

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.

Thursday, May 19, 2005.

Met at nineteen minutes past eleven o'clock A.M.

The President, members, guests and employees then recited the pledge of allegiance to the flag.

Distinguished Guests.

The President handed the gavel to Mr. Havern for the purpose of congratulating the Ronald McDonald House on its 25th anniversary of the "Home Away From Home" program for families whose children are undergoing cancer treatment. Mr. Havern welcomed from the Ronald McDonald House Board of Directors, Hank Shafran, the Director Emeritus, and Janey Bishoff, a member of the board.

The President handed the gavel to Ms. Creem for the purpose of introducing, seated at the rear of the Chamber, Mr. Sam Weisman. Mr. Weisman, a Newton resident is a director of major films and television shows. His work in television has earned him three Emmy nominations and a Golden Globe Award.

Communication.

The President in the Chair, a communication from the Massachusetts Highway Department (pursuant to line item 6010-0001 of the General Appropriation Act of Fiscal Year 2005) relative to quarterly reports required by line item 6010-0001 of the FY '05 budget (received Tuesday, May 17, 2005),— **was placed on file.**

Reports.

The following reports were severally read and placed on file:

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 March 31, 2005 (received Monday, May 16, 2005);

A report of the Statewide Emergency Telecommunications Board (under the provisions of Section 18B(e) of Chapter 6A of the General Laws) submitting its annual report for calendar year 2004 (received Wednesday, May 18, 2005); and

A report of the Executive Office of Transportation and Construction (pursuant to line item 6000-0100 of the General Appropriation Act for Fiscal Year 2005 and Chapter 87 of the Acts of 2000) submitting various reports (received Wednesday, May 18, 2005).

Petitions.

Petitions were presented and referred as follows:

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 2055) of Bruce E. Tarr and Bradford Hill (by vote of the town) for legislation to authorize the town of Ipswich to change the use, the care, custody and control of a portion of town owned land [Local approval received];

Under Senate Rule 20, to the committee on Municipalities and Regional Government.

By Ms. Resor, a petition (accompanied by bill, Senate, No. 2056) of Pamela P. Resor, James B. Eldridge and Cory Atkins (by vote of the town) for legislation to authorize the town of Acton to grant senior property tax relief [Local approval received];

Under Senate Rule 20, to the committee on Revenue.

Severally sent to the House for concurrence.

Ms. Resor presented a petition (subject to Joint Rule 12) of Pamela P. Resor and Robert S. Hargraves for legislation to establish a sick leave bank for Dawn Heinle-Kimball, an employee of the Trial Court,— **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. Murray, for the committee on Ways and Means, that the House Bill making appropriations for the fiscal year 2006 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4001),— ought to pass, with an amendment, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2100

[Estimated cost:—

[Direct Appropriation \$22,723,763,256];

[Retained Revenue Authorization \$ 1,266,016,899];

[Total \$23,989,780,155];

[having been filed in the office of the Clerk of the Senate on Tuesday, May 17, 2005 at twenty-five minutes before one o'clock P.M.]

Referred, under Senate Rule 12B, to the committee on Ethics and Rules.

Subsequently, Ms. Menard, for the said committee on Ethics and Rules, reported that the matter be placed in the Orders of the Day for Monday, May 23, 2005.

By Mr. Creedon, for the committee on the Judiciary, on petition, a Bill establishing a sick leave bank for Alexander G. Gray, Jr. an employee of the Trial Court (Senate, No. 2054);

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

By Mr. Baddour, for the committee on Transportation, on petition, a Bill designating the Massachusetts National Guard way in the city of Westfield (Senate, No. 1915); and

By the same Senator, for the same committee, on petition, a Bill designating a certain bridge in the town of Falmouth the Raleigh D. Costa memorial bridge (Senate, No. 1935);

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

Committee Discharged.

