

**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, August 11, 2003.

Met at five minutes past eleven o'clock A.M. (Mr. Havern in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

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

#### *Petition.*

Mr. Morrissey presented a petition (subject to Joint Rule 12) of Michael W. Morrissey, Bruce J. Ayers, Robert S. Creedon, Jr., John A. Hart, Jr. and other members of the General Court for legislation to protect the assets of individuals in nursing homes,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

#### *Reports of a Committee.*

Ms. Jacques, for the committee on Steering and Policy, reported that the following matters be placed in the Orders of the Day for the next session:

The Senate bills

Relative to vehicle weight limitation requirements (Senate, No. 1285);

Relative to the victims of drunk driving trust fund (Senate, No. 1295);

Requiring motor vehicle operators to activate the vehicle's interior lighting when stopped by a police officer during nighttime (Senate, No. 1296);

To regulate the speed of school buses on limited access highways (Senate, No. 1333);

Relative to smoking in taxi cabs (Senate, No. 1389); and

To decrease gridlock (Senate, No. 1391); and

The House Bill designating a certain bridge in the town of Canton as the John E. Farrington Bridge (House, No. 661).

#### *Committee Discharged.*

Mr. Barrios, for the committee on Public Safety, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1371) of Pamela P. Resor for legislation to establish an animal control commission within the executive office of public safety,— and recommending that the same be referred to the committee on Local Affairs and Regional

Government.

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

**Sent to the House for concurrence.**

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4108) of Alice Hanlon Peisch and Susan C. Fargo (by vote of the town) relative to regulating certain property tax deferral requirements for the elderly in the town of Weston,— **was referred, in concurrence, to the committee on Taxation.**

A Bill establishing a sick leave bank for Emanuel Roque an employee of the Department of Correction (House, No. 3916,— on petition),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

*Resolutions.*

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

Resolutions (filed by Mr. Glodis) “congratulating Scott Pigaga.”

*Communication.*

The Clerk read the following communication:

COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE  
STATE HOUSE, BOSTON 02133-1063

August 8, 2003.

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

Dear Mr. Clerk:

On July 14, 2003, I was unable to be present in the Senate Chamber for several roll call votes pertaining to the Governor’s vetoes of items contained in House Bill 4004, the 2004 General Appropriations bill. Had I been present, I would have voted in the affirmative to override His Excellency’s vetoes on Senate Roll Calls numbers 137 through 206.

I respectfully request that this letter be printed in the Senate Journal as part of the official record for July 14, 2003. Thank you for your assistance in this matter.

Sincerely,  
SUSAN C. FARGO,  
*Senator,*  
3rd Middlesex District.

**On motion of Ms. Chandler, the above communication was ordered printed in the Journal of the Senate.**

*Reports of Committees.*

By Ms. Murray, for the committee on Ways and Means, that the Senate 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),— ought to pass, with an amendment, in section 1, by striking out the words “convey certain land of the commonwealth under the control of the department of corrections to Patrick Driscoll. The land is shown on Map 75 and Map 76 on the town assessors map which is on file in the assessor’s office of the town of Bridgewater consisting of approximately 4.5 acres and located on Winter street” and inserting in place thereof the following words:— “sell and convey by deed certain property, together with all structures thereon, if any, located on the northerly side of Winter street in the town of Bridgewater as described in 2 deeds recorded in the Plymouth county registry of deeds in Book 756, page 322 and Book 930, page 34, shown generally on the town of Bridgewater assessor’s map 75 and map 76 and consisting of approximately 4.5 acres. The exact boundaries of the parcel shall be determined by the commissioner in consultation with the department of correction after completion of a survey.”.

**There being no objection, the rules were suspended, on motion of Mr. Knapik, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

**The bill (Senate, No. 1691, amended) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.**

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 validating the actions taken at the annual election held in the town of Bridgewater (printed in House, No. 3931). **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 FROM THE HOUSE.

*Engrossed Bills.*

The following engrossed bills (the first of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the Acting President and laid before the Governor for his approbation, to wit:

Authorizing the town of Milton to issue a license for the sale of all alcoholic beverages to be drunk on the premises (see Senate, No. 420); and

Authorizing the town of Maynard to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 3904).

*Order Adopted.*

On motion of Mr. Knapik,—

*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 nine minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Thursday at eleven o'clock A.M.