

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.

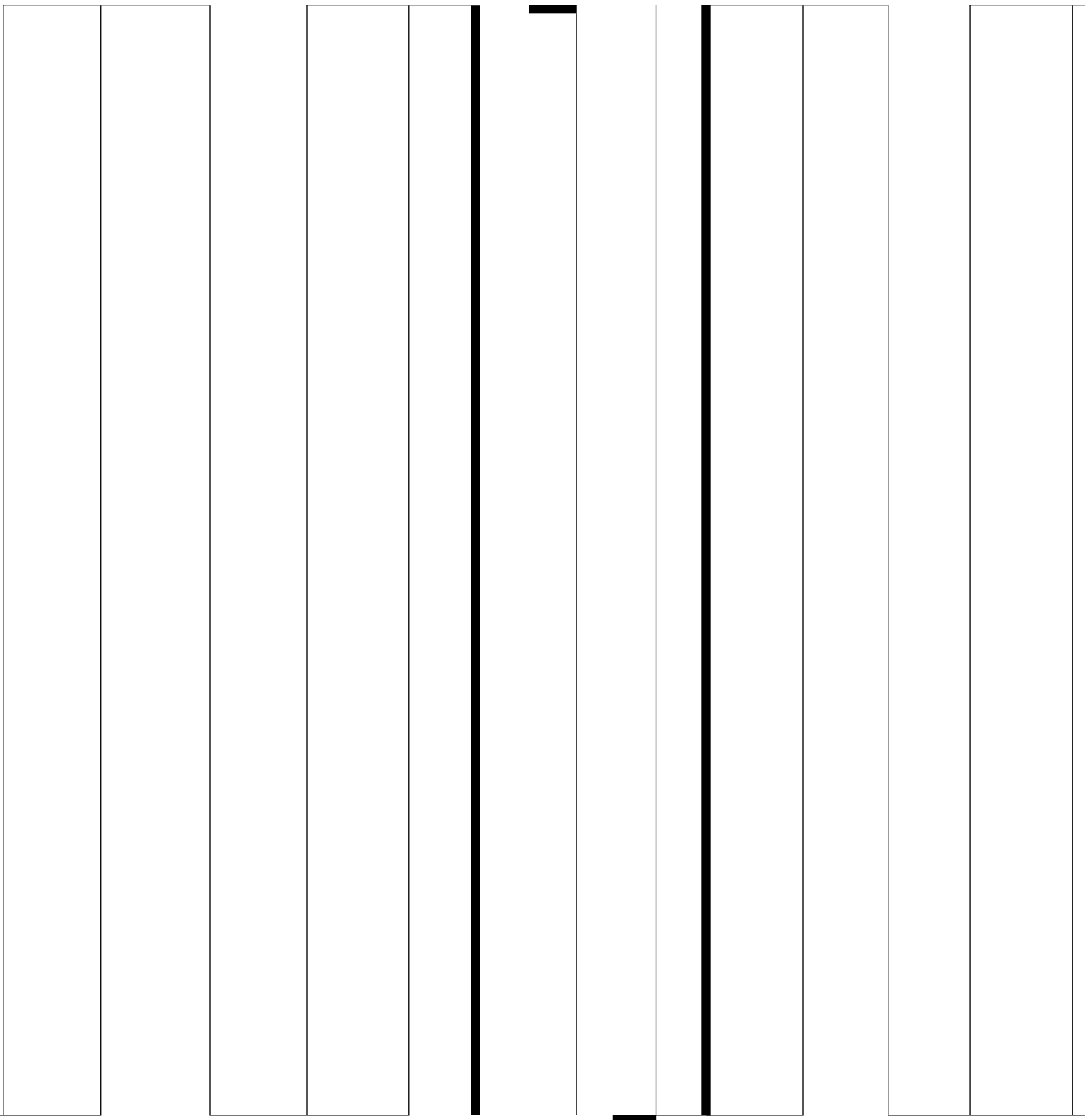
UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

At a General Court of the Commonwealth of Massachusetts, begun and holden at Boston on the first Wednesday, being the fifth day of January, in the year two thousand and five, and the two hundred and twenty-ninth of the independence of the United States of America, and the one hundred and eighty-fourth General Court of the Commonwealth, the following named members-elect of the Senate, having been duly summoned by the Executive, assembled at seventeen minutes past eleven o'clock A.M., in the Senate Chamber, to wit:—

Hon. Stephen J. Buonaiuti of West Springfield in the	Hon. Brian P. Leeson of East Longmeadow in the First	Hon. Michael R. Knapik of Hampden and Westfield in the Second	Hon. Stanley C. Hamenberger of Amherst in the	Hon. Steven C. Panagiotakos of Lowell in the First	Hon. Charles E. Shannon of Wincchester in the Second	Hon. Susan C. Fargo of Lincoln in the Third	Hon. Robert A. Haverhill of Arlington in the Fourth	Hon. Richard R. Tisei of Wakefield in the	Hon. Cynthia Stone of Creighton in the First	Hon. Karen E. Spilka of Ashland in the Second	Hon. Jarrett T. Barrios of Cambridge in the	Hon. Middlesex, Suffolk and Essex Districts.	Hon. Middlesex, Suffolk and Essex Districts.	Hon. Middlesex, Suffolk and Essex Districts.
--	--	---	---	--	--	---	---	---	--	---	---	--	--	--





And were called to order by the Honorable Frederick E. Berry.

The following prayer was offered by Father Bernard McLaughlin of St. Gerard's Parish in Canton:

Fellows citizens of our great Commonwealth. Let us pray. Oh God of our forebears, we stand as people together (as we witnessed together on 9/11) and also as a people of unequal charity as we are doing for all of today's victims. Yet we are a people in the midst of challenges to our diversity, a diversity of background, a diversity of education, a diversity of moralities, a diversity of money and a diversity of views.

