

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, October 28, 2004.

Met at seven 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 was received from the Honorable Robert E. Travaglini, President of the Senate, announcing the appointment of Senators Susan C. Tucker and John A. Hart, Jr. to the Special Commission established (pursuant to Section 292 of Chapter 149 of the Acts of 2004) to make an investigation and study relative to making an analysis of the regulation of assisted living facilities (received in the Office of the Clerk of the Senate on Wednesday, October 27, 2004).

The communication was placed on file.

Reports.

The following reports were severally read and placed on file:

A report of the Massachusetts Legal Assistance Corporation (under the provisions of Section 10 of Chapter 221A of the General Laws) submitting its annual report for fiscal year 2004 (received Friday, October 22, 2004);

A report of the Plainridge Racecourse (under the provisions of Section 2 of Chapter 128 of the General Laws) submitting copies of contracts for incoming signals (received Monday, October 25, 2004); and

A report of the Division of Unemployment Assistance (under the provisions of Section 14F of Chapter 151A of the General Laws, as most recently amended by Section 6 of Chapter 142 of the Acts of 2003) relative to the condition of the Unemployment Insurance Trust Fund as of September 30, 2004 and revised outlooks for the private contributory account from 2004 through 2008 (received Monday, October 25, 2004).

PAPERS FROM THE HOUSE.

A Bill relative to the reporting of abuse of elders (House, No. 1116,— on House, No. 2072, in part),— **was read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

A Bill authorizing the town of Westport to develop and maintain a subsidized housing plan for low and moderate income housing (House, No. 5050,— 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 severally considered forthwith and adopted, as follows:—

Resolutions (filed by Mr. Brewer) “in recognition of Duncan Stewart”;

Resolutions (filed by Mr. Pacheco) “congratulating Christopher Hoeffel Ladd upon his elevation to the rank of Eagle Scout”; and

Resolutions (filed by Mr. Pacheco) “congratulating Paul E. Zeller upon his elevation to the rank of Eagle Scout.”

The following Resolutions (having been filed with the Clerk by Messrs. Barrios, Antonioni, Baddour, Berry, Brewer and Brown, Ms. Chandler, Mr. Creedon, Ms. Creem, Ms. Fargo, Messrs. Glodis, Hart, Havern, Hedlund, Joyce, Knapik, Lees, Magnani and McGee, Ms. McIcconian, Ms. Menard, Messrs. Montigny, Moore and Morrissey, Ms. Murray, Messrs. Nuciforo, O’Leary, Pacheco and Panagiotakos, Ms. Resor, Messrs. Rosenberg and Shannon, Mrs. Sprague, Messrs. Tarr, Tisei, Tolman and Travaglini, Ms. Tucker, Ms. Walsh and Ms. Wilkerson) were considered forthwith, read and adopted, as follows:—

CONGRATULATING THE BOSTON RED SOX ON WINNING THE 2004 WORLD SERIES.

Whereas, On October 27, 2004, the Boston Red Sox, against all odds, won the World Series after a record-breaking 4 wins in a row against their arch rivals, the New York Yankees, followed by a 4-game sweep of the Saint Louis Cardinals; and

Whereas, Winning the World Series is a culmination of a heroic, on-the-field production by the hometown heroes’ superb pitching staff, explosive offensive lineup and impenetrable defense; and

Whereas, The Boston Red Sox have been labelled “America’s Team” because of their perseverance and spirit in the face of seeming insurmountable odds and have won the respect and admiration of professionals and sports enthusiasts with their dramatic come-from-behind victory against the New York Yankees to clinch the American League pennant; and

Whereas, The 2004 Boston Red Sox team will always be remembered for the game-winning theatrics of starting pitchers Curt Schilling, Pedro Martinez, Derek Lowe, Bronson Arroyo and Tim Wakefield, whose outstanding performances paralleled the relief efforts of Alan Embry, Curtis Leskanic, Mike Myers, Mike Timlin and Keith Foulke who took a “zero” ERA into the World Series in his post season efforts; and

Whereas, Catcher Jason Varitek was solid in his behind-the-plate performance that kept Boston’s winning streak alive and Doug Mirabelli was superb in his ability to catch the zany and nearly unhittable knuckle ball of pitcher Tim Wakefield; and

Whereas, David Ortiz, Manny Ramirez, Mark Bellhorn, Johnny Damon, Jason Varitek and Bill Mueller provided game-winning home runs by the Sox’s powerful offense which was not to be outdone by the bats of Trot Nixon, Orlando Cabrera, Kevin Millar, Pokey Reese, Gabe Kapler, Dave Roberts and Doug Mientkiewicz; and

Whereas, The offensive team became a defensive nightmare for the opponents, evidenced by a World Series performance in which the Boston Red Sox were ahead for 34 of the 36 innings they played against the Saint Louis Cardinals, the remaining 2 innings of which they were tied; and

Whereas, The 2004 Boston Red Sox team, led by the skilled and devoted manager Terry Francona, have brought deserving praise upon themselves, Major League Baseball, the city of Boston and the entire Commonwealth; and

Whereas, After 86 years, next year is finally here and the Boston Red Sox team has brought the elusive World Series trophy home; now therefore be it

Resolved, That the Massachusetts Senate joins with the nation in saluting the members of the 2004 Boston Red Sox team, its managers and owners, on winning the 2004 World Series; and be it further

Resolved, That a copy of these resolutions be transmitted forthwith by the Clerk of the Senate to the Boston Red Sox organization.

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 House Bill authorizing the town of Bellingham to establish a sewer construction capital fund (House, No. 4014),— **was read a third time and passed to be engrossed, in concurrence.**

Report of a Committee.

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill concerning the definition of World War Two Veteran (Senate, No. 2371),— ought to pass, with an amendment in section 1, by striking out the word “and”, in line 13, and inserting in place thereof the word “or”.

There being no objection, the rules were suspended, on motion of Ms. Murray, and the bill was read a second time, and

was amended as recommended by the committee on Ways and Means and ordered to a third reading. The bill (Senate, No. 2371, amended) was then read a third time and passed to be engrossed, its title having been changed by the committee in Bills in Third Reading to read as follows: “An Act further defining World War II Veteran”. Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A Bill authorizing the city of Revere to reinstate Michael Stuart as a firefighter (House, No. 5072,— on petition) [Local approval received],— was read.

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

Engrossed Bill.

An engrossed Bill relative to creditable service for vocational education teachers (see Senate, No. 1559, amended) (which originated in the Senate), **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.**

A petition (accompanied by bill, House, No. 5122) of Louis L. Kafka, William C. Galvin and Brian A. Joyce that the Division of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land located in the town of Stoughton to said town,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on State Administration.**

Order Adopted.

On motion of Mr. Knapik,—

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday next at eleven o’clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

On motion of the same Senator, at twenty-eight minutes before twelve o’clock noon, the Senate adjourned to meet on the following Monday at eleven o’clock A.M.