

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.

Monday, July 24, 2006.

Met at two minutes past one o'clock P.M. (Mr. Havern in the Chair).

Petition.

Mr. Pacheco presented a petition (subject to Joint Rule 12) of Marc R. Pacheco and James H. Fagan for legislation relative to disability retirement benefits for certain employees who contract cancer,— **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. Creem, for the committee on Revenue, on Senate, Nos. 2592 and 2595, an Order relative to authorizing the joint committee on Revenue to make an investigation and study of certain current Senate documents relative to taxation (Senate, No. 2654);

Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Barrios, for the committee on Public Safety and Homeland Security, on petition (accompanied by resolve, Senate, No. 2600), a Resolve that there is hereby established a commission to be known as the police training commission (Senate, No. 2661);

Read and, under Joint Rule 29, referred to the committees on Rules of the two branches, acting concurrently.

By Mr. Montigny, for the committee on Bonding, Capital Expenditures and State Assets, on petition (accompanied by bill, Senate, No. 2616), a Bill authorizing the Division of Capital Asset Management and Maintenance to grant certain easements in the towns of Russell and Montgomery Massachusetts over lands held for conservation/recreation purposes (Senate, No. 2660); By Ms. Jehlen, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for Jan O. Modzeleski, Sr., an employee of the Massachusetts Correctional Institute in Concord (Senate, No. 2640); and By the same Senator, for the same committee, on the recommitted petition (accompanied by bill, Senate, No. 2166), a Bill further regulating investment in Sudan (Senate, No. 2659);

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

By Ms. Fargo, for the committee on Public Health, on petition, a Bill further regulating tanning facilities (Senate, No. 2590); By Mr. Barrios, for the committee on Public Safety and Homeland Security, on petition, a Bill restricting the use of certain amusement devices (Senate, No. 2591); and

By the same Senator, for the same committee, on petition, a Bill empowering the Secretary of Public Safety to establish regulations relative to the issuance of police identification cards (Senate, No. 2601);

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 the recommitted petition, a Bill authorizing the town of Ipswich to change the use, the care, custody and control of a portion of town owned land (Senate, No. 2055) [Local

approval received];

By the same Senator, for the same committee, on petition, a Bill authorizing the town of Arlington to establish a special account for maintenance of all of its town water bodies (Senate, No. 2580, changed in section 3 by striking out the second sentence) [Local approval received];

By the same Senator, for the same committee, on petition, a Bill authorizing the town of Plainfield to convey a certain parcel of land to the Plainfield Congregational Church, Inc. (Senate, No. 2603) [Local approval received]; and

By the same Senator, for the same committee, on petition, a Bill relative to the city of Quincy sewerage rehabilitation fund (Senate, No. 2635) [Local approval received];

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

Committee Discharged.

Mr. Buoniconti, for the committee on Ethics and Rules, to whom was referred the Senate Order relative to authorizing the joint committee on Revenue to make an investigation and study of certain current Senate documents relative to revenue (Senate, No. 2410), reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, Senate No. 1652) of Cynthia Stone Creem, Ruth B. Balser and Vincent Fillipone relative to assessment of local taxes,— **and recommending that the same be recommitted to the committee on Revenue.**

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

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4873) of David Paul Linsky and Alice Hanlon Peisch (by vote of the town) that the town of Natick be authorized to enter into an agreement with the Division of Capital Planning and Operations for the lease of certain property located on Speen Street in said town. To the committee on Bonding, Capital Expenditures and State Assets.

Petition (accompanied by bill, House, No. 5035) of Karyn E. Polito and others (by vote of the town) that the town of Westborough be authorized to grant a license for the sale of alcoholic beverages not to be drunk on the premises to Highpoint Liquors, LLC; and

Petition (accompanied by bill, House, No. 5077) of Anne M. Paulsen and Steven A. Tolman (by vote of the town) relative to the granting of special one-day licenses for the sale of alcoholic beverages in the town of Belmont;

Severally to the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 5126) of Alice K. Wolf and others (with the approval of the city council) for legislation to reduce to seventeen years the age for voting in local elections in the city of Cambridge; and

Petition (accompanied by bill, House, No. 5134) of Robert M. Koczera and others (with the approval of the mayor and city council) that the city of New Bedford be authorized to place on the ballot the question relative to the fluoridation of the water supply in said city;

Severally to the committee on Election Laws.

Petition (accompanied by bill, House, No. 4861) of Alice Hanlon Peisch (by vote of the town) relative to the duties and functions of the office of town manager of the town of Weston;

Petition (accompanied by bill, House, No. 4862) of Karyn E. Polito and others (by vote of the town) that the town of Westborough be authorized to release a certain easement for the construction of a water treatment plant;

Petition (accompanied by bill, House, No. 4863) of David M. Torrisi and others (by vote of the town) for legislation to increase the membership of the board of health of the town of North Andover;

Petition (accompanied by bill, House, No. 4864) of David M. Torrisi and others (by vote of the town) that the town of North Andover be authorized to prohibit health insurance benefits for elected officials of said town;

Petition (accompanied by bill, House, No. 4866) of Michael F. Kane and Michael R. Knapik (with the approval of the mayor and city council) relative to the issuance of bonds for the geriatric authority of the city of Holyoke;

Petition (accompanied by bill, House, No. 4867) of Paul J.P. Loscocco (by vote of the town) that the town of Hopkinton be authorized to acquire the North Pond/Lake Maspenock Dam located in the towns of Upton and Milford;

Petition (accompanied by bill, House, No. 4868) of Paul J.P. Loscocco (by vote of the town) that the town of Hopkinton be authorized to deposit certain monies in the stabilization fund of said town;

Petition (accompanied by bill, House, No. 4869) of Paul J.P. Loscocco (by vote of the town) that the town of Hopkinton be authorized to establish an elected board of public works for said town;

Petition (accompanied by bill, House, No. 4870) of Alice Hanlon Peisch and others (by vote of the town) for legislation to authorize the town of Wellesley to convey a certain parcel of land to Eric Garpestad and Kathleen E. Walsh in exchange for other property to be used for park purposes;

Petition (accompanied by bill, House, No. 4871) of Alice Hanlon Peisch and others (by vote of the town) for legislation to authorize the town of Wellesley to exchange certain property with James and Pamela Broderick;

Petition (accompanied by bill, House, No. 4877) of Robert J. Nyman (by vote of the town) relative authorizing the town of Hanover to convey certain park land in said town;

Petition (accompanied by bill, House, No. 5015) of John H. Rogers and Marian Walsh (by vote of the town) that the town of Norwood be authorized to lease a certain parcel of land to the Y.M.C.A. of Greater Boston;

Petition (accompanied by bill, House, No. 5078) of Susan Williams Gifford (by vote of the town) for legislation to authorize the

town of Carver to appoint alternate voting members to the conservation commission of said town;
Petition (accompanied by bill, House, No. 5127) of Peter V. Kocot (with the approval of the mayor and city council) relative to the zoning of certain property on Ryan Road in the city of Northampton;
Petition (accompanied by bill, House, No. 5128) of James B. Leary and others (with the approval of the mayor and city council) for legislation to authorize the city of Worcester to issue bonds for improvements to the arena and convention center of said city;
Petition (accompanied by bill, House, No. 5129) of Gloria L. Fox (with the approval of the mayor and city council) relative to certain contracting procedures in the city of Boston; and
Petition (accompanied by bill, House, No. 5215) of John H. Rogers (by vote of the town) relative to authorizing the town of Norwood to convey certain park land to the Karsten Company for residential housing purposes;
Severally to the committee on Municipalities and Regional Government.
Petition (accompanied by bill, House, No. 4998) of Walter F. Timilty and others (with the approval of the mayor and city council) for legislation to authorize the surviving minor dependents of Thomas Dynan of the fire department of the city of Boston to remain in the group health insurance program of said city;
Petition (accompanied by bill, House, No. 5036) of Garrett J. Bradley and Robert L. Hedlund (by vote of the town) that the position of deputy chief of police in the town of Hingham be exempt from provisions of the civil service law; and
Petition (accompanied by bill, House, No. 5048) of Barbara A. L'Italien, Bruce E. Tarr and Bradford Hill (by vote of the town) relative to the appointment of police officers in the town of Boxford;
Severally to the committee on Public Service.
Petition (accompanied by bill, House, No. 4696) of Eugene L. O'Flaherty (with the approval of the city council) relative to increasing the tax exemption for residential real property in the city of Chelsea; and
Petition (accompanied by bill, House, No. 4872) of Alice Hanlon Peisch and others (by vote of the town) that the town of Wellesley be authorized to place on the ballot a certain question relative to the raising of local taxes for the purpose of funding the group insurance liability fund of said town;
Severally to the committee on Revenue.

