

**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, October 3, 2005.*

Met at four minutes past eleven o'clock A.M. (Ms. Walsh in the Chair).

The Senator from Middlesex, Ms. Fargo, led the Chair (Ms. Walsh), members, guests and employees in the recitation of the pledge of allegiance to the flag.

#### *Communication.*

A communication from the Massachusetts Office of Dispute Resolution submitting a copy of its Progress Report for fiscal years 2002-2005 (received Thursday, September 29, 2005),— **was read and sent to the House for its information.**

#### *Report.*

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 for the month of August 2005 (received Thursday, September 29, 2005),— **was placed on file.**

#### *Petitions.*

Petitions were presented and referred, as follows:

By Mr. O'Leary, a petition (subject to Joint Rule 12) of Robert A. O'Leary and Eric Turkington for legislation to establish the Martha's Vineyard housing bank; and

By Mr. Tarr (by request), a petition (subject to Joint Rule 12) of Frances Dec for legislation relative to land use regulations; **Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

#### *Reports of Committees.*

By Mr. Joyce, for the committee on Housing, on petition, a Bill relative to data collection for affordable housing (Senate, No. 800);

By Mr. Hart, for the committee on Tourism, Arts and Cultural Development, on petition, a Bill relative to the disposition of museum property (Senate, No. 1836); and

By the same Senator, for the same committee, on petition, a Bill relative to the Massachusetts historical rehabilitation tax credit (Senate, No. 1848);

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

By Mr. Tolman, for the committee on Mental Health and Substance Abuse, on petition, a Bill requiring the Division of Medical Assistance to reimburse hospitals for the costs of psychiatric patients on medical units (Senate, No. 1146) (Estimated cost — \$219,000 annually);

By the same Senator, for the same committee, on petition, a Bill to provide equitable coverage for substance abuse (Senate, No. 1148); and

By the same Senator, for the same committee, on petition, a Bill to ensure adequate adult day health services (Senate, No. 1155);  
**Severally read and, under Joint Rule 1E, referred to the committee on Health Care Financing.**

By Mr. Tolman, for the committee on Mental Health and Substance Abuse, on petition, a Bill making technical corrections to Chapter 232 of the Acts of 1998 (Senate, No. 1150);

By the same Senator, for the same committee, on petition, a Bill relative to reckless endangerment (Senate, No. 1157); and

By Mr. Hart, for the committee on Tourism, Arts and Cultural Development, on petition, a Bill regarding consignment of fine art (Senate, No. 1838);

**Read and, under Rule 26, referred to the committee on Ethics and Rules.**

Ms. Menard, for the committee on Ethics and Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The Senate Bill relative to rates of pilotage (Senate, No. 2204).

#### PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4376) of Daniel E. Bosley for legislation to make certain changes in the organization and operation of the Northern Berkshire Industrial Park and Development Corporation,— **was referred, in concurrence, under suspension of Joint Rule 9, to the committee on Economic Development and Emerging Technologies.**

#### *Resolutions.*

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

Resolutions (filed by Messrs. Augustus, Barrios, Berry, Brewer, Brown, Ms. Chandler, Ms. Creem, Messrs. Havern, McGee, Montigny, Moore, Morrissey, Ms. Murray, Messrs. Nuciforo, O’Leary, Pacheco, Ms. Resor, Ms. Spilka, Messrs. Tisei, Tolman and Ms. Tucker) “recognizing October as Domestic Violence Awareness Month”;

Resolutions (filed by Mr. Augustus and Ms. Chandler) “recognizing YMCA/Daybreak Resources”;

Resolutions (filed by Mr. Knapik) “in honor the Fowler Family, Fowler Township, Ohio”;

Resolutions (filed by Mr. Morrissey) “on the retirement of Sister Joanne Westwater”;

Resolutions (filed by Ms. Resor) “congratulating Theatre III”; and

Resolutions (filed by Ms. Wilkerson) “congratulating the Peoples Baptist Church”.

#### *Reports of Committees.*

By Ms. Menard, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Marc R. Pacheco, Thomas J. O’Brien, Patricia A. Haddad and James H. Fagan for legislation to further regulate utility customer service.

**Senate Rule 36 was suspended, on motion of Mr. Knapik, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Telecommunications, Utilities and Energy.**

**Sent to the House for concurrence.**

#### *Order Adopted.*

On motion of Ms. Fargo,—

*Ordered*, That when the Senate adjourns today, it adjourn to meet again on Wednesday 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. Knapik, at six minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Wednesday at eleven o'clock A.M.