All of which is sometimes called class struggle. We all know that we come from different origins: places like Africa or Ireland or Italy or Latino lands or the Mid East and the Far East.

We also know that most of us worship — if at all — in different worshipping communities: in places like Cathedrals, Synagogues, Mosques and Buddhist Temples — and plain old storefronts.

We should always remember that our great blessing is to be found in this diversity and lies in the fact that together we are all free. The essence of our freedom is the right to speak, the right to create issues and the right to debate. Freedom is a God given right and gift. Freedom came with creation. It is good to rejoice in the fact that we are all free and at the same time we are all different. A democracy losses its vitality when it losses its differences and quiets its debates. We are left with the task as daunting as it may be to learn to communicate among ourselves — among the differences.

I come here today mostly to pray for and with my friend the President of the Senate. He knows there are people out there who are crying out for food and for justice and for medicine and for someone who cares. In my experience with Bob over the many years we have known each other he has always been a man of sensitivity, openness and kindness.

When we opened the food pantry — Our Daily Bread — Bobby was there with help. When we opened the shelter — Crossroads — Bobby was there with help. When we opened the ESL program for the new immigrants Bobby was there with help. I love him not because I agree with him all the time but because he knows what democracy and government and diversity are and should be. The ancient in conclusion we should not forget the ancient motto of the capital City of Boston is: “*Sit Dues Nobis Sicut Patribus*” may God be with us as he was with our fathers.

On motion of Mr. Panagiotakos, the above prayer was ordered printed in the Journal of the Senate.

At the request of Senator-elect Berry, the Senators-elect, guests and employees then recited the pledge of allegiance to the flag.

The National Anthem was sung by Ayla Brown of Wrentham, a student at Noble and Greenough School in Dedham, and the daughter of Senator-elect Scott P. Brown.

Order Adopted.

On motion of Ms. Murray,—

Ordered, That a committee be appointed by the Chair to wait upon His Excellency the Governor, Mitt Romney, Her Honor Kerry Healey, Lieutenant-Governor, of the Commonwealth and the Honorable Council and inform them that a quorum of the Senators-elect have assembled and are ready to be qualified.

Senators-elect Rosenberg of Hampshire and Franklin, Buoniconti of Hampden, Timilty of Bristol and Norfolk, Spilka of Middlesex and Norfolk, Augustus of Worcester and Brown of Norfolk, Bristol and Middlesex were appointed the committee.

Subsequently, Mr. Rosenberg, for the said committee, reported that the committee had waited upon His Excellency the Governor, Mitt Romney, Her Honor Kerry Healey, Lieutenant-Governor of the Commonwealth and the Honorable Council, and had conveyed to them the message of the Senate; and that the Governor had asked him to say that he would be pleased to attend forthwith upon the Honorable Senate, with the Honorable Council and the Constitutional officers, to administer the oaths of office. The report was accepted and the committee was discharged.

Soon after, His Excellency the Governor, Mitt Romney, Her Honor Kerry Healey, Lieutenant-Governor of the Commonwealth, members of the Honorable Council, William Francis Galvin, Secretary of the Commonwealth, Timothy P. Cahill, Treasurer and Receiver-General of the Commonwealth, and A. Joseph DeNucci, Auditor of the Commonwealth, came in; and the Senators-elect then took and subscribed the oaths of office required by the Constitution and a law of the United States to qualify them for the discharge of their duties as Senators at twenty-two minutes before twelve o'clock noon.

The Governor briefly addressed the Senate.

His Excellency the Governor, Mitt Romney, Her Honor Kerry Healey, the Lieutenant-Governor of the Commonwealth, the Honorable Council and the Constitutional officers then withdrew from the Chamber.

Qualification of a Senator.

The Honorable Charles E. Shannon did at twenty-four minutes before ten o'clock A.M., on Wednesday, January 5, 2005, take and subscribe the oath of office as State Senator from the Second Middlesex District.

Order Adopted.

On motion of Ms. Walsh,—

Ordered, That, pursuant to the provisions of Senate Rule 4A, the Senate shall proceed forthwith to the election of a President.

Ms. Tucker placed in nomination for President, Mr. Travaglini of Suffolk and Middlesex, and Ms. Tucker briefly addressed the Senate.

*Nomination Speech for Robert Travaglini to be Re-Elected Senate President
By Senator Susan C. Tucker, 2nd Essex and Middlesex.*

It is an honor and a privilege to rise to nominate Robert Travaglini for the Senate Presidency.

Unlike many of you in this chamber, I did not know Robert Travaglini well prior to his position as Senate President. We had never played golf together; never served on a committee together; and never hung around East Boston or the North End together.

I give you this history because I want to make it clear that I am nominating Senator Travaglini today for one reason. He got my support the old fashioned way — he earned it. He earned it through his remarkable performance as our President for the past two years. He has earned our respect. He has earned our gratitude for his care and stewardship of this remarkable institution called the

Massachusetts Senate. When we elected him President two years ago, we put our faith in him and he has paid us back in countless ways both large and small.

And, as a female nominator today, I would be remiss not to mention the President's sincere recognition and use of the talents of the women who serve in this Chamber. His well-placed faith in women such as our Ways and Means Chair Terry Murray does not go unnoticed.

Abraham Lincoln stated, "Nearly all men can stand adversity, but if you want to really test a man's character, give him power." Well, we gave you that power, Mr. President, and you passed the test.

It occurred to me that with technology today, we could all forego this ceremony and vote for our leaders by phone. You would simply call the Massachusetts Senate and get this recording:

Press 1 — If you want a Senate President who will respect you and your district.

Press 2 — If you want a Senate President who will make you proud to be a member of this Chamber, particularly when the eyes of the entire country are on you.

Press 3 — If you want a Senate President who is a straight-shooter with a sense of humor.

Press 4 — If you want all of the above. And it is Robert Travaglini who picks up the phone and is elected President.