A Bill relative to certain retirement benefits for surviving spouses of the State Police (House, No. 4941,— on House, No. 592),—
was read and, under Senate Rule 27, referred to the committee on Ways and Means.

Bills

Relative to sexual assault nurse examiners and forensic evidence in cases of sexual assault and rape (House, No. 878,— on Senate, No. 1322); and

Relative to certain raffles and bazaars by certain organizations (House, No. 5037,— on petition);

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

Bills

Authorizing the town of Shrewsbury to exchange certain land (House, No. 4739,— on House, No. 4212) [Local approval received];

Authorizing the town of Wayland to transfer care and control of certain park land (House, No. 5079,— on petition) [Local approval received]; and

Establishing voting precincts in the city of Chelsea (House, No. 5201,— on House, No. 2120) [Local approval received on House, No. 2120]

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

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

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

The Senator from Worcester, Hampden, Hampshire and Franklin, Mr. Brewer, offered the following prayer:

Eternal Father, Source of all blessing, grant that we who have been the heirs of all that is great and glorious in the past may be the trusted servants in forming an even greater and more glorious future.

No blessing does God withhold from us if we act justly, love mercy and walk humbly before the Lord. Whatever may be the judgement of the future generations on the members of this Senate, it must always be remembered that they worked always under the guidance and direction of the eternal Lawmaker, seeking His counsel at the start of each new day, asking His grace for the farsighted plans for the future, steadfast in loyalty, loftily in principle, courageous in the face of all issues.

By Thy voice, O God, have these been called to this high vocation of public service. By Thy power have they been blessedly sustained. By Thee may they be richly rewarded. Amen.

PAPER FROM THE HOUSE.

Engrossed Bill.

An engrossed Bill relative to the renewable energy portfolio standard (see House, No. 5090, 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 enacted and was signed by the President and laid before the Governor for his approbation.

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:—
Resolutions (filed by Mr. Augustus) “commending Shrewsbury Police Officer Stephen Rice for his exceptional courage, bravery, and service to the Shrewsbury community”; and
Resolutions (filed by Mr. Brown) “congratulating Fire Chief Edwin H. Harrop, Sr. on the occasion of his retirement.”

PAPERS FROM THE HOUSE.

Emergency Preamble Adopted.

An engrossed Bill authorizing the University of Massachusetts to convey a certain parcel of land in the city of Boston to the United States of America acting by and through the National Archives and Records Administration (see Senate, No. 2597, 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 2 to 0. The bill was signed by the President and sent to the House for enactment.**

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 President and laid before the Governor for his approbation, to wit:
Authorizing the late filing of a tax abatement application for the National Plastics Center and Museum of Leominster (see Senate, No. 2386);
Authorizing the town of Shrewsbury to lease certain land (see House, No. 4205); and
Exempting certain positions in the city of Worcester from civil service status (see House, No. 4348).

Communications.

The Clerk read the following communication:

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133-1053

July 20, 2006.

Mr. William F. Welch
Clerk of the Massachusetts Senate
State House, Room 335
Boston, MA 02133

Dear Mr. Clerk:

On Wednesday July 19, I was in another part of the building on official business and missed one roll call vote.

The roll call vote that I missed was on engrossment of Senate Bill 394, An Act Protecting Disabled Persons from Financial Exploitation. Had I been present, I would have voted in the negative.

I respectfully request that a copy of this communication be printed in today’s Senate Journal. Thank you for your attention to this matter.

Sincerely,
SCOTT BROWN,
State Senator.

On motion of Mr. Lees, the above communication was ordered printed in the Journal of the Senate.

The Clerk read the following communication:

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133-1053

July 24, 2006.

Mr. William F. Welch
Clerk of the Senate
State House, Room 335
Boston, MA 02133

Dear Mr. Clerk:

On July 20th, 2006 I was unable to be present in the Senate Chamber for several roll call votes pertaining to the Governor's vetoes of items contained in House Bill 5000, the Fiscal Year 2007 General Appropriations bill. My absence from the Chamber was due to a scheduled meeting with representatives from the Town of Medfield, the Commissioner of the Division of Capital Asset Management, and the Commissioner of the Department of Mental Health to discuss the DMH proposal to amend pending legislation regarding the possible development of land formerly occupied by the Medfield State Hospital. Had I been present, I would have voted in the affirmative on the following roll calls:

- Roll Call No. 383 Restoring \$250,000 to Line Item 4513-1000 Family Health Services
- Roll Call No. 384 Restoring \$1 million to Line Item 4513-1020 Early Intervention Services
- Roll Call No. 385 Restoring \$158,000 to Line Item 4513-1130 Domestic Violence & Sexual Assault Services
- Roll Call No. 386 Restoring \$300,000 to Line Item 4590-0250 School-Based Health Programs
- Roll Call No. 387 Restoring \$3.18 million to Line Item 5046-0000 Adult Support Services
- Roll Call No. 388 Restoring language to Line Item 5920-3010 Autism Division
- Roll Call No. 389 Restoring \$2 million to Line Item 6000-0200 Inter-District Transportation
- Roll Call No. 390 Restoring \$425,000 to Line Item 6010-0001 MassHighway
- Roll Call No. 391 Restoring \$250,000 to Line Item 7000-9401 Regional Library Local Aid
- Roll Call No. 392 Restoring \$100,000 to Line Item 7000-9501 Municipal Libraries Local Aid
- Roll Call No. 393 Restoring \$850,000 to Line Item 7003-0605 MA Manufacturing Extension Partnership
- Roll Call No. 394 Restoring \$6.3 million to Line Item 7003-0702 Workforce Development Grants
- Roll Call No. 395 Restoring \$1.8 million to Line Item 7004-0099 Housing Administration
- Roll Call No. 396 Restoring \$1.5 million to Line Item 7004-2475 Soft Second Mortgage
- Roll Call No. 397 Restoring \$32 million to Line Item 7004-9024 MA Rental Voucher Program
- Roll Call No. 398 Restoring \$2 million to Line Item 7004-9316 Rental Assistance for Families in Transition
- Roll Call No. 399 Restoring \$800,000 to Line Item 7007-0951 Commonwealth Zoological Corporation
- Roll Call No. 400 Restoring \$2.5 million to Line Item 8000-0500 Fire Safety Equipment Grants
- Roll Call No. 401 Restoring \$2.5 million to Line Item 8100-0000 State Police

While I regret not being present for the roll calls cited above, my first duty was to represent the interests of the citizens of Medfield on a matter of vital importance to the future of the community. I respectfully request that this letter be printed in the Senate Journal as part of the official record for July 24, 2006. Thank you for your assistance in this matter.

With Every Good Wish,
JAMES E. TIMILTY,
Senator,
Bristol and Norfolk District.

On motion of Mr. Hart, the above communication was ordered printed in the Journal of the Senate.

Report of a Committee.

