

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 30, 2003.

Met at twelve minutes past eleven o'clock A.M.

The President, members, guests and employees then recited the pledge of allegiance to the flag.

Petitions.

Petitions were presented and referred, as follows:

By Mr. Berry, a petition (subject to Joint Rule 12) of Frederick E. Berry, Mary E. Grant and Theodore C. Speliotis for legislation relative to adjustment or recovery of medical assistance;

By Mr. Panagiotakos, a petition (subject to Joint Rule 12) of Steven C. Panagiotakos and Geoffrey D. Hall for legislation to include building commissioners, inspectors of building and local building inspectors of a city or town in Group 2 of the state retirement system; and

By Mr. Rosenberg, a petition (subject to Joint Rule 12) of Stanley C. Rosenberg, Andrea F. Nuciforo, Jr., Thomas M. Petrolati, John W. Scibak and other members of the General Court for legislation to establish the Hampshire County Regional Housing Authority;

Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of Committees.

By Ms. Melconian, for the committee on Science and Technology, that the House Bill providing for investments in emerging technologies to stimulate job creation and economic opportunity in the Commonwealth (House, No. 3955, printed as amended),— ought to pass, with amendments, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2124; and by striking out the title and inserting in place thereof the following title: "An Act to promote job creation, economic stability and competitiveness in the Massachusetts economy."

Referred, under Senate Rule 27, to the committee on Ways and Means.

By Ms. Creem, for the committee on Taxation, on petition, a Bill relative to the taxation of forest, farm and recreation land (Senate, No. 1809); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1771), a Bill relative to the research and development tax credit (Senate, No. 2122);

Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Ms. Fargo, for the committee on Local Affairs and Regional Government, on petition (accompanied by bill, Senate, No. 144), a Bill authorizing Barnstable County to administer the repair, replacement and upgrade of septic systems (Senate, No. 2123); **Read and, under Senate Rule 26B, referred to the committee on Long-Term Debt and Capital Expenditures.**

By Ms. Fargo, for the committee on Local Affairs and Regional Government, on petition, a Bill establishing a preservation fund in the town of Hubbardston (Senate, No. 2074) [Local approval received]; **Read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

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 to improve public health in the Commonwealth (House, No. 4256, printed as amended) (Senators Baddour and Tarr dissenting).

Resolutions.

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

Resolutions (filed by Mr. Baddour) “congratulating Larry F. Giordano on the occasion of his fortieth anniversary in martial arts”;

Resolutions (filed by Mr. Joyce) “commemorating the three hundred and twenty-fifth anniversary of the First Congregational Church, United Church of Christ of Milton”;

Resolutions (filed by Mr. Joyce) “on the occasion of the twenty-fifth anniversary of the Canton High School/St.-Georg-Gymnasium, Germany Student Exchange Program”;

Resolutions (filed by Mr. Joyce) “commemorating the dedication of Canton’s Engine 6”;

Resolutions (filed by Mr. Knapik) “congratulating Joseph T. Wright”;

Resolutions (filed by Mr. Knapik) “congratulating Joseph L. Peters”;

Resolutions (filed by Mr. Moore) “honoring Charlie ‘Kooch’ and Ismini ‘Mina’ Fokas”;

Resolutions (filed by Mr. Pacheco) “congratulating Matthew A. Barthe on his elevation to Eagle Scout”;

Resolutions (filed by Mr. Tisei) “celebrating the two hundredth anniversary of the First Baptist Church of Malden”;

Resolutions (filed by Messrs. Travaglini, Berry, Antonioni, Baddour, Barrios and Brewer, Ms. Chandler, Mr. Creedon, Ms. Creem, Ms. Fargo, Messrs. Glodis, Hart, Havern and Hedlund, Ms. Jacques, Messrs. Joyce, Knapik, Lees, Magnani and McGee, Ms. Melconian, 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 and Tolman, Ms. Tucker, Ms. Walsh and Ms. Wilkerson) “honoring Patrick F. Scanlan”; and

Resolutions (filed by Ms. Wilkerson) “honoring Mable Graham.”

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 town of Palmer (Senate, No. 1947),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act authorizing the town of Palmer to establish a special revenue fund”. Sent to the House for concurrence.**

The House Bill designating the Pegan Cove property in the town of Natick as the Tony Anniballi Memorial Park at Pegan Cove (House, No. 3367),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act designating a certain property in the town of Natick as the Tony Anniballi Memorial Park at Pegan Cove”.**

The House Bill relative to the appointment of retired police officers as special police officers in the town of Acushnet (House, No. 3923),— **was read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act authorizing the appointment of retired police officers as special police officers in the town of Acushnet”.**

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 Robert L. Hedlund and James Michael Murphy for legislation to exempt acute care hospitals from contributing to the uncompensated care pool.

Senate Rule 36 was suspended, on motion of Mr. Brewer, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Health Care. Sent to the House for concurrence.

Petition.

On motion of Mr. Tarr, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Mr. Berry (accompanied by bill) of Frederick E. Berry and J. Michael Ruane for legislation to require late counting of certain overseas absentee ballots in municipal elections,— **and the same was referred to the committee on Election Laws.**

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4283) of Mark J. Carron and other members of the General Court relative to the restrictions on leghold traps;

Under suspension of Joint Rule 12, to the committee on Natural Resources and Agriculture.

Petition (accompanied by bill, House, No. 4284) of Anthony J. Verga and Bruce E. Tarr for legislation to designate a certain traffic island in the city of Gloucester as the Paul Bergmann Memorial Traffic Island;

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

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 President and laid before the Governor for his approbation, to wit:

Authorizing the town of Tewksbury to establish an affordable housing trust fund (see Senate, No. 1182);

Relative to the extension of municipal sewer and water services to Plum Island (see House, No. 4070, amended); and

Authorizing the town of Saugus to continue the employment of police officer Peter Cicolini (see House, No. 4115).

Recess.

There being no objection, at twenty minutes past eleven o'clock A.M., the President declared a recess subject to the call of the Chair; and, at six minutes past three o'clock P.M., the Senate reassembled, the President in the Chair.

Orders Adopted.

Ms. Murray offered the following order, to wit:—

Ordered, That when the committee on Ways and Means issues its report on the House Bill providing for investments in emerging technologies to stimulate job creation and economic opportunity in the Commonwealth (House, No. 3955, printed as amended) on Monday, November 3, it shall be placed in the Orders of the Day for Wednesday, November 5, and that full consideration be allowed on said bill. The Ways and Means amendment shall be adopted as the new text to the Science and Technology new text, Senate, No. 2124 and the main bill shall be immediately ordered to a third reading and read a third time. All amendments to this matter must be filed with the Clerk of the Senate no later than 11:00 A.M. on Tuesday, November 4, 2003.

There being no objection, the order was considered forthwith; and it was adopted.

On motion of Mr. Tarr,—

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 Ms. Murray, at eight minutes past three o'clock P.M., the Senate adjourned to meet on the following Monday at eleven o'clock A.M.