

**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.



Monday, August 30, 2004.

Met at two minutes past eleven o'clock A.M. (Mr. Tolman 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. Tolman), members, guests and employees then recited the pledge of allegiance to the flag.

### *Communication.*

A communication from the Massachusetts Highway Department (pursuant to line item 6010-0001 of the General Appropriation Act of Fiscal Year 2004) relative to quarterly reports required by line item 6010-0001 of the fiscal year 2004 budget (received Tuesday, August 17, 2004),— **was placed on file.**

### *Petition.*

Ms. Murray presented a petition (accompanied by bill, Senate, No. 2481) of Therese Murray, Thomas J. O'Brien and Viriato Manuel deMacedo (by vote of the town) for legislation relative to the by-laws of the town of Plymouth [Local approval received],— **and the same was referred, under Senate Rule 20, to the committee on Local Affairs and Regional Government.**

**Sent to the House for concurrence.**

### **PAPERS FROM THE HOUSE.**

A petition (accompanied by bill, House, No. 5071) of Marie J. Parente and Richard T. Moore (by vote of the town) relative to bonds for the Geriatric Authority of Milford,— **was referred, in concurrence, to the committee on Local Affairs and Regional Government.**

A Bill authorizing the city of Medford to use certain land for memorial purposes (House, No. 4864,— on petition),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill relative to the police powers of the University of Massachusetts at Amherst (House, No. 4832,— on petition),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

### *Resolutions.*

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

Resolutions (filed by Mr. Berry) "honoring Past Post Commander William J. Harrison";

Resolutions (filed by Mr. Knapik) "on the two hundred and fiftieth anniversary of the town of Granville";

Resolutions (filed by Mr. Pacheco) "congratulating Ryan Fahey on his elevation to the rank of Eagle Scout"; and

Resolutions (filed by Mr. Pacheco) “congratulating Anders Martenson, IV on his elevation to the rank of Eagle Scout.”

*Matter Taken Out of the Orders of the Day.*

There being no objection, the following matter was taken out of the Orders of the Day and considered, as follows:

The Senate Bill relative to the creation of an economic development fund in the town of Plymouth (Senate, No. 2390),— **was read a third time and passed to be engrossed. Sent to the House for concurrence.**

*Report of a Committee.*

Mr. Magnani, 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 relative to fair contracts (House, No. 1383).

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

*Order Adopted.*

Mr. Nuciforo presented an order and, under the rules, it was referred to the committees on Rules of the two branches, acting concurrently.

Subsequently, Mr. Brewer, for the said committees on Rules, reported, recommending that the order be adopted; and, there being no objection, the order was considered forthwith, under a suspension of the rules, and adopted, as follows, to wit:—

*Ordered*, That notwithstanding the provisions of Joint Rule 10, the committee on Banks and Banking be granted until Friday, October 29, 2004, within which to report on the current Senate Bill, No. 2386, relative to providing remedies to consumers for clearing title after payoff of mortgages.

**Sent to the House for concurrence.**

**PAPERS FROM THE HOUSE.**

*Engrossed Bills.*

An engrossed Bill relative to the membership of the conservation commission of the town of Bourne (see House, No. 4057) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and was signed by the Acting President and laid before the Governor for his approbation.**

An engrossed Bill directing the commissioner of Capital Asset Management and Maintenance to place a conservation restriction on and transfer a certain parcel of land to the Kuzeja Real Estate Trust (see House, No. 3985, amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted and was signed by the Acting President and again laid before the Governor for his approbation.

*Order Adopted.*

On motion of Mr. Tarr,—

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