

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, February 23, 2004.

Met at one minute past eleven o'clock A.M. (Mr. Rosenberg in the Chair).

The Senator from Plymouth and Norfolk, Mr. Hedlund, led the Chair (Mr. Rosenberg), members, guests and employees in the recitation of the pledge of allegiance to the flag.

Communication.

A communication was received from the Honorable Brian P. Lees, Senate Minority Leader, announcing the re-appointment of Senator Bruce E. Tarr to the Massachusetts Commission on End of Life Care.

Petitions.

Petitions were presented and referred as follows:

By Mr. Brewer, a petition (accompanied by bill, Senate, No. 2222) of Stephen M. Brewer and Mark J. Carron (by vote of the town) for legislation to clarify the powers and duties of the Charlton water and sewer commission [Local approval received]; and

By Mr. Barrios, a petition (accompanied by bill, Senate, No. 2223) of Thomas G. Ambrosino, mayor, Jarrett T. Barrios, Kathi-Anne Reinstein, and Robert A. DeLeo (with the approval of the mayor and city council) for legislation to authorize the city of Revere to reduce water and sewer fee liability in exchange for volunteer services by persons over age 60 [Local approval received];

**Severally, under Senate Rule 20, to the committee on Local Affairs and Regional Government.
Severally sent to the House for concurrence.**

Reports of a Committee.

By Mr. Joyce, for the committee on Election Laws, on petition, a Bill requiring late counting of certain overseas absentee ballots in municipal elections (Senate, No. 2164); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1982), a Bill authorizing cities, towns and regional districts to send certain information to registered voters (Senate, No. 2221) [Local approval received on Senate, No. 1982];

Severally read and, under Senate Rule 26, referred to the committee on Steering and Policy.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4521) of Kevin J. Murphy, David M. Nangle and Thomas A. Golden, Jr. (with the approval of the city council) relative to the payment of a certain unpaid bill by the city of Lowell,— **was referred, in concurrence, to the committee on Local Affairs and Regional Government.**

Bills

Establishing a sick leave bank for Sheila Mahan, an employee of the Trial Court of the Commonwealth (House, No. 4481,— on petition); and

Establishing an exemption for low-income seniors from proposition 2½ overrides (House, No. 4519,— on House, No. 3602); **Were severally read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill requiring pilots for certain vessels (House, No. 4104,— on House, No. 1541),— **was read, and under Senate Rule 26, referred to the committee on Federal Financial Assistance.**

Reports

Of the committee on Commerce and Labor, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2921) of Robert M. Koczera and other members of the General Court relative to the protection of consumers from identity theft,— and recommending that the same be referred to the committee on Public Safety.

Of the committee on Health Care, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2797) of Bradley H. Jones, Jr. and other members of the House for legislation to regulate the control of certain contagious diseases,— and recommending that the same be referred to the committee on the Judiciary.

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

Resolutions.

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

Resolutions (filed by Mr. Pacheco) “congratulating the Taunton River Power Squadron”; and

Resolutions (filed by Mr. Tisei) “honoring the memory of Gloria D. Klapes.”

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 authorizing Barnstable County to administer the repair, replacement and upgrade of septic systems (Senate, No. 2123),— **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 relative to parking violations in the town of Marblehead (House, No. 4235),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Report of a Committee.

Ms. Melconian, 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 Senate Bill relative to the Cherry Valley sewer district 2000-2001 project (Senate, No. 2102).

There being no objection, the rules were suspended, on motion of Ms. Chandler, 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 FORM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4524) of William M. Straus relative to credit backed or bank issued gift cards; **Under suspension of Joint Rule 12, to the committee on Commerce and Labor.**

Petition (accompanied by bill, House, No. 4523) of Melody L. Spence, Anne M. Gobi and Stephen M. Brewer relative to the licensing of mobile manicuring shops by the Board of Registration of Cosmetologists; **Under suspension of Joint Rule 12, to the committee on Government Regulations.**

Petition (accompanied by bill, House, No. 4525) of James P. Ryan relative to increasing the maximum amount of damages in small claims court;

Under suspension of Joint Rule 12, to the committee on the Judiciary.

Petition (accompanied by bill, House, No. 4526) of Mary S. Rogeness, Reed V. Hillman, Michael F. Kane, Susan W. Pope, Stephen J. Buoniconti and Matthew C. Patrick that the Registrar of Motor Vehicles be authorized to revoke licenses of persons deemed incompetent or unqualified to operate a motor vehicle; and

Petition (accompanied by bill, House, No. 4527) of Bradley H. Jones, Jr. and other members of the House relative to watercraft education requirements for operators of jet skis, surf jets and wet bikes;

Severally, under suspension of Joint Rule 12, to the committee on Public Safety.

Petition (accompanied by bill, House, No. 4528) of John J. Binienda and other members of the General Court for legislation to provide for killed in line of duty benefits for call and volunteer firefighters;

Under suspension of Joint Rule 12, to the committee on Public Service.

Petition (accompanied by bill, House, No. 4529) of Kathleen M. Teahan and Robert S. Creedon, Jr., that the Division of Capital Asset Management and Maintenance be directed to convey a certain parcel of land located in the town of Whitman to said town.

Petition (accompanied by bill, House, No. 4530) of David Paul Linsky, David P. Magnani and Cheryl A. Jacques that the Department of Mental Health be authorized to convey a certain water supply distribution system from Farm Pond in the town of Sherborn to said town; and

Petition (accompanied by bill, House, No. 4531) of Christopher J. Donelan and Stanley C. Rosenberg relative to authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the town of Erving;

Severally, under suspension of Joint Rule 12, to the committee on State Administration.

Petition (accompanied by bill, House, No. 4532) of Frank M. Hynes, Robert L. Hedlund and another that the town of Marshfield be authorized to reduce sewer fees and betterment charges for certain elderly persons performing volunteer services;

Under suspension of Joint Rule 7B, to the committee on Taxation.

Order Adopted.

On motion of Mr. Moore,—

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.

On motion of Mr. Knapik, at a quarter past eleven o'clock A.M., the Senate adjourned to meet on the following Thursday at eleven o'clock A.M.