Many of you in attendance may not know that when you see a sign that says 50 miles to Boston; it means 50 miles to this exact place, under the golden dome, in the Senate Chamber where you are now sitting. Such is the importance of this institution in the Commonwealth's history. Such is the enormous privilege and burden of he or she who is elected by this body to be the public face of the Senate.

Thousands of school children pass through this building each year. This guide (hold up) "What's Under the Golden Dome: A Children's Guide to the Massachusetts State House" is quite special. Several poems in this book were written by 3rd graders following their State House visit. Your young constituent, Mr. President, Leanne DiCarlo of Revere, wrote: "The Senate Chamber is big and blue. It has a lot of nice things too."

Among the nice things in this Senate Chamber today is the family of Senator Travaglini. We all know that behind every successful man is a surprised woman. Kelly, we thank you for the many, many sacrifices you, Taylor, Jennifer, and Andrew make day after day to share your husband and your father with us. We honor all of the families here today, because we know, that as we serve, our families also serve.

I also want to say that also among the nice things in this Chamber today are those whom the Senate President relies on daily to help run this Chamber — Arthur, David, David, Christian and others. You are first class and every member is grateful to you. The President's wisdom in selecting you is yet another mark of his excellent leadership.

Everyone in this Chamber knows the enormous challenges facing the Commonwealth in this session: Budget gaps, Medicaid funding, education formulas, insuring the uninsured, the Big Dig, and the list goes on.

Henry Kissinger said "Each success buys an admission ticket to a more difficult problem." And you, Mr. President, know this is true. And we know you are up to the task.

Whatever the outcome of these policy debates, I am confident that each Senator will play a significant role in shaping policy and legislation in the next two years, Republican or Democrat. Despite vociferous differences of opinion, each voice will be heard and each voice will be respected.

That has been a hallmark of your leadership, Mr. President, and that's why I am proud to nominate you for another term.

The nomination of Senator Travaglini for President was seconded by Mr. Montigny, who also briefly addressed the Senate.

I might begin in the interest of full disclosure, it is curious to me that we are best behaved when surrounded by our families. In the chamber, we never pay as much attention to the person speaking. I am truly grateful that our families keep us well in line on this special day. I am proud to stand before my colleagues, family, and friends to second this nomination. To do it in the midst of your family, Mr. President, Mrs. Travaglini, you raised a great son. Kelly, he got the better end. Kids, you have a good dad, and colleagues we have a great leader. Let me welcome the new members. You came through in your own right. You are victors in great challenges and in very difficult battles. We owe you a great welcome. I want to commend the Senate president's staff and all of the staff who work so hard in this building. You are overworked and underpaid. I want to reach across the aisle and commend the spirited opposition led by Brian Lees. I hold you and the members in the highest standards. The Senate class seated here in 1993 now occupies the upper reaches of Senate seniority. We were baptized by fire and asked to do difficult jobs early on in our careers. No one succeeded more clearly than our president. Trav is one of my closest and earliest friends in the class of 1993. I know in our business our critics assign low expectations to new leaders. Perhaps as former Ways and Means chairman I know your work, your skills, your compassion. Through every challenge we faced, my expectations of you were high and you

strongly exceeded those expectations. Despite a hard fought battle for the presidency you asserted creative, strong, out of the box leadership style. You smoothed out the wave left by the struggles for successorship. You motivated the Senate and led us through budget cuts and massive reform. You held your own and then some. I stress the then some. Against a veteran speaker and a polished governor, who are occasionally wrong, you won the battles that needed to be won. We delivered two on-time budgets with no new taxes. \$3 billion in cuts. Damage was done.

Make no mistake, but you more than your peer leaders did what we are elected to do, protect the most vulnerable residents of the commonwealth.

Losing this contest to you two years ago was no fun but dismantling the safety net was a far more horrifying prospect than the loss itself. I believe some may disagree, but our national leaders have failed miserably to understand the complexity of human suffering and the simplicity of human compassion. States will bear that burden. We have a responsibility ultimately to the taxpayers. We cannot be everything to everyone. In this Senate, clearly we strive to protect those who really need help.

There is no question that the last two years prepared him to lead us forward. He engaged in battle with so many here. He was challenged by a very well-financed governor who looked at elections the way he looked at venture capital business. I think the governor thought money would go a long way to straightening out this thing we called democracy. The government is not simply a hobby for the idle rich. We did many things that were under assault by other leaders in the building. Our president did not rest this fall when the rules dictated an end to formal sessions. It's hard, important work and real people are affected on the other side. Today is a sort of commencement. We leave behind challenges and we approach equal or greater challenges. A budget deficit, gay marriage, public safety, criminal judgment against those who pilfer the taxpayers in the Big Dig. Nothing is more important and challenging to us than reforming health care.

The governor is right to join with you, but wrong to lead the public to believe there is a free lunch on this subject. No healthcare is frankly deathly. The moral imperative here is that our goal must be quality health care for all. It is urgent we do this but it will be costly and sacrifices have to be made. Our love and thoughts go out to Sen. Shannon. At the end of the day difficult challenges require strong leadership.

*Nomination Speech for Brian P. Lees to be Elected Senate President
By Senator Richard R. Tisei, Middlesex and Essex District.*

Mr. Tisei placed the nomination for President, of Mr. Lees of Hampden and Hampshire.

Mr. President, in keeping with tradition, I am proud to nominate my friend, Brian P. Lees, the Leader of the Republican Caucus for the Office of President of the Senate.

As we gather here today to begin a new legislative session, we come to these historic chambers carrying with us the best wishes of our families, friends and our constituents.

We all share a sense of hope — that the people of our state will be better served through our efforts — and we carry with us the expectation that over the next two years we will build a record that we can all be proud of.

Soon we will engage in the **debate**, the **disagreement** and the occasional **rancor** that constitutes a healthy democratic government.

