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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Monday, October 6, 2008.

Met at five 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.

PAPERS FROM THE HOUSE.

A Bill validating the action taken at the special town election held in the town of Oak Bluffs (printed in House, No. 4932,— being a message from His Excellency the Governor),— **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

Bills

Authorizing the town of Natick to grant eight additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 4831,— on House, Nos. 4831 and 4950, in part) [Local approval received on House, No. 4831]; and
Authorizing the town of Northborough to grant an additional alcoholic beverage license for the sale of wine and malt beverages (House, No. 4937,— on petition) [Local approval received];

Were severally 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 considered forthwith and adopted, as follows:—
Resolutions (filed by Mr. Panagiotakos) “recognizing the extraordinary volunteer public service of Helena ‘Mickey’ Crocker on her eightieth birthday.”

PAPERS FROM THE HOUSE.

Engrossed Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor, returning with recommendation of amendment the engrossed Bill that the town of Orange be authorized to establish a firearms licensing fund (see House, No. 4278) [for message, see House, No. 4934],— came from the House with an amendment in the form approved by the committee on Bills in the Third Reading as follows:—
“In Section 1, by striking out the second sentence and inserting in place thereof the following sentence: “The town treasurer shall keep the fund separate and apart from all other funds of the town and shall deposit in the fund the town’s share of all monies associated with firearms licensing, firearms licenses and firearm identification card fees received by the town.”

The message, as amended was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

The rules were suspended, on motion of Mr. Knapik, and the Governor’s amendment, as amended was considered forthwith.

**On motion of Mr. Knapik, the Governor's amendment, as amended, was adopted, in concurrence.
Sent to the House for re-enactment.**

The House Bill relative to certain health insurance options for municipal retirees (House, No. 4516),— came from the House with an amendment adding the following section:—

SECTION 2. Section 18 of chapter 32B of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after the word “coverage”, in line 10, the following words:— “; provided, further, that retirees or spouse, who has a dependent who is not enrolled or eligible to be enrolled in Medicare part A at no cost shall not be required to transfer to a Medicare extension plan if a transfer requires the retiree or spouse to continue the existing family coverage for the dependent in a plan other than a Medicare extension plan offered by the government unit.”

The rules were suspended, on motion of Ms. Chandler, and the House amendment was considered forthwith and adopted, in concurrence.

Engrossed Bill.

An engrossed Bill establishing the Walpole Economic Development and Industrial Corporation (see Senate, No. 2786) (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 (Mr. Hart) and laid before the Governor for his approbation.

A Bill including the town of Pepperell within the Ayer economic target area and economic opportunity area (House, No. 4986,— on petition),— was read.

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

Pending the question on ordering the bill to a third reading, Mr. Panagiotakos presented an amendment, striking out section 1 and inserting in place thereof the following section:—

SECTION 1. Chapter 498 of the acts of 1993 is hereby amended by striking out section 18 and inserting in place thereof the following section:—

SECTION 18. Designation as Commonwealth Economic Target and Opportunity Areas. Devens and the town of Ayer are hereby designated Economic Target Areas and Economic Opportunity Areas as defined in section 3 of chapter 23A of the General Laws. Pursuant to such designations, certain development projects within Devens, and the towns of Shirley, Pepperell and Ayer, shall be eligible for tax deductions, credits and abatements and other economic incentives as provided for in chapter 19 of the acts of 1993. The designation of Devens and the towns of Ayer, Pepperell and Shirley as Economic Target Areas shall be in addition to the Economic Target Areas that are authorized to be established throughout the commonwealth pursuant to section 6 of chapter 110 of the acts of 1993. For the purposes of this act, the Ayer Economic Target Area and Economic Opportunity Area shall include the land located in the town of Groton known as the West Groton Mill or the Old Leatherboard Mill, and shown on the town of Groton assessors' map M as parcel 129.

The amendment was adopted.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

Order Adopted.

On motion of Mr. Knapik,—

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.

Adjournment in Memory of Franklin J. “Porky” Lacoste.

The Senator from Worcester, Hampden, Hampshire and Franklin, Mr. Brewer, requested that when the Senate adjourns today, it adjourn in memory of Franklin J. “Porky” Lacoste of Athol.

Franklin J. “Porky” LaCoste passed away on Thursday, September 25th at age 90. “Porky” who is from the town of Athol, joined the Army with his six friends from the Athol-Orange area in October 1940. He was serving in the Philippines when the bombing of Pearl Harbor began on December 7, 1941 and the attack continued into the Philippines. He fought for three months in the battle of Bataan and was captured by Japanese soldiers in April 1942. He joined more than 70,000 Filipinos and Americans on the 60 mile trail of the infamous Bataan Death March. “Porky” spent time in four different POW camps controlled by the Japanese and ended up in the 2-copper mining camps in Japan. “Porky” was a true American hero, a recipient of the Purple Heart Medal and many other well deserved medals for his bravery and service to his country.

“Porky” was a tiny man with a big heart and remembered by friends as much for his sense of humor as for the tragic four years he spent as a Japanese prisoner during World War II.

“Porky” is survived by his son, Larry F. LaCoste; a daughter, Caryl A. Thurber; six grandchildren and eight great-grandchildren.

Accordingly, as a mark of respect to the memory of Franklin J. “Porky” Lacoste, a half a past eleven o’clock A.M., on motion of Mr. Knapik, the Senate adjourned to meet again on Thursday at eleven o’clock A.M.