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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Thursday, April 21, 2005.

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

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

Distinguished Guests.

There being no objection, the Chair (Mr. Berry) handed the gavel to the Senator from Hampden and Hampshire, Mr. Knapik, who introduced Peggy Jenkins and her sons Ryan, Stephen and P.J., from Laurens, New York. Ryan is currently working on a report about the Senate and the State House in Massachusetts for a class project. They were the guests of Senator Knapik.

Report.

Mr. Berry in the Chair, a report of the Massachusetts Bay Transportation Authority (pursuant to Section 5(g) of Chapter 161A of the General Laws) submitting its Fiscal Year 2006 through Fiscal Year 2010 Capital Investment Program (received Tuesday, April 19, 2005),— **was placed on file.**

Petition.

Mr. O'Leary presented a petition (subject to Joint Rule 12) of Robert A. O'Leary for legislation to exempt Dukes County from certain contractor certification requirements,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Reports of a Committee.

By Mr. Buoniconti, for the committee on Public Service, on Senate, Nos. 1555 and 1591, a Bill relative to creditable service for vocational education teachers (Senate, No. 1555, changed in section 1, by striking out the word "regular", in line 14, and inserting in place thereof the words "'actuarial assumed" and by striking the number "90", in line 19, and inserting in place thereof the number "180");

By the same Senator, for the same committee, on petition, a Bill establishing a sick leave bank for Carol G. Davis, an employee of the George Fingold Library (Senate, No. 2029); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1584), a Bill relative to disability retirement benefits for veterans (Senate, No. 2035);

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

Reconsideration.

On motion of Mr. Tarr, the Senate reconsidered the vote by which, at the previous session, it had adopted the Senate order, previously offered by Mr. Buoniconti, relative to the issuing of precepts to call for a special election to fill the vacancy in the Second Middlesex Senatorial District.

Pending the recurring question on adoption of the order, Mr. Travaglini presented an amendment, striking out the date "October 4" and inserting in place thereof the following date:—"September 27".

The amendment was adopted.

The order, as amended, was then considered; and it was adopted.

Report of Committees.

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 Robert A. Havern for legislation to authorize and direct the Massachusetts Teachers' Retirement Board to recalculate the survivor pension benefit paid to Marie Walsh.

Senate Rule 36 was suspended, on motion of Mr. Tarr, 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. Sent to the House for concurrence.

PAPER FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation relative to mandatory post-release supervision (House, No. 26),— came from the House with the endorsement that the House had referred to the committee on the Judiciary.

Mr. Knapik moved that the Senate NON-concur in the reference to the committee on the Judiciary and further moved that the message be referred to the committee on Public Safety and Homeland Security.

The motion was adopted.

Sent to the House for its action.

Order Adopted.

On motion of Mr. Tarr,—

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday 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. Tarr, at a quarter past eleven o'clock A.M., the Senate adjourned to meet on the following Monday at eleven o'clock A.M.