In creating our system of government, our founding fathers made it a point to establish a number of **checks and balances** to ensure that no one branch or for that matter no one party grew too strong and too **overpowering**. They realized that the most dangerous tendency of government was to become unaccountable and unchallenged.

So they created **safeguards, established protections and adopted rules** to ensure that the majority was held accountable and that the voice of the minority was always heard. Throughout the history of our state these safeguards have worked well and stood the test of time.

For the past twelve years, my friend Brian Lees has served as the Minority Leader of this chamber. During that time he has used just about every **tool**, every **tactic**, every **rule**, every **procedure**, and every **maneuver** available to him to lead the loyal opposition in this chamber.

In doing so, he has played an important role in the operation of this Senate.

He has **asked** the difficult questions, made the majority **explain and justify** their initiatives and most importantly has **ensured** that the legislative process is open and inclusive for each and every member.

Sometimes you forget that Brian is the leader of a caucus of only six because when he gets on a roll it would appear that he is a leader of sixteen.

Anyone who has seen him in action would agree that Brian definitely knows how to get his point across.

I am sure that you can imagine that sometimes his job is frustrating, knowing that no matter **how strong his argument or how worthy his cause** that often times he just don't have the votes he needs to succeed.

And yet, despite the long odds, he is usually successful in ensuring that the ideals and principles of our caucus and its members are incorporated into every major piece of legislation that leaves this chamber.

And while his job may be looked upon as confrontational by nature ... Brian somehow is able to balance it with **good humor and a spirit of cooperation** that has made each and every one of us a better more effective public servant.

Throughout Brian's career, he has held fast to the highest principles of his party — even when those principles were not considered fashionable.

And when the people of this great state *made* those principles *fashionable* — by electing three Republican governors — Brian Lees was instrumental in ensuring that the governor's voice was heard and agenda brought before this chamber for consideration.

Now, I am under no illusion that Brian Lees will win the office I am proudly nominating him for this morning. In fact it would take a small miracle for this august body to travel so far so fast.

However, I would remind everyone that miracles do happen, after all the Boston Red Sox did win the World Series this year ... so I guess anything is possible.

Barring a miracle when the votes for Senate President are counted, Brian will once again serve this Senate as Minority leader this Session.

He will continue to effectively lead our caucus during these proceedings.

He will continue to provide the checks and balances that this chamber needs to operate smoothly and efficiently.

And he will no doubt fight any legislative measure that attempts to turn the clock back on the progress we have made in lowering the state's tax burden for all citizens.

But most important of all, Brian P. Lees will persist with the same essential question he has asked for the last twelve years — **how much does it cost?**

Trust me, in a thousand different variations, you will hear that same phrase **over and over again**.

In conclusion, let me say this, one thing I am absolutely certain of is that over the next two years Brian Lees will be one of the **hardest working and most respected members** of this Senate.

He will continue to **build bridges, set the right tone and foster a spirit of cooperation** that will allow this Senate to accomplish great things over the next two years.

I am lucky to count Brian Lees as my colleague — and even more fortunate to call him my friend. I know that everyone here feels the same way.

Once again, I am deeply honored to nominate him for Senate President.

Thank you.

The nomination of Senator Lees for President was seconded by Mr. Tarr, who also briefly addressed the Senate.

Mr. President, today we are gathered in response to our Constitutional duties to organize the Senate in the ways that the members find most effective to face the challenges that lie ahead. Challenges that involve health care, education, our economy, the security of our neighborhoods and more.

As we do so I know that we are aware of the tremendous potential that exists in this body, particularly in light of its growth and development in the last session.

Today we must choose one from among us who has the ability to capture that potential and turn it into real and positive benefits for the Senate and our Commonwealth.

At such a time it is appropriate to reflect on the elements that give us strength and effectiveness as a deliberative body. Though there are many, a critical component of our success has been and will be that we are not possessed of monolithic thought or the singularity of opinion.

We prosper, Mr. President, because of our diversity of opinion, our respect for that diversity, and our employment of our differences to make us more effective together than we would be with each individual subscribing to a single point view.

Yet to have the benefit of diversity, members must rise to the difficult and daunting task of standing for, and presenting for consideration, ideas which differ from the majority.

More often than not, Mr. President, the leader who gives that benefit and strength to the Senate is Brian P. Lees. Serving with wit, and compassion and a commitment to this body and the citizens of our Commonwealth, Brian Lees infuses this chamber with independent, provocative and productive thought.

Often Brian Lees bears a heavy burden in fulfilling his role. While his efforts make a lasting positive contribution to the Senate, they are not always immediately successful.

Robert Louis Stevenson once said "And yours is not the less noble because no drum beats before you when you go out into your daily battlefields, and no crowds shout about your coming when you return from your daily victory or defeat."

Yet Brian's perseverance, his demonstrated commitment, and his unyielding, outreach to every member of this body teach us something time and time again. That lesson is that every Senator is important not because of party and not because of geography, but because he or she can propel the Senate to great achievement through the power of an idea, the power of reasoned analysis, or the power of passion to reach a particular goal.

Brian Lees gives us all reason to believe that we can make a difference every day that we serve in the Senate.

In the words of Abraham Lincoln, "The probability that we may fail in the struggle ought not to deter us from the support of a cause we believe to be just."

Thus, Mr. President, I'm proud to second the nomination of Brian P. Lees for President of the Massachusetts State Senate.

I do so with complete understanding that there are those who will view this as an act of futility. They are probably the same individuals, Mr. President, who did not share in my deep and abiding belief that the Red Sox would win a World Series in our lifetime.

Brian Lees is an accomplished student of our rules, a close advisor to President Travaglini, a skilled navigator in the legislative process, an articulate champion of worthy (and sometimes obscure) causes, and a dear friend to each and every one of us.

Regardless of the outcome of the pending vote, the Senate will be more animated because of his personality, more comprehensive because of his attention to detail, more innovative because of his boldness, and more collegial because of his spirit.

