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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Monday, April 24, 2006.

Met according to adjournment at eleven o'clock A.M. (Mr. Rosenberg in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

The Senator from Hampden and Hampshire, Mr. Knapik, led the Chair (Mr. Rosenberg), members, guests and employees in the recitation of the pledge of allegiance to the flag.

Distinguished Guests.

There being no objection, the Chair (Mr. Rosenberg) handed the gavel to Ms. Resor for the purpose of an introduction. Ms. Resor then introduced, in the rear of the Chamber, the fourth grade class at the C.A. Farley School in Hudson. The students led by their teacher, Mr. Yates, are working to raise awareness of Sarcoma, a form of cancer. Mr. Yates lost his wife to the disease. The children are working on fundraising to promote research to help find a cure. Also present were the parents of the late Mrs. Yates, Mr. and Mrs. Hunter.

There being no objection, the Chair (Mr. Rosenberg) handed the gavel to Mr. Augustus for the purpose of an introduction. Mr. Augustus then introduced, seated in the Senate Gallery, students from the Young Politicians Club of Auburn High School.

Report.

A report of the Division of Unemployment Assistance (under the provisions of Section 14F of Chapter 151A of the General Laws) relative to the condition of the Unemployment Insurance Trust Fund for the month of March 2006 (received Thursday, April 20, 2006),— **was placed on file.**

Petitions.

Mr. Timilty presented a petition (accompanied by bill, Senate, No. 2495) of James E. Timilty and Scott P. Brown (with approval of mayor and city council) for legislation to increase the expenditure limit on revolving funds in the city of Attleboro [Local approval received],— **and the same was referred, under Senate Rule 20, to the committee on Municipalities and Regional Government.**

Sent to the House for concurrence.

Petitions were presented and referred, as follows:

By Ms. Jehlen, a petition (subject to Joint Rule 12) of Patricia D. Jehlen for legislation to pertain to off-duty work details or special details performed by public employees in the city of Somerville;

By Ms. Resor, a petition (subject to Joint Rule 12) of Pamela P. Resor, Cory Atkins, James B. Eldridge, Geoffrey D. Hall and other members of the General Court for legislation to further promote Brownsfields rail-trail revitalization of certain discontinued

railroad rights-of-ways; and

By Ms. Walsh, a petition (subject to Joint Rule 12) of Marian Walsh and Robert K. Coughlin for legislation to authorize the town of Dedham to grant 8 additional licenses for the sale of all alcoholic beverages and 1 additional license for the sale of wines and malt beverages to be drunk on the premises;

Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Report of a Committee.

Mr. Buoniconti, for the committee on Ethics and Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The House Bill allowing widows of veterans to retain ownership of veterans' plates (House, No. 1706, changed).

Papers from the House.

A petition (accompanied by bill, House, No. 4715) of Marie J. Parente and Richard T. Moore (by vote of the town) relative to the appointment of Antonio F. Dinis and Robert L. Tusino as police officers in the town of Milford, notwithstanding the maximum age requirements,— **was referred, in concurrence, to the committee on Public Service.**

A Bill establishing a sick leave bank for Jean Simonelli, an employee of the Massachusetts Department of Revenue (House, No. 4784,— on petition),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Reports

Of the committee on Health Care Financing, asking to be discharged from further consideration

Of the House Bill requiring the installation of fire sprinkler systems in nursing homes, preschools and day care centers (House, No. 1911);

Of the House Bill increasing public safety by ensuring access to substance abuse treatment (House, No. 3127, changed);

Of the House Bill relative to flavored cigarettes in the Commonwealth (House, No. 3817); and

Of the House Bill relative to the marketing of light cigarettes and the effect on public health (House, No. 3819);

And recommending that the same severally be referred to the House committee on Ways and Means.

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence, insomuch as relates to the discharge of the joint committee.

Resolutions.

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

Resolutions (filed by Mr. Knapik) “honoring Aldo and Eleanor Orlandi on their sixty-fifth wedding anniversary”;

Resolutions (filed by Mr. Knapik) “honoring Father Lucjan Krolkowski Ofmconv celebrating sixty years of priesthood”;

Resolutions (filed by Mr. Morrissey) “honoring Vietnam Veterans’ Day in Abington, Massachusetts”;

Resolutions (filed by Ms. Murray) “forecasting the amount of tax revenue for Fiscal Year 2007”; and

Resolutions (filed by Mr. Timilty) “congratulating the Damelin/ Judeikin family members on the occasion of their reunion in Boston.”

