

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, October 25, 2004.

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

Communication.

A communication from the Massachusetts Turnpike Authority submitting a copy of its financial statements with independent auditor's reports for the years ending December 31, 2003 and 2002 (received Wednesday, October 20, 2004),— **was placed on file.**

Reports.

The following reports were severally read and placed on file:

A report of Wonderland Greyhound Park, Inc. (under the provisions of Section 2 of Chapter 128C of the General Laws) submitting copies of simulcasting contracts entered into by Wonderland (received Wednesday, October 20, 2004); and

A report of the Plymouth County Register of Deeds (under the provisions of Section 4 of Chapter 4 of the Acts of 2003 and section 2KKK of Chapter 29 of the General Laws) submitting a plan of expenditure from the County Registers Technological Fund (received Thursday, October 21, 2004).

Petitions.

Petitions were presented and referred as follows:

By Mr. Hedlund, a petition (accompanied by bill, Senate, No. 2497) of Robert L. Hedlund and Garrett J. Bradley (by vote of the town council) for legislation relative to the issuance of certain bonds by the town of Cohasset [Local approval received];

Under Senate Rule 20, to the committee on Local Affairs and Regional Government.

By the same Senator, a petition (accompanied by bill, Senate, No. 2498) of Robert L. Hedlund (with approval of the mayor and town council) for legislation relative to permitting reinstated town employees to purchase creditable service for retirement purposes [Local approval received];

Under Senate Rule 20, to the committee on Public Service.

Severally sent to the House for concurrence.

Mr. Hedlund presented a petition (subject to Joint Rule 12) of Robert L. Hedlund for legislation relative to judicial review of site plan approval,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Committee Discharged.

Ms. Murray, for the committee on Ways and Means, reported, asking to be discharged from further consideration of the Senate Bill regulating mobile home parks in the town of Winchendon (Senate, No. 2199),— **and recommending that the same be referred to the Senate committee on Steering and Policy.**

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

PAPER FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation relative to authorizing the Rockland Sewer Commission to enter into a contract for the disposal of sewage and the Abington/Rockland Joint Water Works to enter into a contract for the supply of water (House, No. 5112),— **was referred, in concurrence, to the committee on Local Affairs and Regional Government.**

Resolutions.

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

Resolutions (filed by Mr. Montigny) “on the occasion of the retirement of Stanley A. Wojcik.”

PAPER FROM THE HOUSE.

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Linda J. Magno, an employee of the Department of Mental Retardation (see House, No. 5031, amended), 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 2 to 0.

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

Matters Taken Out of the Orders of the Day.

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

*The Senate Bill relative to the by-laws of the town of Plymouth (Senate, No. 2481),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed.***

Sent to the House for concurrence.

*The House Bill relative to the civil commitment process for persons with mental illness (House, No. 3170),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.***

*The House Bill relative to the founders of Boston University (House, No. 5079),— **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.

Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor, returning with recommendation of amendment the engrossed Bill making appropriations for the fiscal year 2004 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5076) as relates to section 30 (see House, No. 5083) [for message, see House, No. 5082],— came from the House with endorsement that the House rejected the amendment (as approved by committee on Bills in the Third Reading).

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

The Senate then rejected the amendment.

Sent to the House for re-enactment.

Engrossed Bills.

The following engrossed bills (both of which originated in the House), 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:

Providing for the annual observance of World War II Commemoration Day (see House, No. 1201); and

Relative to retirement rights of school committee appointees (see House, No. 3960).

Order Adopted.

On motion of Mr. Shannon,—

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