Whether or not we can call Brian Lees President, we can call him our friend and our colleague, and I know that each of us will be proud to do so.

On motion of Mr. Brewer, the nominations were closed.

The roll was called at fourteen minutes past twelve o'clock noon, and the following named members voted for Robert E. Travaglini of Suffolk and Middlesex:

Antonioni, Robert A.	Moore, Richard T.
Augustus, Edward M., Jr.	Morrissey, Michael W.
Baddour, Steven A.	Murray, Therese
Barrios, Jarrett T.	Nuciforo, Andrea F., Jr.
Berry, Frederick E.	O'Leary, Robert A.
Brewer, Stephen M.	Pacheco, Marc R.
Buoniconti, Stephen J.	Panagiotakos, Steven C.
Chandler, Harriette L.	Resor, Pamela

Creedon, Robert S., Jr.	Rosenberg, Stanley C.
Creem, Cynthia Stone	Spilka, Karen E.
Fargo, Susan C.	Timilty, James E.
Hart, John A., Jr.	Tolman, Steven A.
Havern, Robert A.	Travaglini, Robert E.
Joyce, Brian A.	Tucker, Susan C.
McGee, Thomas M.	Walsh, Marian
Menard, Joan M.	Wilkerson, Dianne —
	33.
Montigny, Mark C.	

The following named members voted for Brian P. Lees of First Hampden and Hampshire:

Brown, Scott P.	Tarr, Bruce E.
Knapik, Michael R.	Tisei, Richard R. — 5.
Lees, Brian P.	

The Chair announced the results of the votes as follows:

Whole number of votes *38*

Necessary for a choice *21*

Robert E. Travaglini of First *Suffolk and Middlesex* had *33*

Brian P. Lees of First *Hampden and Hampshire* had *5*

The roll call having been completed at seventeen minutes past twelve o'clock noon, Mr. Travaglini was declared elected President of the Senate.

Mr. Lees moved that it be the sense of the Senate that the vote for Robert E. Travaglini for President should be made unanimous and that this expression of opinion be made a part of the records of the Senate.

There being no objection, this motion was entertained; and it was unanimously adopted.

Mr. Travaglini was escorted to the Chair by Senators Menard of Bristol and Plymouth and Walsh of Suffolk and Norfolk.

The President then addressed the Senate as follows:

Reverend Father, Members of the Senate, invited Guests, Family and Friends.

Thank you all for your kindness and support throughout my first term as President of this august body. I am grateful to each and every one of you for placing your confidence in me over the past two years and allowing me to serve as your leader.

My thanks to the people of the First Suffolk and Middlesex District, who have given me the privilege to represent them. I owe them an immense debt of gratitude for supporting me throughout my career. To my constituents, I pledge that, aside from my duties as President of the Senate, I will continue the fight for important local causes and will remain focused as a strong voice for our district.

To you my Senate colleagues and the people you represent across this Commonwealth, I pledge that I will continue to maintain the highest standards of honor, respect and fairness ... and that I will passionately defend the integrity and independence of this institution. I have learned a lot from all of you since I first took this position two years ago — and I will continue to rely on each of you for your advice, your support, and your friendship.

Congratulations and welcome to our new members, Senators Augustus, Buoniconti, Spilka and Timilty. If the hard work that each of you displayed throughout your campaigns is any indication, I am sure that the Senate will be well served by your contributions to this body. I look forward to working with each of you in the months ahead, tapping the collective energy, enthusiasm and fresh ideas that you will undoubtedly bring to this institution.

Finally, a special thanks to all of the members of my family. Here today with me are my mother Josephine and the love of my life Kelly. Kelly, you are my best friend and closest advisor — the bedrock of our family. I love you, honey.

Two years ago, we faced a \$3 billion budget deficit, and the economy showed no signs of improvement. A new Governor had been sworn in — with a mandate to use his business background to overhaul state government. Our colleagues in the House were

preparing to address these issues under the leadership of Speaker Finneran, whose knowledge of budgetary matters was unrivaled.

And so what does the Senate do? They elect me.

When I first stood before you as your President, many were curious to know how this Senate would respond to the ongoing fiscal crisis and the shifting political climate on Beacon Hill. Those same critics would agree with me today that — together — we not only met, but exceeded all expectations. In fact, many have said that the past two years were one of the most productive sessions in recent memory.

Working with our colleagues in the House, we reached out to the business community, advocacy groups, local governments and civic leaders to challenge old assumptions, and to fashion creative responses ...

And what did we accomplish?

Together, we overcame a budget crisis of unprecedented proportions, while keeping our promise to the taxpayers of the Commonwealth. We passed two balanced budgets that were delivered on time without raising taxes.

We adopted sweeping reforms in the areas of health and human services, higher education, public construction, school building assistance and transportation.

Through compromise and difficult negotiations, we were able to protect important core services such as Prescription Advantage, MassHealth Basic and vital public health and substance abuse programs. We have fought to ensure that those who are most in need are not falling through the gaps of Commonwealth's safety net.

I will continue to fight for those who are often overlooked and underserved every day I serve as your President.

Finally, last session, we accomplished a renewed sense of trust and respect from our constituents, proving that every one of you in this body is a leader who can rise to the occasion during times of crisis. It is why every single one of you was re-elected to serve in this historic chamber. We received our report card from the voters in November.

Together we earned high marks.

I speak about our achievements during the last session, because it is important to reflect on the many things we have accomplished together. However, there is more work to be done.

With this in mind, we will roll our sleeves up beginning next week and focus on four major areas in the next session.

First, we will continue to place job creation at the top of our agenda, by passing initiatives that will help stimulate our economy. Second, we will continue to responsibly reform state government. Third, we will work aggressively to make health care more accessible and affordable. Finally, our agenda will focus upon the needs of working families in the Commonwealth.

Job Creation & the Economy.

