

**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, February 20, 2003.

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

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

#### *Reports.*

The following reports were severally read and placed on file:

A report of the Comptroller of the Commonwealth (under the provisions of Section 12 of Chapter 7A of the General Laws) submitting its annual financial report for the fiscal year ending June 30, 2002 (received Tuesday, January 7, 2003);

A report of the Massachusetts Technology Development Corporation (under the provisions of Section 7 of Chapter 40G of the General Laws) submitting its annual financial report for the fiscal year ended June 30, 2002 (received Tuesday, January 7, 2003);

A report of the Joint Labor-Management Committee for Municipal Fire and Police (under the provisions of Section 1 of Chapter 589 of the Acts of 1987) submitting its report relative to dispute resolution (received Wednesday, January 8, 2003);

A report of the Plainridge Racecourse (under the provisions of Section 2 of Chapter 128C of the General Laws) submitting copies of simulcasting contracts entered into by the Plainridge Racecourse (received Thursday, January 9, 2003);

A report of the Middlesex District Attorney (under the provisions of Section 99R of Chapter 272 of the General Laws) submitting its annual report of wiretap interception for the 2002 calendar year (received Friday, January 10, 2003);

A report of the Office of the Attorney General (under the provisions of Section 99R of Chapter 272 of the General Laws) submitting its report on wiretap interceptions for the calendar year 2002 (received Monday, January 13, 2003);

A report of the Public Employee Retirement Administration Commission (under the provisions of Section 21 of Chapter 32 of the General Laws) submitting its report on cost of living adjustments for retirees and beneficiaries (received Wednesday, January 22, 2003);

A report of the Human Resources Division, Executive Office for Administration and Finance (under the provisions of Section 25 of Chapter 31 of the General Laws) submitting revoked civil service eligible lists (received Wednesday, January 22, 2003);

A report of the Division of Insurance (under the provisions of Section 17 of Chapter 21E of the General Laws) submitting its annual report on the availability of response action contractor liability insurance (received Monday, January 27, 2003);

A report of the Administrative Office of the Trial Court (under the provisions of Item 0330-3200 of Chapter 184 of the Acts of 2002) submitting its report detailing the number of Trial Court officers and associate court officers located in each of its courts (received Monday, January 27, 2003);

A report of the Office of the Commissioner of Probation (under the provisions of Section 5 of Chapter 211F of the General Laws) submitting its annual report of the Office of Community Corrections which outlines the effectiveness of community corrections (received Wednesday, January 15, 2003);

A report of the Office of Community Corrections (under the provisions of Item 0339-1004 of Chapter 184 of the Acts of 2002) submitting a copy of its spending and management plan (received Thursday, January 30, 2003); and

A report of the Executive Office of Transportation and Construction (under the provisions of Item 6000-0100 of Chapter 177 of the Acts of 2001) submitting various reports (received Thursday, January 30, 2003).

The following reports were severally read and sent to the House for its information:

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 Worcester County House of Correction and Jail (received Wednesday, January 1, 2003);

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 the General Laws) relative to inspection of the Bay State Correctional Center and the Bridgewater Correctional Facilities Core Services (received Monday, January 27, 2003); and

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 Old Colony Correctional Center (received Thursday, January 30, 2003).

#### *Petitions.*

Petitions were presented and referred, as follows:

By Ms. Melconian, a petition (subject to Joint Rule 12) of Linda J. Melconian and Benjamin Swan for legislation to establish a sick leave bank for Sharon Melvin-James, an employee of the Trial Court of the Commonwealth; and

By Mr. Moore, a petition (subject to Joint Rule 12) of Richard T. Moore for legislation to ban the sale of ephedra;  
**Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

#### *Resolutions.*

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

Resolutions (filed by Mr. Barrios) “on National Lulac Week”;

Resolutions (filed by Mr. Creedon) “congratulating Dr. Robert J. Gentile on the occasion of his retirement”;

Resolutions (filed by Mr. Knapik) “on the retirement of William P. Barcomb”;

Resolutions (filed by Messrs. Moore, Berry and Brewer, Ms. Chandler, Ms. Creem, Ms. Fargo, Messrs. Glodis, Havern and Hedlund, Ms. Jacques, Messrs. Joyce, Knapik and Montigny, Ms. Murray, Mr. Pacheco, Ms. Resor, Messrs. Rosenberg and Shannon, Mrs. Sprague, Messrs. Tarr and Tolman and Ms. Tucker) “commemorating the one hundredth anniversary of the Massachusetts Nurses Association”;

Resolutions (filed by Mr. Pacheco) “on the occasion of the retirement of Alan DeCastro”;

Resolutions (filed by Mr. Pacheco) “congratulating Matthew L. Shaw upon the occasion of his elevation to the rank of Eagle Scout”;

Resolutions (filed by Ms. Walsh) “congratulating Karlos Colon, Jr. on the occasion of his Court of Honor”; and

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

#### *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 Charles E. Shannon and Garrett J. Bradley for legislation to further regulate certificates of birth resulting in stillbirth.

**Senate Rule 36 was suspended, on motion of Mr. Shannon, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Government Regulations.**

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 Jo Ann Sprague and Philip Travis for legislation relative to a certain retirement elective of Annie Nichols.

**Senate Rule 36 was suspended, on motion of Mr. Shannon, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service.**

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 Stephen M. Brewer, Michael J. Rodrigues and Pamela P. Resor for legislation relative to the requirement of rain sensor devices for landscape sprinkler systems.

**Senate Rule 36 was suspended, on motion of Mr. Shannon, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration.**

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 Jo Ann Sprague, Robert L. Hedlund and others for legislation to designate assorted wafers as the official candy of the Commonwealth.

**Senate Rule 36 was suspended, on motion of Mr. Shannon, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration.**

**Severally sent to the House for concurrence.**

*Order Adopted.*

On motion of Mr. Shannon,—

*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 five minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Monday at eleven o'clock A.M.