

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.

Wednesday, January 11, 2006.

Met at seven 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.

Communication.

A communication from the End of Life Care Special Commission (under the provisions of Section 480 of Chapter 159 of the Acts of 2000) submitting a copy of its FY '05 report relative to current end of life care services (received Tuesday, January 10, 2006),— **was placed on file.**

Report.

A report of the Public Employee Retirement Administration Commission (under the provisions of Section 21(3)(f) of Chapter 32 of the General Laws) submitting its report on cost of living adjustments for retirees and beneficiaries (received Tuesday, January 10, 2006),— **was placed on file.**

Petitions.

Petitions were presented and referred, as follows:

By Mr. Moore, a petition (subject to Joint Rule 12) of Richard T. Moore, Pamela P. Resor, Stephen M. Brewer, Susan W. Pope and other members of the General Court for legislation to provide public information on infection rates in hospitals; and

By Mr. Tisei (by request), a petition (subject to Joint Rule 12) of Daniel J. Hallissy for legislation to create a board of registration of automotive mechanics;

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 excluding payments for foster care and elderly income up to \$400 in computing rent and determining eligibility for subsidized housing (Senate, No. 823);

By the same Senator, for the same committee, on petition (accompanied by Senate, No. 793), a Bill relative to housing discrimination against victims of domestic violence, rape, sexual assault and stalking (Senate, No. 2328); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 2313), a Bill further regulating the prevention of homelessness (Senate, No. 2329);

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

By Mr. Joyce, for the committee on Housing, on petition, a Bill to prevent homelessness among elderly and disabled persons and families facing no-fault evictions (Senate, No. 808);

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

By Mr. Timilty, for the committee on Municipalities and Regional Government, on petition, a Bill amending Sec. 21 of the charter of the city of Somerville to allow the appointment of a non-civil service chief of police (Senate, No. 2304) [Local approval received];

Read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Committees Discharged.

Mr. Buoniconti, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration of the Senate Resolve to establish a commission on victim's rights, prisoner release, and an information and notification program (Senate, No. 1388),— and recommending that the same be referred to the Senate committee on Ethics and Rules.

Under Senate Rule 36, the report was considered forthwith and accepted.

PAPERS FROM THE HOUSE.

Messages were referred, in concurrence, as follows:

Message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating the actions taken at the special town election held by the town of New Salem (House, No. 4608);

To the committee on Election Laws.

Message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to certain housing in the town of Westborough (House, No. 4609);

To the committee on Housing.

Message from His Excellency the Governor recommending legislation relative to requiring defendants in rape and sexual assault cases to be tested for sexually transmittable diseases (House, No. 4610);

To the committee on the Judiciary.

A report of the committee on Revenue, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2572) of Matthew C. Patrick relative to establishing a health coverage tax credit for persons sixty-five years of age and older, and recommending that the same be referred to the committee on Public Health,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

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 amending the Nantucket Islands Land Bank Act to increase the first time home buyer exemption (Senate, No. 2053) (its title having been changed by the committee on Bills in the Third Reading),— was read a third time.

Pending the question on passing the bill to be engrossed, Mr. O'Leary presented an amendment substituting a new draft entitled "An Act amending the Nantucket Islands Land Bank Act to increase the first-time homebuyer exemption" (Senate, No. 2330).

This amendment was adopted.

The bill (Senate, No. 2330) was then passed to be engrossed.

Sent to the House for concurrence.

The House Bill authorizing the certification and appointment of Thomas Taylor as a firefighter in the town of Wilmington (House, No. 4209) (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 authorizing the certification and appointment of Darryl Sencabaugh as a firefighter in the town of Wilmington (House, No. 4210) (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.**

Reports of Committees.

By Mr. Buoniconti, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Frederick E. Berry for legislation relative to the period of registration of real estate appraisers.

Senate Rule 36 was suspended, on motion of Mr. Hedlund, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Consumer Protection and Professional Licensure.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4627) of Matthew C. Patrick and others for legislation to validate certain actions on appropriation orders taken by the town council of the town of Barnstable,— **was referred, in concurrence, under suspension of Joint Rules 12 and 7B, to the committee on Municipalities and Regional Government.**

Engrossed Bill.

An engrossed Bill amending the charter of the town of Southbridge (see House, No. 4382) (which originated in the House), **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 and laid before the Governor for his approbation.**

Order Adopted.

On motion of Mr. Hedlund,—

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow 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 ten minutes past eleven o'clock A.M., the Senate adjourned to meet on the following day at eleven o'clock A.M.