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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Monday, March 20, 2006.

Met at six minutes past eleven o'clock A.M. (Mr. Havern in the Chair).

The Chair (Mr. Havern), members, guests and employees then recited the pledge of allegiance to the flag.

Engrossed Bills — Laid before the Governor.

The following engrossed bills (both of which originated in the Senate), having severally been passed to be enacted and signed by the Acting President (Ms. Wilkerson) on Thursday, March 16, 2006, were severally laid before the Governor for his approbation on Monday, March 20, 2006, to wit:

Relative to elevator license examinations (see Senate, No. 2216, amended); and

Reducing gang violence (see Senate, No. 2242, amended).

Communication.

A communication from the Massachusetts Port Authority submitting a copy of its Economic Impact Report 2006 (received Wednesday, March 8, 2006),— was placed on file.

Report.

A report of the Massachusetts Turnpike Authority (pursuant to section 9 of Chapter 87 of the Acts of 2000) relative to the status of the Central Artery/Tunnel Project (CA/T) for the quarter ending December 31, 2005 (received Monday, March 6, 2006),— was placed on file.

Reports of Committees.

By Ms. Chandler, for the committee on Community Development and Small Business, on Senate, Nos. 153, 157, 158, 161, 164, 165, 166, 169, 1206, 2096 and 2367, an order authorizing the joint committee of Community Development and Small Business to make an investigation and study of certain current Senate documents relative to community development and small business (Senate, No. 2413) [Local approval received on Senate, No. 165];

By Ms. Fargo, for the committee on Public Health, on Senate, Nos. 1222, 1227, 1250, 1260, 1262, 1279, 1281, 1287, 1299, 1300, 1304, 1305, 1307, 1315 and 1317, an Order authorizing the joint committee on Public Health to make an investigation and study of certain current Senate documents relative to public health (Senate, No. 2419); and

By Mr. Baddour, for the committee on Transportation, on Senate, Nos. 1863, 1864, 1865, 1872, 1878, 1897, 1901, 1902, 1904, 1905, 1907, 1910, 1911, 1912, 1913, 1914, 1916, 1919, 1924, 1925, 1929, 1931, 1932, 1933, 1936, 1946, 1949, 1953, 1956, 1957, 1958, 1961, 1962, 1966, 1968, 2124, 2125, 2126, 2202, 2316 and 2346 an Order authorizing the joint committee on Transportation to make an investigation and study of certain current Senate documents relative to transportation (Senate, No.

2417);

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Ms. Chandler, for the committee on Community Development and Small Business, on petition (accompanied by bill, Senate, No. 159), a Bill further regulating the sale and distribution of bottled water and certain other non-alcoholic beverages (Senate, No. 2416);

By Mr. Baddour, for the committee on Transportation, on petition, a Bill relative to the Department of Highways (Senate, No. 1856);

By the same Senator, for the same committee, on petition, a Bill to authorize firefighter license plates (Senate, No. 1877);

By the same Senator, for the same committee, on petition, a Bill to allow certain cities and towns to join regional transit authorities (Senate, No. 1885); and

By the same Senator, for the same committee, on petition, a Bill establishing a distinctive motor vehicle registration plate in memory of police officers killed in the line of duty (Senate, No. 1886);

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

By Ms. Chandler, for the committee on Community Development and Small Business, on petition, a Bill clarifying the community preservation act (Senate, No. 167);

By the same Senator, for the same committee, on petition, a Bill relative to the sale unweaned birds (Senate, No. 2195) (Representative Eldridge of Acton dissenting); and

By Mr. Baddour, for the committee on Transportation, on petition, a Bill authorizing the Massachusetts Highway Department to install certain signs (Senate, No. 1928);

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

By Mr. Baddour, for the committee on Transportation, ought NOT to pass:

On the petition (accompanied by bill, Senate, No. 1950) of Karen E. Spilka, Pamela P. Resor, David Paul Linsky, Michael F.