By Ms. Jehlen, for the committee on Public Service, on the recommitted petition, a Bill exempting Craig Blake of Norton from the maximum requirements for appointment as a fire-fighter in the town of Norton (Senate, No. 2568) [Local approval received]; **There being no objection, the rules were suspended, on motion of Mr. Timilty, and the bill 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.**

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 requiring a financial institution to pay late fees when it fails to conduct an electronic transfer (Senate, No. 618, amended),— **was considered; and it was passed to be engrossed. Sent to the House for concurrence.**

Report 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 Michael W. Morrissey for legislation to further regulate the appointment of a health care agent. Senate Rule 36 was suspended, on motion of Mr. Moore, 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.

Petitions.

On motion of Mr. McGee, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Mr. Moore, (accompanied by bill) of Richard T. Moore, Robert A. O’Leary, Cleon H. Turner, Harriette L. Chandler and other members of the General Court for legislation to establish a Police Officer’s Memorial Flag for the Commonwealth,— **and the same was referred to the committee on State Administration and Regulatory Oversight.**

On motion of Ms. Murray, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Mr. Moore, (accompanied by bill) of Richard T. Moore, Robert A. O’Leary, Cleon H. Turner, Harriette L. Chandler and other members of the General Court for legislation to establish a Firefighter’s Memorial Flag for the Commonwealth,— **and the same was referred to the committee on State Administration and Regulatory Oversight.**
Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 5222) of Jay R. Kaufman and others for legislation to designate certain roadways in the towns of Arlington, Lexington, Lincoln and Concord as a scenic byway to be known as “The Battle Road: The Road to Revolutions”,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Tourism, Arts and Cultural Development.**

Engrossed Bills— Land Takings for Conservation, Etc.

An engrossed Bill relative to the sale of land in the city of Quincy by the Massachusetts Water Resource Authority (see Senate, No. 2190, amended) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,— was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-nine minutes past one o’clock P.M., as follows, to wit (*yeas 36 — nays 0*) [**Yeas and Nays No. 416**]:

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.	Murray, Therese
Brewer, Stephen M.	Nuciforo, Andrea F., Jr.
Brown, Scott P.	O’Leary, Robert A.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
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.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
Knapik, Michael R.	Walsh, Marian
Lees, Brian P.	Wilkerson, Dianne — 36.
NAYS — 0.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 3.
Morrissey, Michael W.	

The yeas and nays having been completed at twenty-seven minutes before two o'clock P.M., the bill was passed to be enacted, two-thirds of the members present and voting having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

An engrossed Bill authorizing the conservation commission of the city of Pittsfield to convey a certain parcel of conservation land for public purposes (see Senate, No. 2576) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,— was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-six minutes before two o'clock P.M., as follows, to wit (*yeas 35 — nays 1*) [**Yeas and Nays No. 417**]:

YEAS.	
Antonioni, Robert A.	Menard, Joan M.
Augustus, Edward M., Jr.	Montigny, Mark C.
Baddour, Steven A.	Moore, Richard T.
Barrios, Jarrett T.	Murray, Therese
Berry, Frederick E.	Nuciforo, Andrea F., Jr.
Brewer, Stephen M.	O'Leary, Robert A.
Brown, Scott P.	Pacheco, Marc R.
Chandler, Harriette L.	Panagiotakos, Steven C.
Creedon, Robert S., Jr.	Resor, Pamela
Creem, Cynthia Stone	Spilka, Karen E.
Fargo, Susan C.	Tarr, Bruce E.
Hart, John A., Jr.	Timilty, James E.

Havern, Robert A.	Tisei, Richard R.
Hedlund, Robert L.	Tolman, Steven A.
Jehlen, Patricia D.	Tucker, Susan C.
Joyce, Brian A.	Walsh, Marian
Knapik, Michael R.	Wilkerson, Dianne — 35.
McGee, Thomas M.	
NAYS	
Lees, Brian P. — 1.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 3.
Morrissey, Michael W.	

The yeas and nays having been completed at twenty-four minutes before two o'clock P.M., the bill was passed to be enacted, two-thirds of the members present and voting having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

Message from the Governor — Disapproval and Reductions in Economic Stimulus Bill.

A message from His Excellency the Governor, returning, with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill relative to economic investments in the Commonwealth to promote job creation, economic stability, and competitiveness in the Massachusetts economy (see House, No. 5057, amended), which on Friday, June 16, 2006, had been laid before the Governor for his approbation,— came from the House, in part, several items and sections having been passed by the House notwithstanding the reduction or disapproval of the Governor.

The message (House, No. 5101) was read; and the Senate proceeded to reconsider several items, which had been reduced or disapproved in accordance with the provisions of the Constitution.

Section 3 (Proclamations) was considered as follows:

“SECTION 3. Chapter 6 of the General Laws is hereby amended by inserting after section 12XX the following 2 sections:—
Section 12YY. The governor shall annually issue a proclamation setting apart the third week of November, or such other week if in conjunction with a federally recognized international education week, to be International Education Week for the purpose of encouraging schools to participate in programs of international education, and recommend that said week be observed in an appropriate manner by the people.

Section 12ZZ. The governor shall annually issue a proclamation setting apart October 21 as Massachusetts Biomedical Research Day, in conjunction with National Biomedical Research Day, and recommending that the day be observed in an appropriate manner by the people.”

After debate, and pending the question on passing section 3, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, Mr. Lees moved that the matter be laid on the table. Under the provisions of Senate Rule 24, the matter was laid over until the next session.

Section 6 (Global Education Advisory Council I) was considered as follows:

“SECTION 6. Section 1G of chapter 15 of the General Laws, as so appearing, is hereby amended by adding the following paragraph:—

(g) The commissioner of education, in consultation with the chairman of the board of higher education, shall direct the global education advisory council to explore international opportunities for learning, exchange programs and the availability of curriculum materials for students, teachers, administrators and educational policy makers. Said global education advisory council shall: (a) investigate and compile information concerning international education programs and opportunities. The council shall make recommendations to the commissioner on the expansion of international education programs and opportunities and shall consider ways to encourage participation in such programs. The council shall advise the department of education and the joint

committee on education on international program opportunities and the availability of federal or nonprofit agency grants or other funding sources for such programs. The department shall provide information on international education opportunities to local and regional boards of education and to institutions of higher education; (b) develop guidelines and standards to aid local and regional school districts in the establishment of programs of international studies. Such guidelines and standards shall describe the essential components of a quality educational program incorporating international education concepts. The council shall submit such guidelines and standards to the department of education for review and approval; (c) develop criteria for what constitutes a sister school partnership program between a public school of this state and a foreign school. Such criteria shall provide a process for recognition of such partnership. The council shall submit such criteria to the department of education for review and approval; (d) advise the department of education on possible incentives to encourage the formation of partnerships that meet criteria established in accordance with the provisions of subsection (c). Such incentives may include, but need not be limited to, cooperation between sister partnership schools in teacher certification, student assessment programs and recognition of student course credit, participation in summer programs and in other areas where the state could recognize the value of the sister school partnership relationships with minimal cost; (e) conduct an assessment of current practices regarding international education in elementary and secondary public schools in the commonwealth. The global education advisory council's assessment of current practices shall include, but not be limited to, information gathering through public hearings."

After remarks, the question on passing section 6, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at fourteen minutes before two o'clock P.M., as follows, to wit (*yeas 32 — nays 5*) **[Yeas and Nays No. 418]:**

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.
Chandler, Harriette L.	O'Leary, Robert A.
Creedon, Robert S., Jr.	Pacheco, Marc R.
Creem, Cynthia Stone	Panagiotakos, Steven C.
Fargo, Susan C.	Resor, Pamela
Hart, John A., Jr.	Spilka, Karen E.
Havern, Robert A.	Timilty, James E.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
Knapik, Michael R.	Walsh, Marian
McGee, Thomas M.	Wilkerson, Dianne — 32.
NAYS	
Brown, Scott P.	Tarr, Bruce E.
Hedlund, Robert L.	Tisei, Richard R. — 5.