Mr. Timilty, for the committee on Municipalities and Regional Government, reported, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 1187) of Richard T. Moore, Bruce E. Tarr, Edward G. Connolly, William Smitty Pignatelli and other members of the General Court for legislation to establish a program of assistance for cities and towns for the improvement of services to the youth of the Commonwealth,— and recommending that the same be referred to the committee on Children and Families;

Of the petition (accompanied by bill, Senate, No. 1206) of Charles E. Shannon, Patricia D. Jehlen and David P. Linsky for legislation relative to the regulation of common victuallers, and recommending that the same be referred to the committee on Community Development and Small Business; and

Of the petition (accompanied by bill, Senate, No. 1172) of Cynthia Stone Creem, Timothy J. Toomey, Jr., Anthony J. Verga, Stephen M. Brewer and other members of the General Court for legislation relative to parking for handicapped individuals and disabled veterans,— and recommending that the same be referred to the committee on Public Safety and Homeland Security.

Under Senate Rule 36, the reports were severally considered forthwith and accepted.

Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

Messages were referred, in concurrence, as follows:

Message from His Excellency the Governor recommending legislation relative to reinstating capital punishment in the Commonwealth (House, No. 3834);

To the committee on the Judiciary.

Message from His Excellency the Governor recommending legislation relative to preserving federal highway funds and ensuring compliance with the Federal Motor Carrier Safety Improvement Act (House, No. 4054);

To the committee on Transportation.

Reports

Of the committee on Education, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1122) of Robert A. DeLeo and others relative to federal reimbursement for special education services for children with autism,— **and recommending that the same be referred to the committee on Health Care Financing.**

Of the committee on Housing, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 3172) of Robert A. DeLeo relative to the jurisdiction of the Housing Court in Suffolk County;

Of the petition (accompanied by bill, House, No. 3173) of Robert A. DeLeo relative to granting certain concurrent jurisdiction to the Housing Court Department; and

Of the petition (accompanied by bill, House, No. 3174) of Robert A. DeLeo for legislation to improve local access to housing courts;

And recommending that the same severally be referred to the committee on the Judiciary.

Were severally 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) “honoring John MacNeish on the occasion of his retirement”;

Resolutions (filed by Mr. Brown and Ms. Spilka) “congratulating the Natick Lions Club”;

Resolutions (filed by Mr. Morrissey) “recognizing Project Lifesaver International”;

Resolutions (filed by Mr. O’Leary and Ms. Murray) “congratulating Leo & Sue Fein for 17 years of service as co-chairs of the annual Figawi Charity Ball”;

Resolutions (filed by Mr. Pacheco) “congratulating Gregory Michael Webber upon his elevation to the rank of Eagle Scout”;

Resolutions (filed by Ms. Spilka) “on the occasion of the thirtieth anniversary of the Danforth Museum of Art.”

Reports of Committees.

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill relative to creditable service for vocational education teachers (Senate, No. 1555, changed),— ought to pass, with an amendment, substituting a new draft with the same title (Senate, No. 2057).

There being no objection, the rules were suspended, on motion of Mr. Berry, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2057) was then ordered to a third reading and read a third time.

Pending the question on passing the bill to be engrossed, Mr. Lees moved that the matter be placed at the end of the calendar.

Subsequently, the bill was further considered.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at five minutes before twelve o’clock noon, on motion of Mr. Lees, as follows, to wit (yeas 37 — nays 0) [**Yeas and Nays No. 21**]:

YEAS.

Antonioni, Robert A. Menard, Joan M.

Augustus, Edward M., Jr.	Montigny, Mark C.
Baddour, Steven A.	Moore, Richard T.
Barrios, Jarrett T.	Morrissey, Michael W.
Berry, Frederick E.	Murray, Therese
Brewer, Stephen M.	Nuciforo, Andrea F., Jr.
Brown, Scott P.	O’Leary, Robert A.
Buoniconti, Stephen J.	Pacheco, Marc R.
Chandler, Harriette L.	Panagiotakos, Steven C.
Creedon, Robert S., Jr.	Resor, Pamela
Creem, Cynthia Stone	Rosenberg, Stanley C.
Fargo, Susan C.	Spilka, Karen E.
Hart, John A., Jr.	Tarr, Bruce E.
Havern, Robert A.	Timilty, James E.
Hedlund, Robert L.	Tisei, Richard R.
Joyce, Brian A.	Tolman, Steven A.
Knapik, Michael R.	Tucker, Susan C.
Lees, Brian P.	Wilkerson, Dianne —
	37.
McGee, Thomas M.	

NAYS — 0.

ABSENT OR NOT VOTING.

