

**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, December 27, 2004.*

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

*Committee Discharged.*

Mr. Brewer, for the committee on Ethics and Rules, to whom was referred the Senate Order relative to authorizing the joint committee on Taxation to make an investigation and study of certain Senate documents relative to taxation (Senate, No. 2301), reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1997) of Andrea F. Nuciforo and Stephen Kulik relative to certain property tax assessments in the town of Williamsburg,— and recommending that the same be recommitted to the committee on Taxation.

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

#### PAPERS FROM THE HOUSE.

##### Bills

Relative to the transporting of persons in wheelchairs (House, No. 2650,— on petition); and

Authorizing the county commissioners of the county of Norfolk to borrow money for the preparation of plans and specifications for renovation of and additions to the Presidents Golf Course Clubhouse at Norfolk County's Wollaston Recreational Facility (House, No. 4044,— on House, No. 4878, in part);

**Were severally 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 Mrs. Sprague) "on the occasion of the retirement of Steve Martin."

#### *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 Natick to enter into a certain agreement with the town of Wellesley (House, No. 4043),— was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Magnani presented an amendment adding the following words:—  
“If a charge or fee secured by such lien remains unpaid when the town of Wellesley assessor is preparing a real estate tax list and warrant, upon request by the town of Natick, the charge or fee may be added to the tax on such property pursuant to section 58 of chapter 40 of the General Laws. Upon receipt of tax payments which include a charge or fee imposed pursuant to the agreement authorized by this act, the town of Wellesley shall forthwith transfer such charge or fee payment to the town of Natick.

SECTION 2. This act shall take effect upon its passage.”.

**This amendment was adopted.**

**The bill was then passed to be engrossed, in concurrence, with amendment.**

**Sent to the House for concurrence in the amendment.**

#### PAPERS FROM THE HOUSE.

A Bill authorizing the town of Brookline to issue pension obligation bonds (House, No. 4404,— on petition) [Local approval received],— was read.

**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, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act authorizing the town of Brookline to issue pension obligation bonds or notes.”**

A Bill relative to the appointment of certified harbormasters in the Commonwealth (House, No. 4588,— on Senate, No. 1220 and House, No. 3005),— was read.

**There being no objection, the rules were suspended, on motion of Mr. Tolman, and the bill 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 relative to the appointment of certified harbormasters.”**

#### *Engrossed Bill.*

An engrossed Bill relative to filling vacancies in the city council of the city of Quincy (see Senate, No. 2260) (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.**

#### *Recess.*

There being no objection, at twelve minutes past eleven o’clock A.M., the Chair (Mr. Hart) declared a recess subject to the call of the Chair; and, at one minute past twelve o’clock noon, the Senate reassembled, Mr. Hart in the Chair.

#### PAPERS FROM THE HOUSE.

#### *Emergency Preamble Adopted.*

An engrossed Bill increasing the minimum age for appointment as a police officer (see House, No. 4218), 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 3 to 0.

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

#### *Engrossed Bills.*

An engrossed Bill relative to the underground cable reimbursement schedule (see House, No. 4892, printed as 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.**

The following engrossed bills (the first four 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 Orleans to issue bonds to create or preserve affordable housing (see Senate, No. 2021);

Authorizing self-monitoring and treatment of students with diabetes (see Senate, No. 2231);

Relative to the charter in the city of Peabody (see Senate, No. 2492);

Authorizing the town of Millbury to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see Senate, No. 2493);

Relative to the appointment of special police officers in the city of Melrose (see House Bill, printed as Senate, No. 2452,

amended);

Ceding concurrent jurisdiction to the United States over certain property located at the former Devens Army Base (see House, No. 1141);

Prohibiting fees for mailing bills or invoices (see House, No. 4398, amended);

Providing for the appointment of a clerk-treasurer of the Onset Fire District (see House, No. 4932); and

Relative to the granting of all alcoholic beverages licenses to be drunk on the premises by the town of Rockport (see House, No. 5107).

A Bill establishing a sick leave bank for Sean Glennon, an employee of the Trial Court of the Commonwealth (House, No. 5137,— on petition),— was read.

**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, its title having been changed by the committee on Bills in Third Reading to read as follows: “An Act establishing a sick leave bank for Sean Glennon, an employee of the Trial Court.”**

A Bill relative to vessel safety (House, No. 5165,— on House, No. 4572, in part),— was read.

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

*Recess.*

There being no objection, at ten minutes past twelve o’clock noon, the Chair (Mr. Hart) declared a recess subject to the call of the Chair; and, at seventeen minutes before two o’clock P.M., the Senate reassembled, Mr. Hart in the Chair.

*Distinguished Guests.*

There being no objection, the Chair (Mr. Hart) introduced, seated in the rear of the Chamber, Mr. Vincent Tran of New Jersey, a member of the Vietnamese American Committee, Mr. Vary Has, Advisor to the Prime Minister of Cambodia, and Dr. Hai Van Ha, a member of the Human Rights Commission in Geneva. They were the guests of Senator Hart.

PAPERS FROM THE HOUSE.

*Emergency Preamble Adopted.*

An engrossed Bill relative to vessel safety (see House, No. 5165, 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 3 to 0.

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

*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:

Relative to the financial conditions in the town of Southbridge (see Senate, No. 2518, amended);

Increasing the minimum age for appointment as a police officer (see House, No. 4218); and

Relative to vessel safety (see House, No. 5165, amended).

*Order Adopted.*

On motion of Mr. Moore,—

*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. Tolman, at nine minutes before two o’clock P.M., the Senate adjourned to meet on the following Thursday at eleven o’clock A.M.