

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, June 26, 2003.

Met at two minutes past eleven o'clock A.M. (Ms. Walsh in the Chair).

The Senator from Middlesex and Essex, Mr. Tisei, then led the Chair (Ms. Walsh), members, guests and employees in the recitation of the pledge of allegiance to the flag.

Distinguished Guest.

There being no objection, the Chair (Ms. Walsh) introduced, seated in rear of the Chamber, Reid LaVoy, a student from the Landmark School in Lynnfield. Reid was shadowing his state senator, Richard Tisei, throughout the course of the day. Reid, a resident of Lynnfield, was the guest of Senator Tisei.

Petitions.

Petitions were presented and referred as follows:

By Mr. O'Leary, a petition (accompanied by bill, Senate, No. 2021) of Robert A. O'Leary and Shirley Gomes (by vote of the town) for legislation relative to the issuance of bonds by the town of Orleans for the purpose of creating and/or preserving affordable housing [Local approval received];

Under Senate Rule 20, to the committee on Housing and Urban Development.

By Ms. Tucker, a petition (accompanied by bill, Senate, No. 2022) of Susan C. Tucker, Barry R. Finegold, David M. Torrisi and William A. Lantigua (with the approval of the mayor and city council) for legislation to authorize the city of Lawrence to use certain park land for school purposes [Local approval received];

Under Senate Rule 20, to the committee on State Administration.

Severally sent to the House for concurrence.

Mr. Pacheco presented a petition (subject to Joint Rule 12) of Marc R. Pacheco, Steven A. Baddour, Mark C. Montigny, Steven C. Panagiotakos and other members of the General Court for legislation relative to the creation of a Big Dig cost recovery commission,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Reports of Committees.

By Mr. O'Leary, for the committee on Energy, on petition (accompanied by bill, Senate, No. 381), an Order relative to authorizing the joint committee on Energy to make an investigation and study of Senate document numbered 381, relative to the clean environment fund (Senate, No. 2024);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 383), an Order relative to authorizing the joint committee on Energy to make an investigation and study of Senate document numbered 383, relative to handling fees (Senate, No. 2023) (Representative Patrick of Falmouth dissenting);

By Mr. Moore, for the committee on Health Care, on petition (accompanied by bill, Senate, No. 690), an Order relative to authorizing the joint committee on Health Care to make an investigation and study of Senate document numbered 690, relative to prescription drug prices for Medicare patients (Senate, No. 2025); and

By the same Senator, for the same committee, on Senate, Nos. 524, 537, 574, 662, 673 and 676, an Order relative to authorizing the joint committee on Health Care to make an investigation and study of Senate documents numbered 524, 537, 574, 662, 673 and 676, relative to controlled substances (Senate, No. 2026);

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Moore, for the committee on Health Care, on petition, a Bill providing for the creation of the health care cost containment council, for its powers and duties, for health care cost containment through the collection and dissemination of data, and for public accountability of health care costs (Senate, No. 588);

By the same Senator, for the same committee, on petition, a Bill relative to drug samples (Senate, No. 612);

By the same Senator, for the same committee, on Senate, Nos. 560 and 618 and House, No. 2967, a Bill requiring certain health care professionals to file prescription ethics and responsibility confirmation statements (Senate, No. 618);

By the same Senator, for the same committee, on petition, a Bill relative to reducing the cost of prescription drugs (Senate, No. 656);

By Ms. Wilkerson, for the committee on State Administration, on petition, a Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain easement (Senate, No. 1620); and

By the same Senator, for the same committee, on petition, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Washington (Senate, No. 1972, changed in section 4, by inserting after the word "will", in line 5, the following words " , and set forth in section 1 of this act");

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

By Mr. Moore, for the committee on Health Care, on petition, a Bill regulating the use of anabolic steroids (Senate, No. 540);

By the same Senator, for the same committee, on petition, a Bill to ensure parents of children prescribed psychotropic drugs receive adequate information (Senate, No. 674);

By Ms. Wilkerson, for the committee on State Administration, on petition, a Bill relative to protecting the identity of a 911 caller (Senate, No. 1641); and

By Ms. Melconian, for the committee on Science and Technology, on Senate, Nos. 124, 1911 and 1916, a Bill regarding commercial electronic mail (Senate, No. 2019);

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

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 3921) of James R. Miceli, Charles A. Murphy and Bruce E. Tarr (by vote of the town) relative to making special provisions for an election to fill a vacancy in the board of selectmen of the town of Wilmington;
To the committee on Election Laws.

Petition (accompanied by bill, House, No. 3922) of Colleen M. Garry (by vote of the town) that the licensing authority of the town of Dracut be authorized to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises;
To the committee on Government Regulations.

Petition (accompanied by bill, House, No. 3923) of Robert M. Koczera and Mark C. Montigny (by vote of the town) relative to authorizing the appointment of certain special police officers in the town of Acushnet;

Petition (accompanied by bill, House, No. 3924) of Peter J. Larkin, Shaun P. Kelly, Andrea F. Nuciforo, Jr., and William Smitty Pignatelli (with the approval of the mayor and city council) that certain positions in the city of Pittsfield be exempt from the civil service law;

Severally to the committee on Public Service.

A Bill relative to certain school construction debt in the town of Reading (printed in House, No. 3900,— being a message from His Excellency the Governor),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

A report of the committee on Commerce and Labor, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1242) of Martin J. Walsh, Brian P. Wallace, Jeffrey Sanchez and Michael F. Rush relative to the definition of a modular building, and recommending that the same be referred to the committee on State Administration,— **was 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. Morrissey) “congratulating Chief Kevin T. Henderson for his 34 years of outstanding and dedicated service as a firefighter for the town of Rockland”; and

Resolutions (filed by Ms. Murray and Mr. O’Leary) “congratulating Jean Gardner on being chosen as the recipient of the Mercy Otis Warren Cape Cod Woman of the Year Award.”

PAPER FROM THE HOUSE.

A Bill validating action taken by the Martha’s Vineyard Refuse Disposal and Resource Recovery District (House, No. 1539,— on petition),— was read.

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

Recess.

There being no objection, at five minutes past eleven o’clock A.M., the Chair (Ms. Walsh) declared a recess subject to the call of the Chair; and at thirteen minutes past eleven o’clock A.M., the Senate reassembled, Ms. Walsh in the Chair.

PAPER FROM THE HOUSE.

Order Adopted.

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

Ordered, That notwithstanding the provisions of Joint Rule 10, joint standing committees and the committees on Rules of the two branches, acting concurrently, be granted until Wednesday, July 30, 2003, to make reports on all matters referred to them.

The order was adopted, in concurrence.

Order Adopted.

On motion of Mr. Moore,—

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 fourteen minutes past eleven o’clock A.M., the Senate adjourned to meet on the following Monday at eleven o’clock A.M.