As our economy gradually recovers from recession, many people around the state have stopped talking about jobs. But not here, not in this chamber. This session, the Senate will continue to look for every possible way to keep good jobs in Massachusetts and encourage the private sector to create new jobs. It is critical that Massachusetts preserve its leadership in the areas of new technologies, life sciences and healthcare.

The legislature worked hand-in-hand with business leaders last session to pass a multimillion dollar economic stimulus bill that helped jumpstart the local economy. The evidence shows that our initiatives helped to sustain our economy and brought jobs to the Commonwealth.

Here's just one example. In 2003, the Senate proposed a sales tax holiday for a day in August 2004. The idea became law, and last August, businesses enjoyed a record-breaking \$400 million of sales in just one day. We found a way to put some money back in people's pockets and help get the economy moving.

But we must do more.

Today, I am calling for immediate passage of a comprehensive stem cell research bill. This issue has languished for too long. In the eyes of many, we have lost ground in our competition with states such as California and New Jersey. With swift action during this legislative session, we can regain a competitive edge in this area. This is just one of many steps we will take to help attract more jobs to Massachusetts.

Responsibly Reform State Government.

Aside from job creation, it's also important that we continue the progress that was made in reforming state government. Like the last two years, we must continue to examine every area of state government to ensure that every program is fulfilling its mandate efficiently and effectively.

Not only is it crucial that we continue to responsibly reform state government, but we must also continue to reform this legislature, bringing it more in line with the needs of today's society. Together with the House, we will restructure the face of the Legislature so that we are more responsive to the people we represent.

Access & Affordability of Healthcare.

During this session, we have an historic opportunity to revamp our healthcare system. I cannot stress enough the significance of health care to our economy, our families and to our future.

As I have said before, we in the Senate will work with the Governor and our House colleagues to improve existing programs and implement reforms that will get us closer to providing affordable coverage to everyone in Massachusetts — and to cut the number of uninsured by half over two years.

Improving our current delivery of health care services is not just an economic necessity — it is our moral duty.

An Agenda for Working Families.

Finally, let me take a moment to talk about the working families of Massachusetts.

There has been a change in the way American families live and work. In 1960, 70 percent of American families had at least one parent home full-time. However, our society has replaced the traditional family of the breadwinner and homemaker. The era of employment security with a company and the prospect of a secure retirement is over.

Families in Massachusetts are struggling to craft solutions that balance work and family responsibilities. But, unfortunately, these options often leave families stressed and exhausted, while exposing their children and elderly parents to poor-quality care.

To help ease the day-to-day struggle that is felt by families across the Commonwealth, we must do more than speak about “family values.” We will shortly launch a series of major initiatives that will place the needs of working families back on the forefront of the agenda here on Beacon Hill. Together, we must find a way to address the needs of our workers, without driving businesses away.

The season of partisan, attack politics is over. My Senate colleagues and I look forward to working with the Governor and his administration, and also with my good friend, Speaker Sal DiMasi, and our colleagues in the House to help fashion a successful legislative agenda this session.

I look forward to working with each and every one of you in the months ahead. Thank you.

On motion of Mr. Havern, the address of the President was ordered printed in the Journal of the Senate.

Mr. Lees asked unanimous consent to make a statement; and, there being no objection, he addressed the Senate as follows:

I'd like to offer my warmest congratulations to our President, Robert Travaglini, who has just won what surely strikes everyone here as a surprising upset victory.

I am now entering my seventeenth year as a legislator, and I can honestly state that President Travaglini is one of the most courteous and reasonable Senators I have encountered. He has never let party differences sour the working relationship between us, and he has always placed the common good of the public atop his list of priorities.

He is an excellent president; in fact, with the obvious exception of one other senator, I doubt there is anyone else in the Senate who could bear the burden of presiding over the upper house better than Robert Travaglini.

Mr. President, you make this a better body. You make us better Senators with your open, honest and inclusive leadership style.

To Senators Richard Tisei and Bruce Tarr I extend my heartfelt gratitude for nominating me and for their many years of support. It is not easy to stand up and make such eloquent (and true) remarks and know you are going to go down in defeat.

I think that the United States Marine Corps will forgive me if I borrow their mantra, but the Republican members of this Senate truly are “the few” and “the proud.” There is no dishonor in being part of the loyal opposition. It is only under intense pressure that coal becomes diamond, and the difficulties we members of the minority face in this chamber will only spur us on to shine all the more.

To my colleagues here, I say congratulations on your elections and thank you for the opportunity to speak to you on this, the first session of the one hundred and eighty-fourth General Court of the Commonwealth of Massachusetts. It is an honor that I do not take lightly.

This chamber has seen many Senators come and go, unfortunately yesterday four of our most distinguished colleagues left us. Senators Glodis, Magnani, Sprague and of course, Melconian will be sorely missed.

I would like to take a moment to greet our four newest colleagues, the Senator from Bristol and Norfolk, the Senator from Second Worcester, the Senator from Second Middlesex and Norfolk and the Senator from Hampden. These are remarkable individuals who will only enhance the depth of this body.

In particular, I would like to extend a special word of salutation to Senator Stephen Buoniconti, whose honorable record of service in the House of Representatives has caused many of us here to take note of him. It will be Senator Buoniconti who will, like Senators Nuciforo, Rosenberg, Knapik, Brewer and me represent the “often forgotten part of Massachusetts,” but I am convinced that aided by his energy and commitment to his community, he will prove an admirable lawmaker and public servant to the residents of Western Massachusetts here just as he did in the House of Representatives.

I would also like to express my gratitude to my constituents in the First Hampden and Hampshire District. It is by their good graces that I am allowed to participate in the finest legislature in the nation, and I am humbled by the faith they have shown in my service.

I have always taken great pride in being a member of the Massachusetts Senate, both for what it strives to accomplish and for the example it sets. Here in this chamber we are free to disagree without ever being disagreeable. While we all have certain ideas of what direction the General Court should take, we find respect for our differences in the knowledge that our goal is the same, to provide the citizens of the Commonwealth with a fair, just and even-handed government; a government that safeguards both the rights and the public safety of its residents.

