

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, July 3, 2003.

Met at ten minutes past eleven o'clock A.M. (Ms. Walsh 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 Middlesex, Ms. Fargo, led the Chair (Ms. Walsh), 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. Rosenberg, a petition (accompanied by bill, Senate, No. 2029) of Stanley C. Rosenberg and Ellen Story (by vote of the town) for legislation to authorize local voting rights for permanent resident aliens residing in the town of Amherst [Local approval received];

Under Senate Rule 20, to the committee on Election Laws.

By Mr. Morrissey, a petition (accompanied by bill, Senate, No. 2028) of Michael W. Morrissey and Robert J. Nyman (by vote of the town) for legislation to authorize the town of Rockland to increase its hotel-motel tax to six percent to increase its capital improvement and stabilization funds [Local approval received];

Under Senate Rule 20, to the committee on Taxation.

Severally sent to the House for concurrence

Reports of Committees.

By Mr. Montigny, for the committee on Senate Long-Term Debt and Capital Expenditures, that the House Bill consolidating Massachusetts Housing Finance Agency mortgage loans (House, No. 3734),— ought to pass;

Referred, under Senate Rule 27, to the committee on Ways and Means.

By Ms. Wilkerson, for the committee on State Administration, on petition, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the town of Bridgewater to Patrick Driscoll (Senate, No. 1691);

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

By Ms. Wilkerson, for the committee on State Administration, on petition, a Bill relative to the public records law (Senate, No. 1671); and

By the same Senator, for the same committee, on Senate, Nos. 1693 and 1694, a Bill to amend the public records law (Senate, No. 1693);

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

Ms. Jacques, 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 House Bill providing for the first week of October to be designated as Massachusetts Safe Schools Week (House, No. 2887).

Committees Discharged.

Mr. Brewer, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration of the Senate Order authorizing the joint committee on Banks and Banking to make an investigation and study of certain current Senate documents relative to banking fees (Senate, No. 2027),— and recommending that the same be referred to the Senate committee on Ethics and Rules.

Under Senate Rule 36, the report was considered forthwith and accepted.

PAPERS FROM THE HOUSE.

Messages were referred, in concurrence, as follows:

Message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) relative to validating action taken at the April 26, 2003 annual town election held in the town of Bridgewater (House, No. 3931); and

Message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) relative to validating the actions taken at certain special elections held in the town of Dedham (House, No. 3932);
Severally to the committee on Election Laws.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 3935) of George N. Peterson, Jr., and Richard T. Moore (by vote of the town) that the licensing authority of the town of Northbridge 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. 3936) of George N. Peterson, Jr., and Guy W. Glodis (by vote of the town) that the town of Grafton be authorized to appoint and use retired police officers for paid police details;

To the committee on Public Service.

A Bill relative to the city of Brockton's contributions to the health insurance premiums of its retirees (House, No. 3867, amended,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Resolutions.

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

Resolutions (filed by Mr. Brewer) "in remembrance of Gladys Irene Salame";

Resolutions (filed by Mrs. Sprague) "congratulating Timothy Bradford Sweet of Foxborough upon his elevation to the rank of Eagle Scout";

Resolutions (filed by Mrs. Sprague) "congratulating Patrick James Duffey of Foxborough upon his elevation to the rank of Eagle Scout"; and

Resolutions (filed by Mrs. Sprague) "congratulating Jon Michael Mihaly of Foxborough upon his elevation to the rank of Eagle Scout."

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 Robert A. O'Leary and Eric Turkington (by vote of the town) for legislation to authorize the Massachusetts Department of Mental Health to grant an easement to the county of Nantucket for construction of the Fairgrounds Road Bicycle Path [Local approval received].

Senate Rule 36 was suspended, on motion of Mr. Moore, 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 Brian A. Joyce, Marian Walsh, Jo Ann Sprague, Robert L. Hedlund and other members of the General Court for legislation to authorize the Executive Office of Transportation and Construction and the Massachusetts Highway Department to complete the route 128 add-a-lane and route I-95/128/University Avenue interchange project utilizing an alternative form of procurement.

Senate Rule 36 was suspended, on motion of Mr. Moore, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Severally sent to the House for concurrence.

PAPER FROM THE HOUSE.

A Bill authorizing the city of Medford to issue additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3865, amended,— on petition) [Local approval received],— was read.

There being no objection, the rules were suspended, on motion of Mr. Tarr, 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 city of Medford to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises.”

Recess.

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

PAPER FROM THE HOUSE.

A Bill relative to certain capital spending authorizations (House, No. 3941,— on House, No. 3928, in part),— was read.

There being no objection, the rules were suspended, on motion of Mr. Tarr, 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 twenty-five minutes before twelve o'clock noon, the Chair (Ms. Walsh) declared a recess subject to the call of the Chair; and at two minutes before twelve o'clock noon, the Senate reassembled, Ms. Walsh in the Chair.

PAPERS FROM THE HOUSE.

Emergency Preamble Adopted; Engrossed Bill Enacted.

An engrossed Bill relative to certain capital spending authorizations (see House, No. 3941), 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 4 to 0.

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

Subsequently, the bill, which originated in the House, came from the House with the endorsement that it had been enacted in that branch.

The Senate then passed the bill to be enacted; and it was signed by the Acting President and laid before the Governor for his approbation.

A petition (accompanied by bill, House, No. 3942) of David B. Sullivan, Robert Correia, Michael J. Rodrigues and Joan M. Menard that the children of police officer Richard Magan, who died in the line of duty, be certified for appointment to the police service in the Commonwealth,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

Order Adopted.

On motion of Mr. Tarr,—

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday next at one o'clock P.M., in a full formal session, and that the Clerk be directed to dispense with the printing of a calendar.

On motion of Ms. Fargo, at eleven minutes past twelve o'clock noon, the Senate adjourned to meet on the following Monday at one o'clock P.M., in a full formal session.