Walsh, Marian — **1.**

The yeas and nays having been completed at two minutes before twelve o’clock noon, the bill was passed to be engrossed. Sent to the House for concurrence.

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Alexander G. Gray, Jr., an employee of the Trial Court (Senate, No. 2054),— ought to pass, with an amendment, adding the following sentence:— “Whenever Mr. Gray terminates employment with the trial court or requests to dissolve the sick leave bank, the balance of sick leave shall be transferred to the trial court paid leave bank.”.

The rules were suspended, on motion of Mr. Creedon, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2054, amended) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

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 Edward Barrett for legislation to require pharmacies to inform the Department of Public Health of medication dispensing errors.

Senate Rule 36 was suspended, on motion of Mr. Havern, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Elder Affairs.

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 Norma L. Powell for legislation to reform the judicial system.

Senate Rule 36 was suspended, on motion of Mr. Havern, 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.

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 and Joseph R. Driscoll for legislation to establish a sick leave bank for Zenaida Correia, an employee of the Trial Court.

Senate Rule 36 was suspended, on motion of Mr. Havern, 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.

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 Frishman for legislation to concern tobacco use in broadcasts.

Senate Rule 36 was suspended, on motion of Mr. Havern, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Tourism, Arts and Cultural Development.

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 inspection and certification of air tanks on utility high voltage circuit breakers.

Senate Rule 36 was suspended, on motion of Mr. Havern, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Telecommunications, Utilities and Energy.

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 modification of the helmet law.

Senate Rule 36 was suspended, on motion of Mr. Havern, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Severally sent to the House for concurrence.

Mr. Brewer, for the committee on Bills in the Third Reading to whom was referred the Message of His Excellency the Governor (Senate, No. 2052) returning with recommended amendments the Senate Bill enhancing regenerative medicine in the commonwealth (see Senate, No. 2039, amended) reported recommending that the Senate consider the amendments in the following form:—

In section 1, in subsection (c) of section 1 of said proposed chapter 111L, by striking out the words “including research and clinical applications involving somatic cell nuclear transfer”;

In said section 1, in section 2 of said proposed chapter 111L, in the definition of “valuable consideration”, by adding the following 2 sentences:— “As applied to consideration to be paid to egg donors, ‘valuable consideration’ is any interest, profit or benefit of value, except for reimbursement of out-of-pocket expenses actually paid by the donor in connection with egg donation. Nothing in this definition shall limit consideration for eggs made available for reproductive purposes.”;

In said section 1, in section 8 of said proposed chapter 111L, by striking out subsection (a) and inserting in place thereof the following subsection:—

“(a) Notwithstanding any general or special law to the contrary, human cloning by any means, including somatic cell nuclear transfer, is hereby prohibited. No person shall knowingly attempt, engage in, or directly or indirectly assist in, human cloning for any purpose. No person shall knowingly purchase, sell, transfer or otherwise obtain human embryonic, gametic or cadaveric fetal tissue for the purpose of human cloning.”;

In said section 1, in subsection (b) of said section 8 of said proposed chapter 111L, by inserting after the first sentence the following sentence:— “No person shall knowingly create an embryo by the method of fertilization with the sole intent of using the embryo for research.”;

In said section 1, in said section 8 of said proposed chapter 111L, by striking out subsection (d) and inserting in place thereof the following subsection:—

“(d) A person who violates subsection (a) shall be punished by imprisonment in a jail or house of correction for not less than 5 years nor more than 10 years or by imprisonment in the state prison for not more than 10 years or by a fine of not more than \$1,000,000. In addition to this penalty, a person who knowingly violates subsection (a) and derives a financial profit from this violation shall be ordered to pay all or part of any such profits to the commonwealth as damages.”; and

By striking out section 8.

The bill was before the Senate subject to amendment and re-enactment.

Mr. Lees moved that the engrossed bill be amended in section 1, in section 2 of proposed chapter 111L of the General Laws, in the definition of “valuable consideration”, by adding the following 2 sentences:— “As applied to consideration to be paid to egg donors, ‘valuable consideration’ is any interest, profit or benefit of value, except for reimbursement of out-of-pocket expenses actually paid by the donor in connection with egg donation. Nothing in this definition shall limit consideration for eggs made available for reproductive purposes.”.
The amendment was *rejected*.

