

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, March 1, 2004.

Met at five minutes past eleven o'clock A.M. (Mr. Hart in the Chair).

The Chair (Mr. Hart), members, guests and employees then recited the pledge of allegiance to the flag.

Petitions.

Petitions were presented and referred, as follows:

By Mr. Glodis, a petition (subject to Joint Rule 12) of Guy W. Glodis for legislation relative to obstruction of justice in the course of a police investigation;

By Mr. Joyce, a petition (subject to Joint Rule 12) of Brian A. Joyce, Robert L. Hedlund, Bruce E. Tarr, Richard T. Moore and other members of the General Court for legislation to extend the time for political party committees to organize in the current year;

By Ms. Resor (by request), a petition (subject to Joint Rule 12) of Ralph S. Tyler and Phillip Mighdoll for legislation to create a senior citizen residential exemption for the town of Sudbury; and

By the same Senator (by request), a petition (subject to Joint Rule 12) of Ralph S. Tyler and Phillip Mighdoll for legislation to establish senior citizen property tax exemptions by local option;

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

PAPERS FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation relative to improving school performance by implementing recommendations of the Governor's task force on state intervention in under-performing districts (House, No. 4544),— **was referred, in concurrence, to the committee on Education, Arts and Humanities.**

Bills

Relative to certain separate accounts (printed as Senate, No. 850,— on petition); and

Relative to liquor legal liability insurance (House, No. 1881,— on petition);

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

Bills

Authorizing the city of Lowell to pay a certain unpaid bill (House, No. 4216,— on petition) [Local approval received]; and

Authorizing the Fitchburg Housing Authority to convey certain land (House, No. 4242,— on petition) [Local approval received]; **Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

The House Bill relative to the labeling of certain food products and dietary supplements (House, No. 2565),— **came from the House with the endorsement that it had been referred to the committee on Health care; and the Senate concurred in the reference.**

Reports

Of the committee on Commerce and Labor, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2564) of Brian Knuuttila and Robert A. Antonioni for legislation to include paid tax preparers who make loans to clients in anticipation of refunds under the laws relative to criminal usury,— and recommending that the same be referred to the committee on Criminal Justice.

Of the House committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the House Bill authorizing the town of Plymouth to enact by-law relative to the impact of development (House, No. 4351),— and recommending that the same be referred to the committee on Taxation.

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence, insomuch as relates to the reference to the joint committee.

A report of the committee on Housing and Urban Development, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2441) of Christopher G. Fallon for legislation to provide assistance for water and sewer rates for low-income and moderate income persons, and recommending that the same be referred to the House committee on Ways and Means,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence, insomuch as relates to the discharge of the joint committee.**

Resolutions.

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

Resolutions (filed by Mr. Joyce) “congratulating Brendan Ray of East Bridgewater upon his elevation to the rank of Eagle Scout”;

Resolutions (filed by Messrs. Joyce and Morrissey) “congratulating John Paul Dryer, III, of Braintree upon his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. Magnani) “congratulating Franklin Police Chief Lawrence P. Benedetto on the occasion of his retirement”;

Resolutions (filed by Mrs. Sprague) “congratulating James Francis Hoehlein of Dover upon his elevation to the rank of Eagle Scout.”

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 relative to parking fines in the town of Chatham (House, No. 4078); and

The House Bill relative to parking fines in the town of Harwich (House, No. 4079);

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

PAPER FROM THE HOUSE.

A Bill authorizing the town of Pepperell to place a certain question relative to the sale of alcoholic beverages on the town’s election ballot (House, No. 4377,— on petition),— was read.

There being no objection, the rules were suspended, on motion of Mrs. Sprague, and the bill 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 Pepperell to place a certain question on the ballot authorizing the sale of wines and malt beverages to be drunk on the premises.”

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 Donna Engen for legislation to further regulate school choice admission of siblings.

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 Education, Arts and Humanities.

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 Robert A. Antonioni and Patricia A. Walrath for legislation relative to the licensing of farmer-distillers.

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 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 Robert A. Antonioni for legislation relative to the retirement of public school teachers.

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 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 Steven C. Panagiotakos for legislation relative to retirement systems and pension calculations.

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 Public Service. Severally sent to the House for concurrence.

PAPER FROM THE HOUSE.

A petition (accompanied by resolve, House, No. 4549) of Gale D. Candaras, Lida E. Harkins, Peter J. Koutoujian and Carol A. Donovan for an investigation by a special commission (including members of the General Court) relative to the elimination of cervical cancer,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Health Care.**

Order Adopted.

On motion of Mrs. Sprague,—

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.

Order.

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

Ordered, That notwithstanding the provisions of Joint Rule 10, the Committee on Local Affairs and Regional Government be granted until Wednesday, June 16, 2004 within which time to make its final report on all matters referred to said committee prior to May 16, 2004.

Mrs. Sprague moved that the rules be suspended to consider the matter forthwith; but objection was made thereto; **and the House Order was placed in the Orders of the Day for the next session.**

On motion of Mrs. Sprague, at eleven minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Wednesday at eleven o'clock A.M.