I am confident that we will continue to reach for this noble end, and become all more understanding people for the effort.

As we embark on this new legislative session, we must realize that we will address a number of issues critical to the citizenry of the Commonwealth. We must ensure that meaningful reform is made to the auto insurance industry, bringing our system more into line with the rest of the nation. We must make every effort to establish a system of health care where everyone will have at least the basic level of care available to them and their families. We must make every effort to foster job creation in our Commonwealth while endeavoring to make housing more affordable to working families so that they will not be forced to leave Massachusetts and its workforce.

Perhaps most paramount in importance, it is essential that we realize the necessity of reigning in taxation. I know that it will not be easy, but by rolling up our sleeves and working together, I am certain that we will all find a way to achieve these goals.

As I have already mentioned, I am beginning my ninth term. Throughout my tenure here, I have never grown tired or bored with this position because there are always new challenges to meet and objectives to complete. While at times you might grow tired and bored with my speeches and points of order, I still feel excited at the prospects of this new session, and I wish us all the best of luck in our actions.

On motion of Mr. Knapik, the above statement was ordered printed in the Journal of the Senate.

Election of Clerk.

Mr. Moore moved that the Senate proceed to the election of a Clerk and that the President cast one ballot for William F. Welch of Milford as Clerk of the Senate; and this motion prevailed.

Accordingly, the ballot was cast and Mr. Welch was declared elected, and was then qualified by taking the oaths and affirmation as prescribed by the Constitution and also the following oath, which was administered by the President:

“Whereas, you WILLIAM F. WELCH, are chosen Clerk of the Senate of the Commonwealth of Massachusetts, you do swear that you will truly enter all the votes and orders thereof, and in all things relating to your office that you will act faithfully and impartially according to your best skill and judgement. So help you, God.”

Election of Sergeant-at-Arms.

Mr. Berry moved that the Senate proceed to the election of a Sergeant-at-Arms and that the election be by acclamation for Kevin W. Fitzgerald of Boston, as Sergeant-at-Arms on the part of the Senate, and this motion prevailed.

Accordingly, Kevin W. Fitzgerald was declared elected on the part of the Senate.

Orders Adopted.

On motion of Ms. Murray,—

Ordered, That a committee be appointed to notify His Excellency the Governor, Mitt Romney, Her Honor Kerry Healey, Lieutenant-Governor of the Commonwealth and the Honorable Council of the organization of the Senate; and that the Honorable Robert E. Travaglini of Suffolk and Middlesex had been elected President of the Senate, and William F. Welch of Milford had been elected Clerk of the Senate. Senators Havern of Middlesex, Menard of Bristol and Plymouth, Walsh of Suffolk and Norfolk, Rosenberg of Hampshire and Franklin and Knapik of Hampden and Hampshire were appointed the committee.

Subsequently, Mr. Havern, for the committee reported that the committee had performed the duties assigned to it. The report was accepted and the committee was discharged.

On motion of Mr. Berry,—

Ordered, That the Clerk be directed to notify the House of Representatives of the election, on the part of the Senate, of Kevin W. Fitzgerald of Boston, as Sergeant-at-Arms of the General Court.

On motion of Ms. Walsh,—

Ordered, That the Senate Rules of the last year be observed as the temporary Senate Rules for the present General Court.

On motion of Ms. Walsh,—

Ordered, That the joint rules of last year be observed as the temporary Joint Rules of the two branches for the present General Court.

Sent to the House for concurrence.

On motion of Mr. Havern,—

Ordered, That a committee be appointed to inform the House of Representatives of the organization of the Senate; and that the Honorable Robert E. Travaglini of Suffolk and Middlesex has been elected President of the Senate; and William F. Welch of Milford has been elected Clerk of the Senate. Senators Creedon of Plymouth and Bristol, Morrissey of Norfolk and Plymouth, Joyce of Norfolk, Bristol and Plymouth, McGee of Essex and Middlesex, Tolman of Suffolk and Middlesex and Tarr of Essex and Middlesex were appointed the committee on the part of the Senate.

Subsequently, Mr. Havern, for the said committee reported that the committee had performed the duties assigned to it. The report was accepted and the committee was discharged.

Communication.

The following communication, together with the returns of votes and schedules referred to, was received from the Secretary of the Commonwealth and placed on file, to wit:

Commonwealth of Massachusetts
Secretary of the Commonwealth
State House, Boston, Massachusetts 02133

January 5, 2005.

To the Honorable Senate:

I have the honor to lay before you the returns of votes cast at the election held in this Commonwealth on the second day of November, 2004 for Senators, together with schedules showing the number of ballots which appear to have been cast for each person voted for.

These returns have been duly canvassed by the Governor and Council, and are now transmitted for examination by the Senate, as required by the Constitution.

Very Truly Yours,
WILLIAM FRANCIS GALVIN,
Secretary of the Commonwealth.

Order Adopted.