Lees, Brian P.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. —2.

The yeas and nays having been completed at twelve minutes before two o'clock P.M., section 6 stands, in concurrence, notwithstanding the objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Section 37 (Grant Funding for Technology Development) was considered as follows:

“SECTION 37. Section 4E of chapter 40J of the General Laws, as so appearing, is hereby amended by inserting after the word ‘paragraph (2)’, in line 142, the following words:— ; provided, further, that board may make grants from the fund, not to exceed a total of \$4,000,000 annually, in support of Massachusetts-based public and private enterprises developing new technologies to significantly increase the efficiency of the internal combustion engine.”

The question on passing section 37, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at eleven minutes before two o'clock P.M., as follows, to wit (*yeas 37 — nays 0*) [**Yeas and Nays No. 419**]:

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.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
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.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
Knapik, Michael R.	Walsh, Marian
Lees, Brian P.	Wilkerson, Dianne — 37.

McGee, Thomas M.	
NAYS — 0.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. —2.

The yeas and nays having been completed at eight minutes before two o'clock P.M., section 37 stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Section 39 (Massachusetts Technology Park Corporation Grants) was considered as follows:

“SECTION 39. Paragraph (a) of section 6A of said chapter 40J, as so appearing, is hereby amended by inserting after the tenth sentence the following sentence:— The institute may make grants, not to exceed a total of \$4,000,000 annually, in support of Massachusetts-based public and private enterprises developing new technologies to significantly increase the efficiency of the internal combustion engine.”

The question on passing section 39, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at seven minutes before two o'clock P.M., as follows, to wit (*yeas 37 — nays 0*) [**Yeas and Nays No. 420**]:

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.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
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.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
Knapik, Michael R.	Walsh, Marian

Lees, Brian P.	Wilkerson, Dianne — 37.
McGee, Thomas M.	
NAYS — 0.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at five minutes before two o'clock P.M., section 39 stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Section 55 (Materialman Filing Requirements) was considered as follows:

“SECTION 55. Subsection (h) of section 16 of said chapter 62C, as so appearing, is hereby amended by adding the following 3 sentences:— A materialman shall file a return with the commissioner each month. Each return shall be filed within 50 days after the expiration of the period covered by the return. The department may require each materialman electing to remit sales and use tax under this section to file an application with the department stating his intention to remit sales and use tax pursuant to this section.”

After remarks, the question on passing section 55, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at four minutes before two o'clock P.M., as follows, to wit (*yeas 36 — nays 1*) [**Yeas and Nays No. 421**]:

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.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
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.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.

Knapik, Michael R.	Walsh, Marian
McGee, Thomas M.	Wilkerson, Dianne — 36.
NAYS.	
Lees, Brian P. — 1.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at two minutes before two o'clock P.M., section 55 stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Section 87 (Department of Housing and Community Development Earmark) was considered as follows:

“SECTION 87. Item 7004-0099 of said section 2 of said chapter 45 is hereby amended by adding the following words:—; and provided further, that not less than \$75,000 shall be expended for an urban renewal plan for the city of Gardner.”

After debate, the question on passing section 87, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at three minutes past two o'clock P.M., as follows, to wit (*yeas 35 — nays 2*) [**Yeas and Nays No. 422**]:

YEAS.	
Antonioni, Robert A.	Montigny, Mark C.
Augustus, Edward M., Jr.	Moore, Richard T.
Baddour, Steven A.	Morrissey, Michael W.
Barrios, Jarrett T.	Murray, Therese
Berry, Frederick E.	Nuciforo, Andrea F., Jr.
Brewer, Stephen M.	O'Leary, Robert A.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
Fargo, Susan C.	Spilka, Karen E.
Hart, John A., Jr.	Tarr, Bruce E.
Havern, Robert A.	Timilty, James E.
Jehlen, Patricia D.	Tisei, Richard R.
Joyce, Brian A.	Tolman, Steven A.
Knapik, Michael R.	Tucker, Susan C.
Lees, Brian P.	Walsh, Marian

McGee, Thomas M.	Wilkerson, Dianne — 35.
Menard, Joan M.	
NAYS.	
Brown, Scott P.	Hedlund, Robert L. — 2.
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at five minutes past two o'clock P.M., section 87 stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Motion to Reconsider.

There being no objection, on motion of Ms. Menard, the Senate reconsidered the vote by which, it had passed to be enacted the engrossed Bill relative to the renewable energy portfolio standard (House, No. 5090, amended).
On motion of the same Senator, Senate Rule 49 was suspended and the bill was amended, on motion of the same Senator in section 3, by striking out the words “there shall be on” and inserting in place thereof the following words:— “there shall be no”; and by striking out section 4 and inserting in place thereof the following section:—
“SECTION 4. Section 1 shall take effect on July 31, 2007.”

The amendment was adopted.

Sent to the House for concurrence in the amendment.

Engrossed Bill — Amended.

The engrossed Bill authorizing the city of Boston and the Commonwealth to grant sewer and drainage easements over certain parcels of land in the city of Boston (see Senate, No. 2627) (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.

On motion of Mr. Hart, Senate Rule 49 was suspended.

The same Senator moved that the engrossed bill be amended by inserting before the enacting clause the following emergency preamble:—

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to authorize the granting of certain easements in the city of Boston, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted.

Sent to the House for concurrence in the amendment.

Message from the Governor — Disapproval and Reductions in Economic Stimulus Bill.

A message from His Excellency the Governor, returning, with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill relative to economic investments in the Commonwealth to promote job creation, economic stability, and competitiveness in the Massachusetts economy (see House, No. 5057), which on Friday, June 16, 2006, had been laid before the Governor for his approbation,— **came from the House, in part, several items and sections having been passed by the House notwithstanding the reduction or disapproval of the Governor.**

The message (House, No. 5101) was read; and the Senate proceeded to reconsider several items, which had been reduced or disapproved in accordance with the provisions of the Constitution.

Section 97 (Workforce Competitiveness Trust Fund) was considered as follows:

“SECTION 97. Notwithstanding any general or special law to the contrary, 10 days after the effective date of this act, the comptroller shall transfer from the General Fund to the Workforce Competitiveness Trust Fund established pursuant to section 2WWW of chapter 29 of the General Laws an amount equal to the workforce training contributions required by section 14L of chapter 151A of the General Laws and collected in each fiscal year pursuant to said requirements; provided, however, that said transfer shall not be less than \$11,000,000; provided, further, that not less than \$1,000,000 shall be provided for grants to providers of workforce development and job skills training services for projects benefiting older adults.”

After debate, the question on passing section 97, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at ten minutes past two o'clock P.M., as follows, to wit (yeas 35 — nays 2) **[Yeas and Nays No. 423]:**

YEAS.	
Antonioni, Robert A.	Montigny, Mark C.
Augustus, Edward M., Jr.	Moore, Richard T.
Baddour, Steven A.	Morrissey, Michael W.
Barrios, Jarrett T.	Murray, Therese
Berry, Frederick E.	Nuciforo, Andrea F., Jr.
Brewer, Stephen M.	O'Leary, Robert A.
Brown, Scott P.	Pacheco, Marc R.
Chandler, Harriette L.	Panagiotakos, Steven C.
Creedon, Robert S., Jr.	Resor, Pamela
Creem, Cynthia Stone	Spilka, Karen E.
Fargo, Susan C.	Tarr, Bruce E.
Hart, John A., Jr.	Timilty, James E.
Havern, Robert A.	Tisei, Richard R.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
Knapik, Michael R.	Walsh, Marian
McGee, Thomas M.	Wilkerson, Dianne — 37.
Menard, Joan M.	
NAYS.	
Hedlund, Robert L.	Lees, Brian P. — 2.
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at twelve minutes past two o'clock P.M., section 97, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Section 117 (New Commission) was considered as follows:

