

**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, September 11, 2006.*

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

#### *Moment of Silence.*

The Chair (Mr. Creedon), requested that a moment of silence be observed for the memory of those who lost their lives due to terrorist activities on Tuesday, September 11, 2001.

#### *Reports of a Committee.*

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill establishing the Massachusetts Catastrophic Event Fund (Senate, No. 628),— ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2719). Referred, under Senate Rule 26, to the committee on Ethics and Rules.

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill relative to the Northeast Solid Waste Committee (Senate, No. 2589),— ought to pass.

**There being no objection, the rules were suspended, on motion of Mr. Tarr, 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 abolishing the Northeast Solid Waste Committee."**

#### *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 residency requirements for regular fire and police officers (Senate, No. 2705),— **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 further specifying residency requirements for regular fire and police officers in the town of Boxborough".**

**Sent to the House for concurrence.**

The Senate Bill relative to certain conservation land in the town of Amherst (Senate, No. 2711),— **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 directing the State Superintendent of State Office Buildings to install a plaque or painting in honor of school nurses in the State House (House, No. 3531) (its title having been changed by the committee on Bills in the Third Reading),— **was read a third time and passed to be engrossed, in concurrence.**

The House Bill exempting the position of school custodian in the town of Hull from the civil service law (House, No. 4208) (its title having been changed by the committee on Bills in the Third Reading),— **was read a third time and passed to be engrossed, in concurrence.**

The House Bill exempting the position of superintendent of streets of the town of Hull from the civil service law (House, No. 4309),— **was read a third time and passed to be engrossed, in concurrence.**

The House Bill designating a portion of the Captain William K. Webb Memorial State Park in the town of Weymouth as the Robert B. Ambler Walkway (House, No. 4921),— **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.**

The House Bill increasing the statute of limitations for sexual crimes against children (House, No. 5234),— came from the House passed to be engrossed, in concurrence with an amendment striking out Sections 8, 9, 9A and 10 and inserting in place thereof the following two sections:

“SECTION 9. Chapter 277 of the General Laws is hereby amended by striking out section 63, as so appearing, and inserting in place thereof the following section:

Section 63. An indictment for murder may be found at any time after the death of the person alleged to have been murdered. An indictment or complaint for an offense set forth in section 13B, 13F, 13L, 22A, 23 or 24B of chapter 265, for conspiracy to commit any of these offenses, as an accessory thereto, or any 1 or more of them may be found and filed at any time after the date of the commission of such offense; but any indictment or complaint found and filed more than 27 years after the date of commission of such offense shall be supported by independent evidence that corroborates the victim’s allegation. Such independent evidence shall be admissible during trial and shall not consist exclusively of the opinions of mental health professionals. An indictment for an offense set forth in sections 22 and 24 of chapter 265 or for conspiracy to commit either of these offenses or as an accessory thereto or any 1 or both of them may be found and filed within 15 years of the date of commission of such offense. An indictment for an offense set forth in sections 17, 18, 19 and 21 of said chapter 265 or section 17 of chapter 272, for conspiracy to commit any such crime, as an accessory thereto, or any 1 or more of them may be found and filed within 10 years after the date of commission of such offense. An indictment for any other crime shall be found and filed within 6 years after such crime has been committed. Any period during which the defendant is not usually and publicly a resident within the commonwealth shall be excluded in determining the time limited.

Notwithstanding the first paragraph, if a victim of a crime set forth in section 13B, 13F, 13H, 22, 22A, 23, 24B, or 26A of chapter 265, or section 1, 2, 3, 4, 4A, 4B, 5, 6, 7, 8, 12, 17, 26, 28, 29A, 29B, 33, 34, 35 or 35A of chapter 272 is under the age of 16 at the time the crime is committed, the period of limitation for prosecution shall not commence until the victim has reached the age of 16 or the violation is reported to a law enforcement agency, whichever occurs earlier.

SECTION 10. Section 368 of chapter 26 of the acts of 2003 is hereby amended by striking out, in lines 2 and 18, the figure ‘\$50’ and inserting in place thereof, in each instance, the following figure:— “75.” (as corrected, Senate BTR).

**The rules were suspended, on motion of Mr. Tarr, and the House amendment was considered forthwith and adopted, in concurrence.**

#### *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 (Mr. Creedon) and laid before the Governor for his approbation, to wit:

Relative to the charter of the town of Walpole (see Senate, No. 2581, amended); and

Further regulating hearings for residents of nursing facilities (see House, No. 2681, changed).

A petition (accompanied by bill, House, No. 5292) of Virginia M. Coppola and others that the Division of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land located in the town of Foxborough,— was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Bonding, Capital Expenditures and State Assets.

#### *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 the same Senator, at twenty minutes past eleven o’clock A.M., the Senate adjourned to meet on the following Thursday at eleven o’clock A.M.