Mr. Lees further moved that the engrossed bill be amended in section 1, in subsection (b) of said section 8 of proposed chapter 111L of the General Laws by inserting the first sentence, the following sentence:— “No person shall knowingly create an embryo

by the method of fertilization with the sole intent of using the embryo for research.”
The amendment was *rejected*.

Mr. Lees further moved that the engrossed bill be amended by striking out section 8.
The amendment was *rejected*.

Mr. Lees moved that the engrossed bill be amended in section 1 by adding the following section:—

“Section 11. Notwithstanding any general or special law to the contrary, including any provision of this chapter to the contrary, human cloning, by any means, including somatic cell nuclear transfer, is hereby prohibited in the Commonwealth. No person shall knowingly attempt, engage in, or directly or indirectly assist in, human cloning for any purpose. No person shall knowingly purchase, sell, transfer, or otherwise obtain human embryonic, gametic or cataveric fetal tissue for the purpose of human cloning.

A person who violates the provisions of this section shall be punished by imprisonment in a jail or house of correction for not less than five years nor more than ten years or by imprisonment in the state prison for not more than ten years and by a fine of up to one million dollars. In addition, to such penalty, a person who knowingly violates the provision of this section and derives a financial profit from such violations shall be ordered to pay all such profits to the commonwealth as damages.”

After debate, the question on adopting the amendment was determined by a call of the yeas and nays, at eleven minutes before twelve o'clock noon, on motion of Mr. Lees, as follows, to wit (yeas 4 — nays 34) [**Yeas and Nays No. 20**]:

YEAS.

Hedlund, Robert L.	Lees, Brian P.
Knapik, Michael R.	Moore, Richard T. — 4.

NAYS

Antonioni, Robert A.	Montigny, Mark C.
Augustus, Edward M., Jr.	Morrissey, Michael W.
Baddour, Steven A.	Murray, Therese
Barrios, Jarrett T.	Nuciforo, Andrea F., Jr.
Berry, Frederick E.	O'Leary, Robert A.
Brewer, Stephen M.	Pacheco, Marc R.
Brown, Scott P.	Panagiotakos, Steven C.
Buoniconti, Stephen J.	Resor, Pamela
Chandler, Harriette L.	Rosenberg, Stanley C.
Creedon, Robert S., Jr.	Spilka, Karen E.
Creem, Cynthia Stone	Tarr, Bruce E.
Fargo, Susan C.	Timilty, James E.
Hart, John A., Jr.	Tisei, Richard R.
Havern, Robert A.	Tolman, Steven A.
Joyce, Brian A.	Travaglini, Robert E.
McGee, Thomas M.	Tucker, Susan C.
Menard, Joan M.	Wilkerson, Dianne —

34.

ABSENT OR NOT VOTING.

Walsh, Marian — **1.**

The yeas and nays having been completed at eight minutes before twelve o'clock noon, the amendment was *rejected*.

Ms. Wilkerson moved that the engrossed bill be amended in section 1, in section 10 of proposed chapter 111L of the General Laws, by striking out subsection (d) and inserting in place thereof the following subsection:—

“(d) The joint committee on state administration and regulatory oversight of the general court, in this subsection called the committee, shall have authority to review regulations proposed or adopted pursuant to this chapter. The committee shall consult

with the joint committee on economic development and emerging technologies in performing this review. The committee may hold public hearings concerning a proposed or existing regulation and may submit to the department comments concerning the merit and appropriateness of the regulations to be promulgated and an opinion whether the regulations are authorized by, and consistent with, this chapter. The department shall respond in writing within 10 days to the committee's written questions relevant to the committee's review of a proposed or existing regulation. The department shall provide to the committee, without charge, copies of all public records in the agency's custody relating to the regulation or action in question within 10 days of a request by the committee. The committee may issue a report with proposed changes to a proposed or existing regulation and shall transmit this report to the department. If the department does not adopt the proposed changes contained in the committee's report, the department shall notify the committee in writing of the reasons why it did not adopt the changes either at the time it adopts a proposed regulation or within 21 days of receiving the committee's report on an existing regulation." After remarks, the amendment was **adopted**.