“Section 117. There is hereby established a special commission created for the purpose of studying and making recommendations concerning the development of financial assets as a way to ensure that all people in the state of Massachusetts achieve long-term, sustainable economic security and self-sufficiency and enjoy economic opportunity. The commission shall consist of 2 members

of the senate; 2 members of the house of representatives; the treasurer and receiver general or his designee; the secretary of the executive office of administration and finance or his designee; the director of the department of housing and community development or his designee; the secretary of the executive office of health and human services or his designee; the director of the department of economic development or his designee; the chairman of the board of higher education or his designee; 1 shall be a representative of the Massachusetts Community Action Program Directors' Association, 1 shall be a representative of the Massachusetts Association of Community Development Corporations, 1 shall be a representative of the Massachusetts Individual Development Account Solutions; and 13 members appointed by the governor, 1 of whom shall be a representative of the general public who has participated or is participating in an individual development account administered by a community based organization based in Massachusetts, 1 of whom shall be a representative from the general public who manages an existing individual development account program in Massachusetts, 2 of whom shall be representatives of the Massachusetts Bankers Association, 1 of whom shall be a representative of the United Way of Massachusetts Bay, 1 of whom shall be a representative of a private philanthropy or private foundation, 1 of whom shall be a representative of the Women's Educational and Industrial Union, 1 of whom shall be a representative of an Earned Income Tax Credit counseling organization, 1 of whom shall be a representative of the Institute on Assets and Social Policy at the Heller School for Social Policy and Management at Brandeis University, 1 of whom shall be a representative of a public or private institution of higher education, 1 of whom shall be a representative of the Massachusetts Institute for a New Commonwealth, 1 of whom shall be a representative of the Massachusetts AFL-CIO, and 1 of whom shall be a representative of the Federal Reserve Bank of Boston."

Mr. Havern in the Chair, after debate, the question on passing section 117, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at nineteen minutes past two o'clock P.M., as follows, to wit (*yeas 32 — nays 5*) [**Yeas and Nays No. 424**]:

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.
Chandler, Harriette L.	O'Leary, Robert A.
Creedon, Robert S., Jr.	Pacheco, Marc R.
Creem, Cynthia Stone	Panagiotakos, Steven C.
Fargo, Susan C.	Resor, Pamela
Hart, John A., Jr.	Spilka, Karen E.
Havern, Robert A.	Timilty, James E.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
Knapik, Michael R.	Walsh, Marian
McGee, Thomas M.	Wilkerson, Dianne — 32.
NAYS	
Brown, Scott P.	Tarr, Bruce E.

Hedlund, Robert L.	Tisei, Richard R. — 5.
Lees, Brian P.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at twenty-one minutes past two o'clock P.M., section 117, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7004-0099 (City of Gardner Urban Renewal Plan) was considered as follows:
 “7004-0099 75,000”.

After debate, the question on passing item 7004-0099, contained in section 2 in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-two minutes past two o'clock P.M., as follows, to wit (*yeas 35 — nays 2*) [**Yeas and Nays No. 425**]:

YEAS.	
Antonioni, Robert A.	Montigny, Mark C.
Augustus, Edward M., Jr.	Moore, Richard T.
Baddour, Steven A.	Morrissey, Michael W.
Barrios, Jarrett T.	Murray, Therese
Berry, Frederick E.	Nuciforo, Andrea F., Jr.
Brewer, Stephen M.	O’Leary, Robert A.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
Fargo, Susan C.	Spilka, Karen E.
Hart, John A., Jr.	Tarr, Bruce E.
Havern, Robert A.	Timilty, James E.
Jehlen, Patricia D.	Tisei, Richard R.
Joyce, Brian A.	Tolman, Steven A.
Knapik, Michael R.	Tucker, Susan C.
Lees, Brian P.	Walsh, Marian
McGee, Thomas M.	Wilkerson, Dianne — 35.
Menard, Joan M.	
NAYS.	

Brown, Scott P.	Hedlund, Robert L. — 2.
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. —2.

The yeas and nays having been completed at twenty-four minutes past two o'clock P.M., item 7004-0099, contained in section 2, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

*Message from the Governor — Disapproval
General Appropriations Bill.*

A message from His Excellency the Governor, returning, with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2007 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 (see House, No. 5000), which on Friday, June 30, 2006, had been laid before the Governor for his approbation,— came from the House, in part, several items and sections having been passed by the House notwithstanding the reduction or disapproval of the Governor.

The message (House, No. 5150) was read; and the Senate proceeded to reconsider one item, which had been disapproved in accordance with the provisions of the Constitution.

Item 0640-0300 (Massachusetts Cultural Council) was considered as follows:

“0640-0300

For the services and operations of the council, including grants to or contracts with public and non-public entities; provided, that notwithstanding any general or special law to the contrary, the council may expend the amounts herein appropriated for the purposes of the council as provided in sections 52 to 58, inclusive, of chapter 10 of the General Laws in amounts and at times as the council may determine pursuant to section 54 of said chapter 10; provided further, that 25 per cent of the amount appropriated herein shall be transferred quarterly from the Arts Lottery Fund to the General Fund; provided further, that any funds expended from this item for the benefit of schoolchildren shall be expended for the benefit of all Massachusetts schoolchildren and on the same terms and conditions; provided further, that the council shall not expend funds from this item for any grant or contract recipient that, in any program or activity for Massachusetts schoolchildren, does not apply the same terms and conditions to all such schoolchildren; provided further, that not more than \$1,000,000 of the funds appropriated herein shall be used to assist cultural organizations in augmenting or initiating endowments to promote the financial stability of the organizations and the assistance shall be in the form of challenge grants to the organizations; provided further, that in order to receive a grant a cultural organization shall raise an amount at least equal to the amount of the grant for the organization's endowment; provided further, that funds provided by the grants shall, in perpetuity, be used solely to provide free or reduced rate public programs or services to citizens of the commonwealth; provided further, that a grant made under this program shall not exceed \$100,000; and provided further, that a person employed under this item shall be considered an employee within the meaning of section 1 of chapter 150E of the General Laws and shall be placed in the appropriate bargaining unit; provided further, that not less than \$300,000 shall be allocated to increase the Local Cultural Council Grant Program to provide for a minimum grant of \$4,000 per municipality; and provided further, that not less than \$350,000 shall be expended to establish the Cultural Tourism Initiative under the Massachusetts Cultural Council, which shall provide matching funds for marketing programs created through regional—or local partnerships between tourism professional and non-profit cultural organizations through four pilot programs to be created in four different regions of the state 8,650,000”.

The question on passing item 0640-0300, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-five minutes past two o'clock P.M., as follows, to wit (yeas 37 — nays 0) [Yeas and Nays No. 426]:

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.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
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.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
Knapik, Michael R.	Walsh, Marian
Lees, Brian P.	Wilkerson, Dianne — 37.
McGee, Thomas M.	
NAYS — 0.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at twenty-seven minutes past two o’clock P.M., item 0640-0300, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 0640-0351 (Massachusetts Cultural Council) was considered as follows:

“0640-0351

For the John and Abigail Adams Arts Program, to promote innovations in the arts and humanities within the commonwealth through the disbursement of cultural economic development grants including grants for cultural activities that have the capacity to revitalize communities, stimulate income, create or enhance jobs, and attract tourism; provided, that the funds shall be administered by the Massachusetts cultural council; provided further, that the mission of grant applicants may include demonstrated scholarship or creativity in, or distinguished service to, the arts and humanities; provided, that grants may focus on seed funding for early stage planning or implementation, creation of enduring partnerships among cultural and non-cultural organizations, defined community needs or opportunities, and creation of innovative and sustainable development models that can be replicated throughout and beyond the commonwealth; provided further, that eligible applicants shall include, but not be limited to, not-for-profit organizations and public sector entities; provided further, that collaborating partners may also include private, for-profit organizations, educational institutions and state or federal agencies; provided further, that grants shall not exceed \$100,000 and shall be leveraged by not less than \$1 for each \$1 granted; provided further, that preference shall be given

to an applicant with multiple funding sources that can demonstrate project viability, community support and potential for long-term sustainability; and provided further, that 25 per cent of the amount appropriated herein shall be transferred quarterly from the State Lottery Fund to the General Fund 2,000,000”.

