

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.

Wednesday, May 31, 2006.

Met at three minutes past eleven o'clock A.M. (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).

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

Reports.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of the new kitchen at the Middlesex County House of Correction and Jail (received Tuesday, March 14, 2006),— was read and sent to the House for its information.

The following reports were severally read and placed on file:

A report of the Water Resources Commission (pursuant to the provisions of Section 8C of Chapter 21 of the General Laws) submitting a copy of its decision for approval under the Interbasin Transfer Act to the town of North Attleborough for the Hillman Well (received Friday, May 26, 2006); and

A report of The Property and Casualty Initiative (under the provisions of Section 3 of Chapter 259 of the Acts of 1998) submitting its annual report for fiscal year 2005 (received Tuesday, May 30, 2006).

Petition.

Mr. Brewer presented a petition (subject to Joint Rule 12) of Stephen M. Brewer for legislation to establish a sick leave bank for Jan O. Modzeleski, an employee of the Massachusetts Correctional Institute in Concord,— and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of Committees.

By Mr. Moore, for the committee on Health Care Financing, on petition (accompanied by bill, Senate, No. 279), a Bill requiring Medicaid reimbursement payments to health care providers for electronic consultations (Senate, No. 2565);

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

By Mr. Timilty, for the committee on Municipalities and Regional Government, on petition (accompanied by bill, Senate, No. 2415), a Bill relative to the maintenance and repairs of all city of Lynn owned buildings within the city of Lynn (Senate, No. 2562) [Local approval received on Senate, No. 2415];

Read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Committees Discharged.

Mr. Buoniconti, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration

Of the Senate Order relative to authorizing the joint committee on Consumer Protection and Professional Licensure to make an investigation and study of certain current Senate documents relative to consumer protection issues in the commonwealth (Senate, No. 2564);

Of the Senate Order relative to authorizing the joint committee on Financial Services to make an investigation and study of certain current Senate documents relative to financial services (Senate, No. 2560); and

Of the Senate Order relative to authorizing the joint committee on Revenue to make an investigation and study of current Senate document numbered 2496 relative to gambling losses (Senate, No. 2558);

And recommending that the same severally be referred to the Senate committee on Ethics and Rules.

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

Ms. Murray, for the committee on Ways and Means, reported, asking to be discharged from further consideration of the Senate Bill prohibiting the exhibition of exotic animals (Senate, No. 2457),— **and recommending that the same be referred to the Senate committee on Ethics and Rules.**

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

Resolutions.

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

Resolutions (filed by Mr. Hart) “on the retirement of Paul A. Christian”; and

Resolutions (filed by Mr. Pacheco) “congratulating Robert E. James, ED.D., Superintendent of the Berkley Public Schools.”

Reports of a Committee.

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

The Senate Bill establishing the Martha’s Vineyard housing bank (Senate, No. 2230) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft entitled “An Act establishing the Martha’s Vineyard and Nantucket housing banks” (Senate, No. 2555).

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

The bill (Senate, No. 2555) was then ordered to a third reading.

The House Bill relative to the rights of school nurses (House, No. 1087).

There being no objection, the rules were suspended, on motion of Mr. Tisei, and the bill was read a second time and ordered to a third reading.

The House Bill relative to municipal affordable housing trust funds (House, No. 4793).

There being no objection, the rules were suspended, on motion of Mr. Tisei, and the bill was read a second time and ordered to a third reading.

PAPERS FROM THE HOUSE.

Engrossed Bills.

The following engrossed bills (the first of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the Acting President (Mr. Havern) and laid before the Governor for his approbation, to wit:

Validating the proceedings of the annual town elections in the town of Royalston (see Senate, No. 2188); and

Authorizing a stabilization fund for Bourne Water District (see House, No. 4459).

Order Adopted.

Mr. Moore offered the following, to wit:

Ordered, That notwithstanding the provisions of Joint Rule 10 the committee on Health Care Financing be granted until Tuesday, June 20, 2006, within which to make its final report on current Senate documents numbered 1276, 1278 and 1290, and House document numbered 4689.

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

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

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

Sent to the House for concurrence.

Recess.

There being no objection, at seven minutes past eleven o'clock A.M., the Chair (Mr. Havern) declared a recess subject to the call of the Chair; and, at eleven minutes past two o'clock P.M., the Senate reassembled, the President in the Chair.

Reports of a Committee.

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Shelley Nunes, an employee of the Barnstable District Court (Senate, No. 2538),— **ought to pass.**

There being no objection, the rules were suspended, on motion of Mr. Tisei, and the bill was read a second time and ordered to a third reading.

By Ms. Murray, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for a certain employee of the Trial Court (House, No. 4834),— **ought to pass.**

There being no objection, the rules were suspended, on motion of Mr. Tisei, and the bill was read a second time and ordered to a third reading.

By Ms. Murray, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Debra A. Flagg, an employee of the Department of Mental Retardation (House, No. 4915),— **ought to pass.**

There being no objection, the rules were suspended, on motion of Mr. Tisei, and the bill was read a second time and ordered to a third reading.

By Ms. Murray, for the committee on Ways and Means, that the House Bill relative to streamlining and expediting the permitting process in the Commonwealth (House, No. 4968),— **ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2566.**

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

The bill, as amended, was then ordered to a third reading.

Order Adopted.

On motion of Mr. Tisei,—

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow at one o'clock P.M.

On motion of Mr. Tisei, at fourteen minutes past two o'clock P.M., the Senate adjourned to meet on the following day at one o'clock P.M.