The amendments recommended by the Governor, in the form recommended by the committee on Bills in the Third Reading, was then considered; and they were *rejected*.

Sent to the House for concurrence in the amendment.

Recess.

There being no objection, at five minutes past twelve o'clock noon, the President declared a recess subject to the call of the Chair; and at two minutes past three o'clock P.M., the Senate reassembled, Mr. Havern in the Chair.

PAPERS FROM THE HOUSE.

A Bill for a special law to repeal the 1675 law entitled "Indians prohibited being in Boston" (House, No. 3849,— on petition) [Local approval received],— was read.

There being no objection, the rules were suspended, on motion of Mr. Lees, and the bill was read a second time, ordered to a third reading, read a third time, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act repealing the act of 1675 entitled 'Indians prohibited being in Boston'."

After remarks, the question on passing the bill to be engrossed, in concurrence, was determined by a call of the yeas and nays, at twelve minutes past three o'clock P.M., on motion of Ms. Wilkerson, as follows, to wit (yeas 36 — nays 0) [**Yeas and Nays No. 22**]:

YEAS.

Antonioni, Robert A.	McGee, Thomas M.
Augustus, Edward M., Jr.	Menard, Joan M.
Baddour, Steven A.	Montigny, Mark C.
Barrios, Jarrett T.	Moore, Richard T.
Berry, Frederick E.	Morrissey, Michael W.
Brewer, Stephen M.	Murray, Therese
Brown, Scott P.	Nuciforo, Andrea F., Jr.
Buoniconti, Stephen J.	O'Leary, Robert A.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Resor, Pamela
Creem, Cynthia Stone	Rosenberg, Stanley C.
Fargo, Susan C.	Spilka, Karen E.
Hart, John A., Jr.	Tarr, Bruce E.
Havern, Robert A.	Timilty, James E.
Hedlund, Robert L.	Tisei, Richard R.
Joyce, Brian A.	Tolman, Steven A.
Knapik, Michael R.	Tucker, Susan C.
Lees, Brian P.	Wilkerson, Dianne —

36.

NAYS — 0.
ABSENT OR NOT VOTING.
Panagiotakos, Steven C. Walsh, Marian — 2.

The yeas and nays having been completed at eighteen minutes past three o'clock P.M., the bill was passed to be engrossed, in concurrence.

The Senate Order relative to amending Joint Rule 1 to increase membership on certain joint committees,— came from the House with the endorsement that the House had adopted the order *with an amendment* adding at the end thereof the following:

“; and be it further

Ordered, that the Joint Rules be amended by striking out Joint Rule 1E and inserting in place thereof the following rule:—

1E. The joint standing committee on Health Care Financing shall review all legislation relating to health care to evaluate the appropriateness and fiscal effect of such legislation. A matter within the jurisdiction of said committee may, if appropriate, initially be referred to another joint standing committee sharing jurisdiction of the subject-matter. Once reported by such joint standing committee, the matter shall be referred to the joint committee on Health Care Financing, and the matter shall thereafter be reported to the branch in which the bill originated.

For all matters initially referred to the joint committee on Health Care Financing and not previously referred to another joint committee, the joint committee on Health Care Financing may make favorable reports to either branch, at the discretion of the committee, except that reports on money bills shall be made to the House.

In compliance with the provisions of section 38A of chapter 3 of the General Laws, the joint committee on Health Care Financing when reporting on bills referred to them shall include therewith a fiscal note prepared in accordance with the provisions of section 3A of chapter 29 of the General Laws, showing the estimated cost or the fiscal effect of the proposed legislation, if, in the opinion of said committee, such cost or fiscal effect exceeds the sum of one hundred thousand dollars be referred by the Clerk of the branch to the Committee on Ways and Means prior to debate and consideration of the matter by the branch.”.

There being no objection, the rules were suspended, on motion of Mr. Berry, and the matter was considered forthwith.

Mr. Moore moved that the Senate concur in the House amendment *with a further amendment* striking out at the end thereof the words: “it shall be referred by the Clerk of the branch to the Committee on Ways and Means prior to debate and consideration of the matter by the branch.” and inserting in place thereof the following words:— “; provided, however, that any matter reported by the committee on Health Care Financing with a fiscal effect that does not exceed one hundred thousand dollars shall not be referred, under the rules, to the committee on Ways and Means.”