The question on passing item 0640-0351, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-seven minutes past two o’clock P.M., as follows, to wit (yeas 37 — nays 0) [Yeas and Nays No. 427]:

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.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
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.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
Knapik, Michael R.	Walsh, Marian
Lees, Brian P.	Wilkerson, Dianne — 37.
McGee, Thomas M.	
NAYS — 0.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at a half past two o’clock P.M., item 0640-0351, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 1599-0093 (State Revolving Fund Debt Service Payments Reserve) was considered as follows:

“1599-0093 For contract assistance to the water pollution abatement trust for debt service obligations of the trust, in accordance

with sections 6 and 6A of
chapter 29C of the General Laws 54,907,283”.

The question on passing item 1599-0093, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-nine minutes before three o'clock P.M., as follows, to wit (*yeas 34 — nays 3*) [**Yeas and Nays No. 428**]:

YEAS.	
Antonioni, Robert A.	Montigny, Mark C.
Augustus, Edward M., Jr.	Moore, Richard T.
Baddour, Steven A.	Morrissey, Michael W.
Barrios, Jarrett T.	Murray, Therese
Berry, Frederick E.	Nuciforo, Andrea F., Jr.
Brewer, Stephen M.	O’Leary, Robert A.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
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.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
McGee, Thomas M.	Walsh, Marian
Menard, Joan M.	Wilkerson, Dianne — 34.
NAYS.	
Brown, Scott P.	Lees, Brian P. — 3.
Knapik, Michael R.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at twenty-eight minutes before three o'clock P.M., item 1599-0093, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 1599-3838 (Contract Assistance For Certain New Drinking Water Projects) was considered as follows:
“1599-3838

For a reserve for payment to the water pollution abatement trust to finance the costs of water treatment projects or portions

thereof which have been approved by the department of environmental protection, or otherwise authorized by law, after the promulgation date of the department's regulations related to the implementation of the federal Safe Drinking Water Act 9,308,806".

The question on passing item 1599-3838, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-seven minutes before three o'clock P.M., as follows, to wit (*yeas 34 — nays 3*) [**Yeas and Nays No. 429**]:

YEAS.	
Antonioni, Robert A.	Montigny, Mark C.
Augustus, Edward M., Jr.	Moore, Richard T.
Baddour, Steven A.	Morrissey, Michael W.
Barrios, Jarrett T.	Murray, Therese
Berry, Frederick E.	Nuciforo, Andrea F., Jr.
Brewer, Stephen M.	O'Leary, Robert A.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
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.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
McGee, Thomas M.	Walsh, Marian
Menard, Joan M.	Wilkerson, Dianne — 34.
NAYS.	
Brown, Scott P.	Lees, Brian P. — 3.
Knapik, Michael R.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at twenty-five minutes before three o'clock P.M., item 1599-3838, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2000-0100 (Office of the Secretary of Environmental Affairs) was considered as follows:
"2000-0100

For the office of the secretary, including the water resources commission, the hazardous waste facility site safety council, the coastal zone management program, environmental impact reviews conducted pursuant to chapter 30 of the General Laws, the mosquito-borne disease vector control chapter program, and a central data processing center for the secretariat; provided, that the secretary of environmental affairs may enter into interagency agreements with any line agency within the secretariat, whereby the line agency may render data processing services to said secretary; provided further, that the comptroller may allocate the costs for such data processing services to the several state and other funds to which items of appropriation of such agencies are charged; provided further, that said secretary shall file a plan with the house and senate committees on ways and means 20 days before entering into any interdepartmental service agreements with any of the departments or divisions under said secretariat or any department, division or office under the executive office of administration and finance; provided further, that the secretary shall file a plan with the house and senate committees on ways and means and to the joint committee on environment, natural resources and agriculture 90 days prior to the initiation of any proposal or plan that would consolidate any function with any of the departments or divisions under said secretariat or any department, division or office under the executive office of administration and finance; provided further, that the plan shall include, but not be limited to the following: (1) an identification of the employees that would be affected by consolidation and the item of appropriation that they are paid from, (2) the savings or efficiencies to be realized, (3) the improvements to the services expected, and (4) the source and amount of funding necessary to accomplish the consolidation; and provided further, that the secretary shall provide a 90 day notice prior to the implementation of any memorandum of understanding, interagency service agreements, or other contacts, or agreements that would enable such consolidation of services to take place; provided further, that not less than \$260,000 shall be expended for the Hingham Harbor environmental program; provided further, that not less than \$250,000 shall be expended for volunteer water monitoring grants; provided further, that not less than \$100,000 shall be expended for a one to one matching grant to the Cape Cod Bay sanctuary program; provided further, that \$100,000 shall be expended for the Executive Office of Environmental Affairs to develop and implement a scope of work and a written action plan to protect and manage the Plymouth-Carver Sole Source Aquifer in consultation with the Towns of Bourne, Carver, Kingston, Middleborough, Plymouth, Plympton, and Wareham, through a Plymouth-Carver Aquifer Advisory Committee (PCAAC) to be comprised of a Coordinator from the Executive Office of Environmental Affairs and one member, and one alternate member, from each Town to be appointed by the chief elected body in each Town; provided further, that the Coordinator shall complete a final written action plan, and procure services needed to complete the plan, with the input of the PCAAC; provided further, that the Coordinator and the PCAAC shall meet at least until the final written action plan is completed; and provided further, that not less than \$150,000 shall be expended for a coastal shore water testing program administered by the Coalition for Buzzards Bay 6,869,383”.

After debate, and pending the question on passing item 2000-0100, in concurrence, the objections of His Excellency the Governor to the contrary notwithstanding, Mr. Lees moved that the bill be laid on the table; and under the provisions of Senate Rule 24, the matter was laid over until the next session.

Item 2000-9900 (Geographic and Environmental Information) was considered as follows:
“2000-9900

For the office of geographic and environmental information established in section 4B of chapter 21A of the General Laws; provided, that \$400,000 shall be expended for the development of a comprehensive statewide digital data layer of land use/land cover and related services necessary to develop this data layer 686,415”.

The question on passing item 2000-9900, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-three minutes before three o'clock P.M., as follows, to wit (*yeas 34 — nays 3*) **[Yeas and Nays No. 430]:**

YEAS.

