and the House committee on Medicaid” and inserting in place thereof the following words:— the joint committees on Health Care and Insurance, the House committees on Ways and Means and Medicaid and the Senate committee on Federal Financial Assistance.”

The amendment was adopted.

The order, as amended, was then adopted.

Sent to the House for concurrence in the amendment.

Engrossed Bill.

The engrossed Bill further regulating the early retirement of eligible employees of the Nashoba Associated Boards of Health (see Senate, No. 2185) (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 and laid before the Governor for his approbation.**

Order Adopted.

On motion of Mr. Knapik,—

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. Tisei, at seventeen minutes past eleven o’clock A.M., the Senate adjourned to meet on Wednesday next at eleven o’clock A.M.