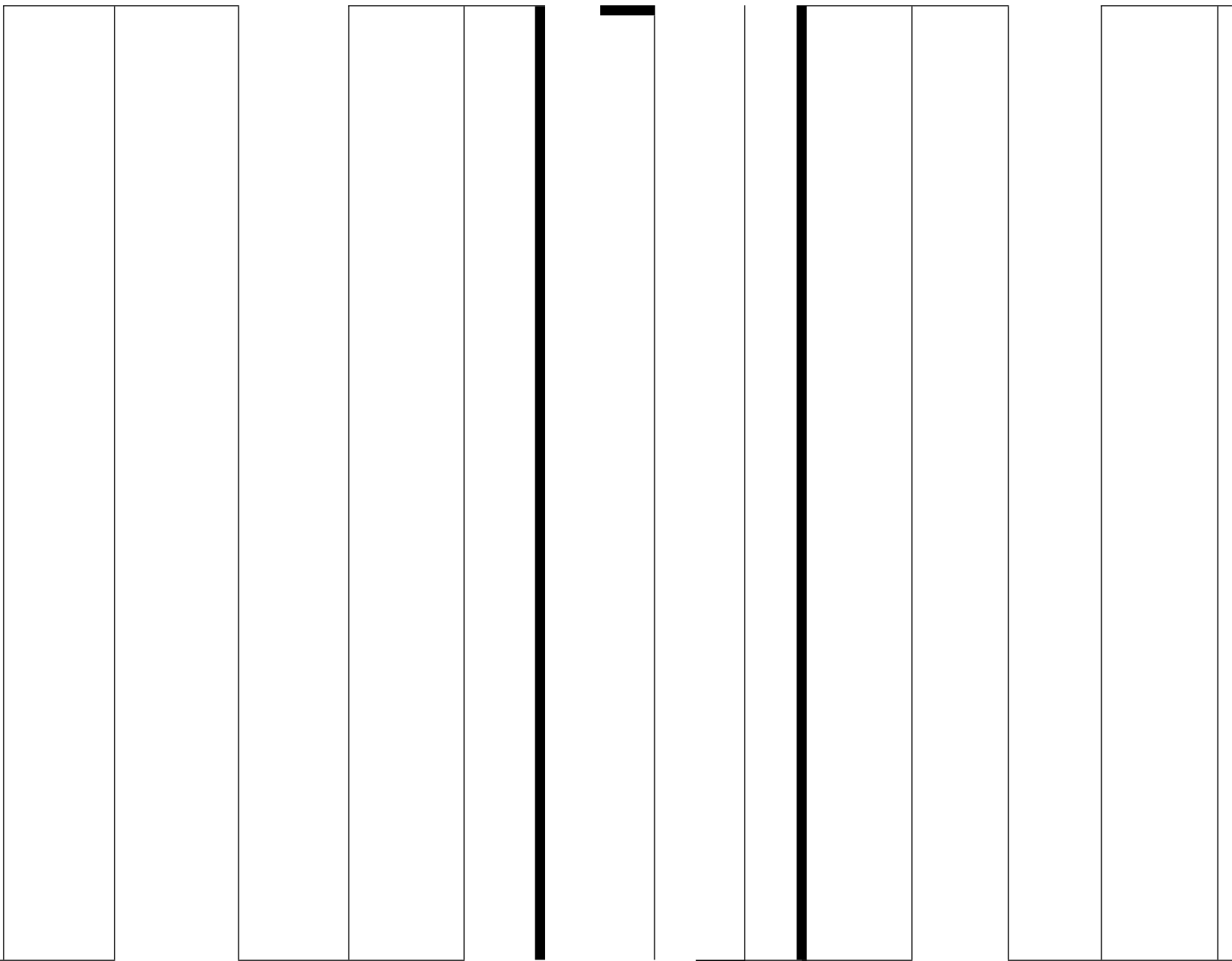
On motion of Mr. Nuciforo,—

Ordered, That a special committee of the Senate to be appointed for the purpose of canvassing the votes for Senators in the several districts.

Senators Nuciforo of Berkshire, Hampshire and Franklin, O'Leary of Cape and Islands, Resor of Middlesex and Worcester, Chandler of Worcester and Tisei of Middlesex and Essex, were appointed the committee.

Subsequently, Mr. Nuciforo, for the said special committee, reported that the following named persons had been duly elected, to wit:—

Hon. Stephen J. Buoniconiti of West Springfield in the	Hon. Brian P. Lees of East Longmeadow in the First	Hon. Michael R. Knapik of Westfield in the Second	Hon. Stanley C. Rose of Amherst in the	Hon. Steven C. Panagiotakos of Lowell in the First	Hon. Charles E. Shannon of Winchester in the Second	Hon. Susan C. Fargo of Lincoln in the Third	Hon. Robert A. Haverly of Arlington in the Fourth	Hon. Richard R. Tisei of Wakefield in the	Hon. Cynthia Stone of Creemore in the First	Hon. Karen E. Spilka of Ashland in the Second	Hon. Jarrett T. Barrios of Cambridge in the	Hon. Patricia A. O'Rourke of Andover in the
--	--	---	--	--	---	---	---	---	---	---	---	---



The report was read, and the report was considered forthwith and accepted.

Orders Adopted.

On motion of Mr. Pacheco,—

Ordered, That the Clerk begin the daily printing of the Journal of the Senate, as authorized by Senate Rule 6, and that the daily reading thereof be dispensed with; that, under authority of Section 10 of Chapter 5 of the General Laws, copies of the Journals of the entire session be printed and bound with the customary appendices and an index; and that a certified copy thereof be deposited with the Secretary of the Commonwealth as the official bound Journal of the Senate.

On motion of Ms. Fargo,—

Ordered, That a convention of the two Houses be held at a quarter before twelve o'clock noon on Thursday, January 6, for the purpose of administering the oaths of office to the several Councillors-elect.

Sent to the House for concurrence.

On motion of Ms. Wilkerson,—

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow at eleven o'clock A.M.

Mr. Berry in the Chair, notice was received from the House of Representatives by a committee thereof, of the organization of that branch, the House having chosen Salvatore F. DiMasi of Boston as Speaker and Steven T. James of Boston as Clerk.

The President in the Chair, the President introduced, seated throughout the Chamber and in the galleries, Congressman James McGovern of the Third Congressional District, District Attorney of the Norfolk District and former State Senator William R. Keating, former State Senators Joseph F. Timilty, James Hennigan and Henri Rauschenbach, Mayor John Yintis of Brockton, and Mayor Timothy Murray of Worcester.

On motion of Ms. Wilkerson, at nine minutes past one o'clock P.M., the Senate adjourned to meet on the following day at eleven o'clock A.M.