The following Resolutions (having been filed with the Clerk by Ms. Resor) were considered forthwith, read and adopted, as follows:

RECOGNIZING THE WEEK OF APRIL 30 TO MAY 6, 2006 AS SARCOMA AWARENESS WEEK.

Whereas, sarcoma is a rare and devastating form of cancer that affects the connective tissues, such as nerves, muscles, joints, bone, or blood vessels; and

Whereas, the students in Mr. Robert Yates fourth grade class at the c.a. Farley school in Hudson are working to raise awareness of sarcoma; and

Whereas, sarcoma affects 50,000 people yearly; and

Whereas, this form of cancer accounts for 15-20 per cent of all childhood cancers and is the number two childhood cancer killer; and

Whereas, early diagnosis and treatment is difficult due to lack of research, which is due to lack of funding; and

Whereas, Mr. Yates’ students hope that by raising awareness of this disease, they can let more people know about the need for funding and research; and for early diagnosis so that more people, especially children will live; and

Whereas, these students have personally experienced the tragic consequences associated with sarcoma because their teacher’s wife died from it and other members of their Hudson community have battled and continue to battle this disease; and

Whereas, these determined students want people to know that they, as a group, care and they feel they are the “guardian angels” of sarcoma patients and they believe that if they can help raise awareness of sarcoma, more progress will be made in research to help save more patients; and

Whereas, if society is truly committed to finding a cure to this deadly disease, we must translate our knowledge about its

pervasiveness, prevalence and impact into action, both within our communities and as individuals; now therefore be it Resolved, that the Massachusetts general court hereby honors the students of Mr. Yates fourth grade class at the Farley School who are working to raise awareness of sarcoma and joins with the citizens of Massachusetts to further express sincere appreciation for such dedicated efforts not just during this week, but throughout the year; and be it further Resolved, that a copy of these resolutions be transmitted forthwith by the Clerk of the Senate to Mr. Yates and his class at the Farley School in Hudson.

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 House Bill changing the membership of the Historic District Commission of the town of Sudbury (House, No. 4390) (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 establishing a post employment health insurance liability fund in the town of Sudbury (House, No. 4391),— **was read a third time and passed to be engrossed, in concurrence.**

Order Adopted.

Ms. Jehlen offered the following order, to wit:

Ordered, That notwithstanding the provisions of Joint Rule 10 the joint committee on Public Service be granted until May 1, 2006, within which to make its final report on current House documents numbered 270, 336, 530, 1939, 2888, 3986, 4518 and Senate documents 1245, 1358, 2372.

Under the rules, referred to the committees on Rules of the two branches, acting concurrently.

Subsequently, Mr. Buoniconti, for said committees, reported, that the order ought to be adopted,

The rules were suspended, on motion of Mr. Tarr, and the order was considered forthwith and adopted.

Sent to the House for 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 Robert A. O'Leary for legislation to establish a sick leave bank for Shelley Nunes, an employee of the Barnstable District Court.

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 the Judiciary.

Sent to the House for concurrence.

Papers from the House.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4888) of Emile J. Goguen and others for legislation to regulate antibody or antigen testing for human T-cell lymphotropic virus type III (HTLV-III test);

Under suspension of Joint Rule 12, to the committee on Public Health.

Petition (accompanied by bill, House, No. 4894) of Marie J. Parente and others relative to the use of proceeds from certain fines for training and education of fire prevention personnel and the payment of stipends to hearing officers in cities and towns;

Under suspension of Joint Rule 12, to the committee on Public Safety and Homeland Security.

Engrossed Bill.

An engrossed Bill further regulating eligibility for the police civil service examination (see House, No. 4352, amended) (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 re-enacted and was signed by the Acting President (Mr. Rosenberg) and again laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Tarr,—

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 motion of Mr. Augustus, at fourteen minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Thursday at eleven o'clock A.M.