

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.

Tuesday, April 19, 2005.

Met at three minutes past eleven o'clock A.M. (Ms. Wilkerson in the Chair).

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

Petition.

Mr. Tolman presented a petition (subject to Joint Rule 12) of Steven A. Tolman for legislation relative to the dissemination of information to private detectives,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Reports of Committees.

By Ms. Spilka, for the committee on Children and Families, on petition, a Bill preventing homelessness among families receiving TAFDC (Senate, No. 143);

By Mr. Barrios, for the committee on Public Safety and Homeland Security, on petition, a Bill providing for HIV testing for at risk police officers (Senate, No. 1337); and

By the same Senator, for the same committee, on petition, a Bill relative to appointment of the Metropolitan Humane Society as special state police officers (Senate, No. 1651);

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

By Mr. Barrios, for the committee on Public Safety and Homeland Security, on petition, a Bill protecting police officers while making a lawful arrest (Senate, No. 1336, changed in section 1 by striking out paragraph (c));

By the same Senator, for the same committee, on petition, a Bill relative to the distribution of citation books to the Office of Law Enforcement in the Executive Office of Environmental Affairs (Senate, No. 1338);

By the same Senator, for the same committee, on petition, a Bill relative to police cadets in Springfield (Senate, No. 1362); and

By the same Senator, for the same committee, on petition, a Bill providing for the collection of data relative to traffic stops and other police service (Senate, No. 1393);

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

By Mr. Barrios, for the committee on Public Safety and Homeland Security, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 1361) of Michael R. Knapik, Brian P. Lees, Susan W. Pope, Donald F. Humason, Jr. and other members of the General Court for legislation to authorize the police officers to take certain actions outside their jurisdiction;

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

PAPERS FROM THE HOUSE.

A 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 making special provisions for the placement of certain questions on the town of Spencer annual election ballot (House, No. 2929),— **was referred, in concurrence, to the committee on Election Laws.**

A petition (accompanied by bill, House, No. 3227) of Thomas A. Golden Jr., and another (with the approval of the mayor and city council) that the city of Lowell be authorized to grant a certain easement in park land in said city to Mark Fisher and Cheryl Fisher,— **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Resolutions.

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

Resolutions (filed by Mr. Pacheco) “congratulating Paul Provencher”; and

Resolutions (filed by Messrs. Tisei, Antonioni, Baddour, Barrios, Berry and Brewer, Ms. Chandler, Mr. Creedon, Ms. Creem, Messrs. Hedlund, Joyce, Knapik, McGee, Montigny, Moore and Morrissey, Ms. Murray, Mr. Panagiotakos, Ms. Resor, Ms. Spilka, Mr. Tarr and Ms. Tucker) “on the twenty-fifth anniversary of the Massachusetts Silver Haired Legislature.”

Reports of Committees.

By Ms. Menard, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 7B be suspended on the Senate petition of Marc R. Pacheco, James H. Fagan, Patricia A. Haddad and Stephen R. Canessa (with the approval of the municipal council) for legislation to provide enforcement of delinquent municipal sewer fees [Local approval received]. **Senate Rule 36 was suspended, on motion of Mr. Knapik, and the report was considered forthwith. Joint Rule 7B was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government.**

By Ms. Menard, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 7B be suspended on the Senate petition of Marc R. Pacheco, James H. Fagan, Patricia A. Haddad and Stephen R. Canessa (with the approval of the municipal council) for legislation to authorize the city of Taunton to lease certain recreational land [Local approval received]. **Senate Rule 36 was suspended, on motion of Mr. Knapik, and the report was considered forthwith. Joint Rule 7B was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government.**

By Ms. Menard, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Michael W. Morrissey for legislation relative to the exposure of public safety officials to the AIDS virus and infectious hepatitis. **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 Ms. Menard, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Joan M. Menard, Edward G. Connolly, Michael A. Costello, other members of the General Court and SEIU, Local 5000, by David Holway, president, for legislation to further regulate salaries of public employees serving in the Armed Forces of the United States. **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 Service. Severally sent to the House for concurrence.**

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:

The Senate Bill relating to the collection of taxes in the town of Sandwich (Senate, No. 2026),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.**

Recess.

There being no objection, at ten minutes past eleven o'clock A.M., the Chair (Ms. Wilkerson) declared a recess subject to the call of the Chair; and, at a quarter before twelve o'clock noon, the Senate reassembled, Ms. Wilkerson in the Chair.

Orders Adopted.

On motion of Mr. Buoniconti,—

Ordered, That by the authority of article IV of section II of chapter I of the Constitution, the Senate declares that, by reason of the death of Charles E. Shannon, Jr. as Senator from the second Middlesex district, the office of senator from the second Middlesex district is vacant. By the authority of article XXIV of the Amendments to the Constitution, the Senate directs the president of the Senate to issue a precept setting forth October 4, 2005 as the day for holding an election to fill the vacancy in the second Middlesex district, comprising the city of Medford; precincts 2 and 3 of ward 1, precincts 2 and 3 of ward 2, and wards 3 to 7, inclusive, of the city of Somerville; ward 2 of the city of Woburn; and the town of Winchester; all in the county of Middlesex.

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.

On further motion of Mr. Knapik, at eleven minutes before twelve o'clock noon, the Senate adjourned to meet on the following Thursday at eleven o'clock A.M.