

Monday, January 5, 2004.

Met according to adjournment at eleven o'clock A.M.

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

Pledge of
allegiance.*Communications.*

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133-1053

By virtue of the Senate Order dated November 18, 2003, the office of senator from the Norfolk, Bristol, and Middlesex District became vacant at 11:59 P.M. on January 4, 2004. The vacancy will be filled by a special election on March 2, 2004 by operation of the same Senate order.

Sincerely,

WILLIAM F. WELCH,
Assistant Clerk, Acting Clerk.

The following communications were severally placed on file:

Communication from Michael J. Ashe, Jr., Hampden County Sheriff, submitting corrective action responses for the Hampden County Correctional Center (received Monday, November 24, 2003);

Hampden
County
Sheriff.

Communication from the Department of Telecommunications and Energy submitting a copy of its report on reducing the number of double utility poles within the Commonwealth (received Monday December 1, 2003);

Department of
Telecommu-
nications
and Energy.

Communication from the Massachusetts Bay Transportation Authority submitting its estimated capital or operating costs to be incurred in fiscal year 2004 for expansions or changes in service (received Tuesday, December 2, 2003);

MBTA.

Communication from the Commission on End of Life Care (under the provisions of Section 480 of Chapter 159 of 2000) submitting a copy of a report (received Tuesday, December 9, 2003);

Commission on
End of Life
Care.

Communication from the Executive Office of Transportation and Construction (under the provisions of item 6000-0100 of Section 2 of Chapter 26 of the Acts of 2003) submitting copies of several quarterly and special reports (received Friday, December 12, 2003); and

Executive
Office of
Transportation
and
Construction.

Communication from the Public Employee Retirement Administration Commission relative to its annual analysis of improving teacher recruitment (received Friday, January 2, 2004).

PERAC.

Reports.

The following reports were severally read and placed on file:

Massachusetts
Turnpike
Authority.

A report of the Massachusetts Turnpike Authority (under the provisions of Section 9 of Chapter 87 of the Acts of 2000) relative to the status of the Central Artery/Tunnel Project (received Friday, November 14, 2003);

Community
Economic
Development
Assistance
Corporation.

A report of the Community Economic Development Assistance Corporation (under the provisions of Section 6 of Chapter 40H of the General Laws) submitting its annual report (received Monday, November 17, 2003);

Massachusetts
Bay
Transportation
Authority.

A report of the Massachusetts Bay Transportation Authority, (under the provisions of Section 17 of Chapter 125 of the Acts of 2000) relative to transportation improvements in the Greenbush Commuter Line Corridor (received Monday, November 24, 2003);

Department of
Education.

A report of the Department of Education (under the provisions of Section 432 of Chapter 159 of the Acts of 2000) relative to special education (received Tuesday, November 25, 2003);

Id.

A report of the Department of Education (under the provisions of Section 89 of Chapter 71 of the General Laws) relative to the make-up of students enrolled in each charter school in the Commonwealth (received Monday, December 8, 2003);

Department of
Telecommu-
nications and
Energy.

A report of the Department of Telecommunications and Energy (under the provisions of Section 2 of Chapter 166A of the General Laws) relative to petitions for appeal of decisions involving cable television regulation in 2003 (received Tuesday, December 30, 2003);

Commission on
Indian Affairs.

A report of the Commission on Indian Affairs (under the provisions of Section 8A of Chapter 6A of the General Laws) relative to its annual report for 2002 (received Tuesday, December 30, 2003);

Massachusetts
Water Pollution
Abatement
Trust.

A report of the Massachusetts Water Pollution Abatement Trust (under the provisions of Section 17 of Chapter 29C of the General Laws) relative to the comprehensive annual financial report (received Tuesday, December 30, 2003);

Division of
Employment
and Training.

A report of the Division of Employment and Training (under the provisions of Chapter 233 of the Acts of 1983) relative to the condition of the private contributory portion of the Commonwealth's unemployment insurance trust fund (received Friday, January 2, 2004); and

Betsy
Lehman
Center.

A report of the Department of Public Health (under the provisions of Section 6A(d) of Chapter 177 of the Acts of 2001) relative to the Betsy Lehman Center for Patient Safety and Medical Error Reduction (received Friday, January 2, 2004).

The following reports were severally read and sent to the House for its information:

Franklin
County Jail
and HOC,—
inspection.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of the Franklin County Jail and House of Correction (received Monday, November 17, 2003);

Massachusetts
Alcohol and
Substance
Abuse Center.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of the Massachusetts Alcohol and Substance Abuse Center (received Wednesday, December 3, 2003);

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of the Berkshire County House of Correction and Jail (received Monday, December 8, 2003);

Berkshire County HOC and Jail.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of the Norfolk County Correctional Center, the Bridgewater Correctional Facility and the Massachusetts Treatment Center (received Monday, December 8, 2003);

Norfolk and Bridgewater Correctional Center,— etc.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of the Boston Pre-Release Center (received Tuesday, December 9, 2003);

Boston Pre-Release Center.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of the Bay State Correctional Center (received Tuesday, December 23, 2003);

Bay State Correctional Center.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of the Middlesex County Jail (received Monday, January 5, 2004); and

Middlesex County Jail.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of MCI Framingham (received Friday, January 2, 2004).

MCI Framingham.

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4410) of Eugene L. O'Flaherty (with the approval of the mayor and city council) relative to the composition of the school committee of the city of Chelsea;

Chelsea,— school committee.

To the committee on Education, Arts and Humanities.

Petition (accompanied by bill, House, No. 4411) of Bradford Hill and Bruce E. Tarr (by vote of the town) providing for a certain real property tax exemption in the town of Hamilton;

Hamilton,— real property tax exemption.

To the committee on Taxation.

A Bill relative to parking violations in the town of Wellfleet (House, No. 4122,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Wellfleet,— parking violations.

Resolutions.

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

Resolutions (filed by Mr. Pacheco) "congratulating Eric Dropps upon his elevation to the rank of Eagle Scout."

Eric Dropps.

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:

Myositis
Awareness
Day.

The House Bill providing for the annual observance of myositis awareness day (House, No. 3970),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

On motion of Ms. Wilkerson, at five minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Wednesday at eleven o'clock A.M., in a full formal session.

[Under the provisions of Article X of the Amendments to the Constitution, the 2003 session of the General Court was dissolved on the day preceding the first Wednesday of January, without any proclamation or other act of the Governor.]

Attest:

WILLIAM F. WELCH,
Assistant Clerk,
Acting Clerk of the Senate.

[P.S. During the 2003 session 161 Acts received Executive Approval; 7 Acts (Chapters 10, 43, 88, 102, 142, 157 and 168) became law without approval; and 4 Acts (Chapters 24, 45, 89 and 90) became law over the objections of the His Excellency the Governor.]