The further amendment was adopted.

Sent to the House for concurrence in the further amendment.

Order Adopted.

The House Order relative to establishing a special committee for the purpose of planning a celebration of the three hundred and seventy-fifth anniversary of the General Court (House, No. 4059) (having been approved by the committees on Rules of the two branches, acting concurrently),— **was considered forthwith; and it was adopted, in concurrence.**

Recess.

There being no objection, at twenty-four minutes past three o'clock P.M., the Chair (Mr. Havern) declared a recess subject to the call of the Chair; and at twenty-four minutes past five o'clock P.M., the Senate reassembled, Mr. Havern in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

PAPERS FROM THE HOUSE.

A petition (accompanied by resolve, Senate, No. 2065) of Scott P. Brown, Edward G. Connolly, Elizabeth Poirier and other members of the General court that provision be made for an investigation and study by a special commission (including members of the General Court) relative to distinctive registration plate decals,— came from the House with the endorsement that the House had NON-concurred in the reference to the committee on Public Safety and Homeland Security and had referred the petition to the committee on Transportation.

The rules were suspended, on motion of Mr. Tarr, and the Senate *receded* from its referral to the committee on Public Safety and Homeland Security and concurred in the referral to the committee on Transportation.

A petition (accompanied by bill, House, No. 4062) of Thomas J. O'Brien and others for legislation to establish a sick leave bank for Mary M. Putney, an employee of the Trial court,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on the Judiciary.**

Engrossed Bill.

An engrossed Bill repealing the act of 1675 entitled "Indians prohibited being in Boston" (see House, No. 3849) (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.**

Emergency Preambles Adopted.

An engrossed Bill establishing a sick leave bank for Carol G. Davis, an employee of the George Fingold Library (see Senate, No. 2029, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,— was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 3 to 0.

The bill was signed by the Acting President and sent to the House for enactment.

An engrossed Bill enhancing regenerative medicine in the Commonwealth (see Senate, No. 2039, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,— was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 3 to 0.

The bill was signed by the Acting President and sent to the House for enactment.

The engrossed Bill enhancing regenerative medicine in the Commonwealth (see Senate, No. 2039, amended),— came from the House amended as follows:— in section 1, in subsection (d) of section 10 of proposed chapter 111L of the General Laws, by striking out the first sentence and inserting in place thereof the following 2 sentences:— "The joint committee on state administration and regulatory oversight of the general court, in this subsection called the committee, shall have authority to review regulations proposed or adopted pursuant to this chapter. The committee shall consult with the joint committee on economic development and emerging technologies in performing this review."

The rules were suspended, on motion of Mr. Tarr, and the House amendment was considered forthwith and adopted, in concurrence.

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 NON-concurred with the Senate in its reference to the committee on Public Safety and Homeland Security and insisted on its reference to the committee on the Judiciary.

The rules were suspended, on motion of Ms. Wilkerson, and the Senate receded from its reference to the committee on Public Safety and Homeland Security and concurred in the reference to the committee on the Judiciary.

Emergency Preamble Adopted; Engrossed Bill Re-enacted.

An engrossed Bill enhancing regenerative medicine in the commonwealth (see Senate, No. 2039, amended) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,— was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted, in concurrence, by a vote of 3 to 0.

The bill was signed by the Acting President and sent to the House for re-enactment.

Subsequently, the bill, which originated in the Senate, came from the House with the endorsement that it had been re-enacted in that branch.

The Senate then passed the bill to be re-enacted; and it was signed by the Acting President and again laid before the Governor for his approbation.

Engrossed Bill.

An engrossed Bill establishing a sick leave bank for Carol G. Davis, an employee of the George Fingold Library (see Senate, No. 2029, amended) (which originated in the Senate), **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 Ms. Wilkerson,—

Ordered, That notwithstanding the provisions of Senate Rule 38B, when the Senate adjourns today, it adjourn to meet again on Monday next at twelve o'clock noon; and that the only item on the calendar will be the General Appropriation Bill.

On motion of Mr. Tarr, at twenty-four minutes past six o'clock P.M., the Senate adjourned to meet on the following Monday at twelve o'clock noon.