Antonioni, Robert A.	Montigny, Mark C.
Augustus, Edward M., Jr.	Moore, Richard T.
Baddour, Steven A.	Morrissey, Michael W.
Barrios, Jarrett T.	Murray, Therese
Berry, Frederick E.	Nuciforo, Andrea F., Jr.
Brewer, Stephen M.	O’Leary, Robert A.
Brown, Scott P.	Pacheco, Marc R.
Chandler, Harriette L.	Panagiotakos, Steven C.
Creedon, Robert S., Jr.	Resor, Pamela
Creem, Cynthia Stone	Spilka, Karen E.
Fargo, Susan C.	Tarr, Bruce E.
Hart, John A., Jr.	Timilty, James E.
Havern, Robert A.	Tisei, Richard R.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
McGee, Thomas M.	Walsh, Marian
Menard, Joan M.	Wilkerson, Dianne — 34.
NAYS.	
Hedlund, Robert L.	Lees, Brian P. — 3.
Knapik, Michael R.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at twenty-one minutes before three o’clock P.M., item 2000-9900, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2200-0100 (Environmental Compliance) was considered as follows:
“2200-0100

For the operation of the department of environmental protection, including the environmental strike force, the office of environmental results and strategic planning, the bureau of resource protection, the Senator William X. Wall experimental station, and a contract with the University of Massachusetts for environmental research, provided, that the provisions of section 3B of chapter 7 of the General Laws shall not apply to fees established pursuant to section 18 of chapter 21A of the General Laws; provided further, that not less than \$50,000 shall be provided to the City of Pittsfield to fund the Onota Lake education program; provided further, that not less than \$1,500,000 shall be expended to the town of Westford for the cleanup and remediation of number 4 fuel oil at the Abbot School located in the town of Westford; provided further, that not less than \$100,000 shall be expended for DEP pump testing at the Cole property site for a municipal water supply for the town of Carver; provided further, that not less than \$50,000 shall be expended for the Buzzards Bay National Estuary Program; provided further,

that \$168,000 shall be expended for sediment control in Lake Webster; provided further, that not less than \$15,000 shall be provided to the town of Blackstone for water contamination monitoring services; provided further, that not less than \$150,000 shall be expended by the department for a study and testing of the existing wells and aquifers on the grounds of the former site of the Paul A. Dever state school to determine their condition, water output and costs associated with bringing the wells and aquifers on line for use as a regional water supply; provided further, that there shall be a water management act blue ribbon panel in the office of commonwealth development, whose members shall be appointed by the chief of the office of commonwealth development and which shall include balanced representation from the executive office of environmental affairs, department of environmental protection, office of commonwealth development, Massachusetts municipal association, Massachusetts water works association, Massachusetts water resources authority, Massachusetts Audubon society, Trout Unlimited and a local rivershed or watershed association; and provided further, that this panel will study the effectiveness of the department of environmental protection's guidance policy regarding the water management act and will submit a report to the joint committee on the environment, natural resources and agriculture and to the senate and house committees on ways and means no later than December 31, 2006 34,030,671".

The question on passing item 2200-0100, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at nineteen minutes before three o'clock P.M., as follows, to wit (*yeas 32 — nays 5*) [**Yeas and Nays No. 431**]:

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.
Chandler, Harriette L.	O'Leary, Robert A.
Creedon, Robert S., Jr.	Pacheco, Marc R.
Creem, Cynthia Stone	Panagiotakos, Steven C.
Fargo, Susan C.	Resor, Pamela
Hart, John A., Jr.	Spilka, Karen E.
Havern, Robert A.	Timilty, James E.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
Knapik, Michael R.	Walsh, Marian
McGee, Thomas M.	Wilkerson, Dianne — 32.
NAYS	
Brown, Scott P.	Tarr, Bruce E.
Hedlund, Robert L.	Tisei, Richard R. — 5.

Lees, Brian P.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. —2.

The yeas and nays having been completed at seventeen minutes before three o'clock P.M., item 2200-0100, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7010-0005 (Department of Education Administration) was considered as follows:

“7010-0005

For the operation of the department of education; provided, that the department, in collaboration with the commission on gay and lesbian youth established by section 67 of chapter 3 of the General Laws shall allocate not less than \$150,000 for programming to ensure public schools' compliance with the board of education's recommendations for the support and safety of gay and lesbian students and the implementation of related suicide-prevention and violence-prevention efforts; provided further, that not less than \$150,000 shall be expended for a pilot program in the town of Southbridge for preventing violence and hate crimes in Kindergarten through grade 8; provided further, that the pilot program shall also offer parent training and education in violence prevention and racial tolerance; provided further, that \$250,000 shall be expended for the implementation of a pilot program known as PeaceZone in elementary schools at the Boston Public Schools; and provided further, that not later than November 15, 2006, the department shall submit a progress report to the secretary of administration and finance, the chairpersons of the house and senate ways and means committees and the house and senate chairpersons of the joint committee on education on efforts by the department to further define and advance the strategic vision of the department, along with a detailed implementation plan for realizing that vision 11,052,905”.

The question on passing item 7010-0005, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at fourteen minutes before three o'clock P.M., as follows, to wit (*yeas 36 — nays 1*) [**Yeas and Nays No. 432**]:

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.
Chandler, Harriette L.	O'Leary, Robert A.
Creedon, Robert S., Jr.	Pacheco, Marc R.
Creem, Cynthia Stone	Panagiotakos, Steven C.
Fargo, Susan C.	Resor, Pamela
Hart, John A., Jr.	Spilka, Karen E.

Havern, Robert A.	Tarr, Bruce E.
Hedlund, Robert L.	Timilty, James E.
Jehlen, Patricia D.	Tisei, Richard R.
Joyce, Brian A.	Tolman, Steven A.
Knapik, Michael R.	Tucker, Susan C.
Lees, Brian P.	Walsh, Marian
McGee, Thomas M.	Wilkerson, Dianne — 36.
NAYS.	
Brown, Scott P. — 1.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at eleven minutes before three o'clock P.M., item 7010-0005, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7010-0012 (METCO Racial Imbalance Program) was considered as follows:

“7010-0012

For grants to cities, towns and regional school districts for payments of certain costs and related expenses for the program to eliminate racial imbalance established under section 12A of chapter 76 of the General Laws; provided, that funds shall be made available for payment for services rendered by METCO, Inc. and Springfield public schools 19,615,313”.

The question on passing item 7010-0012, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at ten minutes before three o'clock P.M., as follows, to wit (*yeas 33 — nays 4*) [**Yeas and Nays No. 433**]:

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.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela

Fargo, Susan C.	Spilka, Karen E.
Hart, John A., Jr.	Timilty, James E.
Havern, Robert A.	Tolman, Steven A.
Hedlund, Robert L.	Tucker, Susan C.
Jehlen, Patricia D.	Walsh, Marian
Joyce, Brian A.	Wilkerson, Dianne — 33.
McGee, Thomas M.	
NAYS	
Knapik, Michael R.	Tarr, Bruce E.
Lees, Brian P.	Tisei, Richard R. — 4.
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at eight minutes before three o'clock P.M., item 7010-0012, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7030-1003 (Early Literacy Grants) was considered as follows:

“7030-1003

For the John Silber early literacy program to promote research based school-wide literacy education and to promote literacy among children in grades K through 3; provided, that the office of reading and language arts shall administer said early literacy grant programs to improve the quality and effectiveness of literacy education to the greatest extent possible; provided further, that these early literacy education programs shall be based on a scientifically-based reading research program consistent with the federal Reading First Initiative; provided further, that not less than \$100,000 be expended for the TU-LEAP Program of Boston for after-school academic and literacy achievement programs; provided further, that not less than \$60,000 shall be expended for Lawrence Learning Center and Community Development in the City of Lawrence; provided further, that \$435,000 shall be expended for JFY.net, a Jobs for Youth initiative for high technology, literacy and job skill instruction to youth and adults through advanced software and existing infrastructure capacity in schools and community agencies; provided further, that such program shall supplement currently funded local, state and federal programs at the school or district; and provided further, that any grant funds distributed from this item shall be deposited with the treasurer of such city, town or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district, without further appropriation, notwithstanding the provisions of any general or special law to the contrary 3,672,990”.

The question on passing item 7030-1003, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at seven minutes before three o'clock P.M., as follows, to wit (*yeas 34 — nays 3*) [**Yeas and Nays No. 434**]:

YEAS.	
Antonioni, Robert A.	Montigny, Mark C.
Augustus, Edward M., Jr.	Moore, Richard T.