Rush and other members of the General Court for legislation to freeze the Massachusetts Turnpike tolls at current levels; and

On the petition (accompanied by bill, Senate, No. 1974) of Dianne Wilkerson for legislation relative to eligibility for licenses, to operate motor vehicles;

Severally referred, under Senate Rule 36, to the committee on Ethics and Rules.

Committees Discharged.

Mr. Morrissey, for the committee on Telecommunications, Utilities and Energy, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 2344) of John A. Hart, Jr. for legislation relative to the South Boston power station,— **and recommending that the same be referred to the committee on Bonding, Capital Expenditures and State Assets.**

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

Sent to the House for concurrence.

Mr. Baddour, for the committee on Transportation, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1927) of Richard T. Moore, Edward G. Connolly and Thomas J. O'Brien for legislation relative to the crime of homicide by motor vehicle,— **and recommending that the same be referred to the committee on the Judiciary.**

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

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A Bill relative to early education and care (House, No. 4755,— **on Senate Nos. 295 and 303 and House, Nos. 1064, 1174 and 1724), was read, and, under Senate Rule 27, referred to the committee on Ways and Means.**

A report of the committee on Environment, Natural Resources and Agriculture, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3895) of Garrett J. Bradley relative to the issuance of hunting licenses to certain persons serving on active duty in the armed forces, and recommending that the same be referred to the committee on Veterans and Federal Affairs,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:— Resolutions (filed by Mr. Brewer) “congratulating Anna Piche on the occasion of her hundred and ninth birthday”; and Resolutions (filed by Mr. Buoniconti) “congratulating the NCAA Men’s Division II Basketball Championship on its 50th anniversary.”

PAPERS FROM THE HOUSE.

A Bill designating a certain bridge in the town of East Bridgewater as the Cpl. Gordon M. Craig Bridge (House, No. 4476,— on petition).

There being no objection, the rules were suspended, on motion of Ms. Chandler, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

A Bill relative to the financial conditions in the Athol-Royalston Regional School District (House, No. 4752,— on House, No. 4691).

There being no objection, the rules were suspended, on motion of Mr. Hedlund, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act regulating the financial conditions in the Athol-Royalston Regional School District”.

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 Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to continuing education requirements for operators of hoisting machinery.

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 Consumer Protection and Professional Licensure.

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 Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to continuing education requirements for inspectors of boilers and amusement devices.

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 Consumer Protection and Professional Licensure.

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 Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to continuing education requirements for oil burner technicians.

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 Consumer Protection and Professional Licensure.

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 Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to continuing education requirements for pipefitters, refrigeration technicians, and sprinkler fitters.

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 Consumer Protection and Professional Licensure.

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 Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to continuing education for licensed construction supervisors.

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 Consumer Protection and Professional Licensure.

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 Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to home improvement contractor registration.

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 Consumer Protection and Professional Licensure.

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 Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to applications for inspectors of amusement devices.

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 Consumer Protection and Professional Licensure.

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 Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to the age of appointment of district engineering inspectors.

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 Labor and Workforce Development.

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 Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to the oversight of inspections.

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 Labor and Workforce Development.

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 Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to amusement devices.

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 Public Safety and Homeland Security.

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 Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to meetings of the board of building regulations and standards.

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 State Administration and Regulatory Oversight.

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 Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to the membership of the board of building regulations and standards.

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 State Administration and Regulatory Oversight.

Severally sent to the House for concurrence.

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4771) of Donald Trepte and others that apportionment assessments in two-member regional school districts be defined in the agreements of such school districts,— **was referred, in concurrence, under suspension of joint Rule 12, to the committee on Education.**

Order Adopted.

On motion of Ms. Chandler,—

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 Mr. Knapik, at nine minutes past eleven o'clock A.M., the Senate adjourned to meet on the following day at eleven o'clock A.M.