

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.

Wednesday, July 16, 2003.

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

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

Communication.

A communication from the Executive Office for Administration and Finance (under Section 3B of Chapter 7 of the General Laws and the General Appropriations Act for Fiscal Year 2004) submitting notice of the Secretary's intention relative to fee increases at the following state agencies: Alcoholic Beverages Control Commission, Board of Elevator Regulation, Department of Public Health, Division of Occupational Safety and the Division of Professional Licensure (received Tuesday, July 15, 2003),— **was placed on file.**

Report of a Committee.

By Mr. Barrios, for the committee on Public Safety, on Senate, No. 1363 and House, Nos. 207, 208 and 1546, a Bill relative to the modification of the helmet law (Senate, No. 1363) (Representatives Toomey of Cambridge and Malia of Boston dissenting); **Read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Communications.

The Clerk read the following communications:

July 14, 2003.

Patrick F. Scanlan, *Clerk*
Massachusetts Senate
State House, Room 335
Boston, MA 02133

Dear Mr. Clerk:

On July 10, 2003, I was away from the State House undergoing a surgical procedure, and I was therefore unable to be present for the roll call votes taken on the following items:

1. Senate Bill 103, An Act Relative to Massachusetts Business Corporations.
2. House Bill 4003, An Act Providing Relief and Flexibility to Municipal Officials.
3. Override of Section 616, Early Retirement Incentive Program.
4. Override of Section 621, DMA Payments from the Intergovernmental Transfer Account.

5. Override of Section 678, Department of Mental Retardation Fernald Reuse Committee.
6. Override of Line Item 5930-1000, Fernald Reuse Committee Facilities Operations.
7. Override of Section 693, Board of Higher Education - Membership.
8. Override of Line Item 1599-7092, County Corrections Reserve.
9. Override of Line Item 2001-1001, EOE Data Center Retained Revenue.
10. Override of Line Item 4190-1101, Long Term Care Resident Fees.
11. Override of Section 504, Marriage Fees.
12. Override of Section 640, Child-Care Block Grant Spending.
13. Override of Section 641, Needy Families Block Grant Related Spending.
14. Override of Section 653, Determination of Applicability for Harborlights/Fleet Boston Pavilion.
15. Override of Section 631, Division of Occupation Safety Fee Increases.
16. Override of Section 636, Apprentice Training Fee Increase.
17. Override of Section 637, Apprentice Training Fee Increase.
18. Override of Line Item 1599-1971, Snow and Ice Equipment.
19. Override of Section 203, Disposition of Temporary Holding Fund.
20. Override of Section 679, Transferring Responsibility for Environmental Remediation for Pondville Hospital to the State.
21. Override of Section 545, DCAMM Authorization to Cover Operating Costs from the Capital.
22. Override of Section 5, Alcoholic Beverages Control Commission.
23. Override of Section 48, Alcoholic Beverages Control Commission Transfer to Treasurers Office.
24. Override of Section 411, Alcoholic Beverages Control Commission Transfer to Treasurers Office.
25. Override of Line Item 0610-0050, Alcoholic Beverages Control Commission.
26. House Bill 3944, Adopting an Emergency Preamble to the House Bill 4003.
27. Override of Line Item 4100-0060, Health Care Finance and Policy Language.
28. Override of Line Item 4510-0790, Regional Emergency Medical Services.

Had I been present, I would have voted in the affirmative on all these matters.

I would respectfully request your assistance with the printing of this communication in the Senate Journal. Thank you in advance for your help on this matter.

Sincerely,
ANDREA F. NUCIFORO, JR.,
State Senator.

July 16, 2003.

Patrick F. Scanlan, *Clerk*
Massachusetts Senate
State House, Room 335
Boston, MA 02133

Dear Mr. Clerk:

On July 14, 2003, I was unable to be present for the roll call votes taken on the following items:

1. Override of Line Item 4120-3000, Employment Assistance Services.
2. Override of Line Item 4120-2000, Vocational Rehabilitation.
3. Override of Line Item 5920-2000, Residential Community Services.
4. Override of Line Item 5920-3000, Respite and Family Services.
5. Override of Line Item 7053-1927, School Breakfast Program.
6. Override of Line Item 7100-0200, University of Massachusetts.
7. Override of Line Item 9110-1630, Home Care Services.
8. Override of Section 684, Board of Higher Education's Authority to Close Colleges Requiring Legislature Approval.
9. Override of Line Item 4510-0600, Environmental Health Program.
10. Override of Line Item 7066-0015, Workforce Community Training.
11. Override of Line Item 7100-0300, Toxics Use Reduction Institute.
12. Override of Line Item 7109-0100, Bridgewater State College.

Had I been present, I would have voted in the affirmative on all these matters.

I would respectfully request your assistance with the printing of this communication in the Senate Journal. Thank you in advance for your help on this matter.

Sincerely,
ANDREA F. NUCIFORO, JR.,
State Senator.

On motion of Ms. Fargo, the above communications were severally ordered printed in the Journal of the Senate.

Report 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 Stephen M. Brewer and Lewis G. Evangelidis for legislation relative to creditable service for Carol Adams from the Massachusetts Teachers' Retirement System.

**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.
Sent to the House for concurrence.**

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by resolve, House, No. 3956) of Patricia A. Haddad and other members of the General Court for an investigation by a special commission (including members of the General Court) relative to middle level education in the Commonwealth;

Under suspension of Joint Rule 12, to the committee on Education, Arts and Humanities.

Petition (accompanied by bill, House, No. 3957) of William G. Greene, Jr., relative to the granting of licenses to certain persons for the practice of speech-language pathology;

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

Petition (accompanied by bill, House, No. 3958) of Timothy J. Toomey, Jr., relative to the establishment of a sick leave bank for Duarte O. Raposo, an employee of the Trial Court of the Commonwealth;

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

Petition (accompanied by bill, House, No. 3959) of Christopher P. Asselin for legislation to direct the reinstatement of John P. Moylan as a member in service of the teachers' retirement system; and

Petition (accompanied by bill, House, No. 3960) of Robert A. DeLeo relative to the retirement rights of persons appointed by school committees;

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

Petition (accompanied by bill, House, No. 3961) of Scott P. Brown and Cheryl A. Jacques that the Division of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land located in the town of Plainville to Joseph J. Lorusso;

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

Pursuant to an order previously adopted, on motion of Mrs. Sprague, at seven minutes past eleven o'clock A.M., the Senate adjourned to meet again tomorrow, in full formal session, without a calendar, at eleven o'clock A.M.