Baddour, Steven A.	Morrissey, Michael W.
Barrios, Jarrett T.	Murray, Therese
Berry, Frederick E.	Nuciforo, Andrea F., Jr.
Brewer, Stephen M.	O’Leary, Robert A.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
Fargo, Susan C.	Spilka, Karen E.
Hart, John A., Jr.	Tarr, Bruce E.
Havern, Robert A.	Timilty, James E.
Jehlen, Patricia D.	Tisei, Richard R.
Joyce, Brian A.	Tolman, Steven A.
Knapik, Michael R.	Tucker, Susan C.
McGee, Thomas M.	Walsh, Marian
Menard, Joan M.	Wilkerson, Dianne — 34.
NAYS	
Brown, Scott P.	Lees, Brian P. — 3.
Hedlund, Robert L.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at five minutes before three o’clock P.M., item 7030-1003, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7035-0006 (Regional School Transportation) was considered as follows:
“7035-0006

For reimbursements to regional school districts for the transportation of pupils; provided, that notwithstanding any general or special law to the contrary, the commonwealth’s obligation shall not exceed the amount appropriated in this item; provided further, that \$400,000 shall be expended to implement a pilot program to assist regional school districts in utilizing route planning software for the purpose of maximizing efficiency and reducing the length of transit time; provided further, that the pilot shall include a study of methods to improve cost-savings and efficiency in regional transportation; provided further, that the study shall include, but not be limited to, reviewing methods to allow districts flexibility in arranging student transportation and examining a system for providing district-organized carpooling under which carpool drivers receive a stipend for their services; provided further, not more than \$100,000 shall be expended by the department to conduct audits and adjust payments in accordance with regulations promulgated therefor; and provided further, that the department shall report on the results of the pilot, the study and the audits to the secretary of administration and finance, the senate president, the speaker of the house, the chairpersons of the house and senate ways and means committees and the house and senate chairpersons of the joint committee on education not later than March 1, 2007 55,500,000”.

The question on passing item 7035-0006, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at four minutes before three o'clock P.M., as follows, to wit (yeas 36 — nays 1) [Yeas and Nays No. 435]:

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.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
Fargo, Susan C.	Spilka, Karen E.
Hart, John A., Jr.	Tarr, Bruce E.
Havern, Robert A.	Timilty, James E.
Jehlen, Patricia D.	Tisei, Richard R.
Joyce, Brian A.	Tolman, Steven A.
Knapik, Michael R.	Tucker, Susan C.
Lees, Brian P.	Walsh, Marian
McGee, Thomas M.	Wilkerson, Dianne — 36.
NAYS.	
Hedlund, Robert L. — 1.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at two minutes before three o'clock P.M., item 7035-0006, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7061-9619 (Franklin Institute of Boston) was considered as follows:

“7061-9619

For the purpose of funding the Benjamin Franklin Institute of Technology; provided, that the institute shall have access to the Massachusetts education computer system; and provided further, that the institute may join the state buying consortium 300,001”.

After remarks the question on passing item 7061-9619, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at one minute before three o'clock P.M., as follows, to wit (*yeas 32 — nays 5*) [**Yeas and Nays No. 436**]:

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.
Chandler, Harriette L.	O’Leary, Robert A.
Creedon, Robert S., Jr.	Pacheco, Marc R.
Creem, Cynthia Stone	Panagiotakos, Steven C.
Fargo, Susan C.	Resor, Pamela
Hart, John A., Jr.	Spilka, Karen E.
Havern, Robert A.	Timilty, James E.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
Knapik, Michael R.	Walsh, Marian
McGee, Thomas M.	Wilkerson, Dianne — 32.
NAYS	
Brown, Scott P.	Tarr, Bruce E.
Hedlund, Robert L.	Tisei, Richard R. — 5.
Lees, Brian P.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at one minute past three o'clock P.M., item 7061-9619, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7007-0900 (Office of Travel and Tourism) was considered as follows:

“7007-0900

For the operation and administration of the office of travel and tourism and for grants to public and private nonprofit local and regional organizations to be awarded by the Massachusetts office of travel and tourism for tourism promotion; provided, that performance-based standards shall be incorporated in all contracts executed by said office for the procurement of tourism marketing and advertising services; provided further, that the organizations shall be required, as a condition of receiving a grant, to submit a total operating budget which identifies each source and use of operating and capital funds; provided further, that said office shall grant not less than \$5,000,000 to the Massachusetts International Marketing Partnership Incorporated, the business entity awarded the contract pursuant to section 60 of chapter 141 of the acts of 2003 for the express purpose of implementing the strategic marketing and promotional program to recover the commonwealth's lost international market share; provided further, that not less than \$1,250,000 of the amount appropriated herein shall be expended for the operation and administration of the Massachusetts Sports and Entertainment Commission, provided, however, that the Massachusetts Sports and Entertainment Commission shall be the official and lead agency to facilitate and attract major sports events and championships in the Commonwealth and provided further that the Massachusetts Sports and Entertainment Commission shall establish a division within the Commission which shall be the official and lead agency to facilitate motion picture production and development within the Commonwealth; provided further, that not less than \$1,000,000 shall be made available through a grant application process established by the office of travel and tourism to offset deficits that may occur during fiscal year 2007 for the highway information centers operating year round on state highways and federally-assisted highways, and the visitor information centers on Boston Common and the Prudential Center, both in the city of Boston and the Adams Visitor Center in Adams; provided further, that not less than \$1,000,000 shall be expended in addition to the amount spent in fiscal year 2006 for the purpose of out of state advertising to promote the Commonwealth as a travel destination and to increase tourism; provided further, that \$700,000 shall be expended for the Massachusetts Cultural Council; provided further, that not less than \$500,000 shall be expended for the Mass Tech Park Corp — Berkshire Wireless Program; provided further; that not less than \$500,000 shall be expended for the Museum of Afro-American History located in the city of Boston; provided further that not less than \$500,000 be expended on the open wide health pilot program in Hampden county; provided further, that no less than \$450,000 shall be expended for the Wilmington Historical Commission; provided further, that not less than \$400,000 shall be expended for the purpose of a grant to the Greater Boston Convention & Visitors Bureau, Inc. to develop and implement, in cooperation with the Massachusetts Lodging Association, Inc. an advertising and direct mail program to promote tourism throughout the commonwealth during the winter season; provided further, that said office shall expend not less than \$300,000 for the Sturbridge Heritage and Preservation Partnership; provided further, that not less than \$300,000 shall be expended for the Merrimack Valley Economic Development Council; provided further, that not less than \$300,000 shall be provided for an economic development project at the Elco Dress Factory in New Bedford; provided further, that not less than \$250,000, subject to a 100 per cent matching fund, shall be available for the Berkshire Economic Development Corporation; provided further, that not less than \$250,000 be expended for the North Central Massachusetts Development Corporation; provided further, that not less than \$250,000 shall be expended for the SouthCoast Development Partnership for the purposes of regional tourism and economic development; provided further, that not less than \$250,000 shall be expended for the Bourne Financial Development Corporation; provided further, that not less than \$200,000 shall be allocated to the Edmund Fowle House in Watertown; provided further, that not less than \$200,000 shall be expended for City Stage; provided further, that not less than \$200,000 shall be expended for the Bay State Games; provided further, that not less than \$200,000 shall be appropriated for the 50th Anniversary celebration of the Mayflower II in Plymouth; provided further that not less than \$200,000 shall be expended to The Boston Symphony Orchestra; provided further, that not less than \$200,000 shall be provided to the Mahaiwe Theatre, in the Town of Great Barrington; provided further that not less than \$200,000 shall be expended for the Spirit of Springfield; provided further, that not less than \$200,000 shall be expended for a grant for From the Top, Inc; provided further, that not less than \$185,000 shall be expended for the International Trade Assistance Center in Fall River; provided further that \$150,000 for child safety grants in the town of Attleboro; provided further, that not less than \$150,000 shall be expended for a child safety program in the town of Winthrop; provided further, that not less than \$350,000 shall be expended for the Commonwealth Shakespeare Company, a program of The Wang Center for the Performing Arts, for production support for performances offered for free to the public and for a pilot program to expand performances to Springfield and other cities; provided further, that not less than \$150,000 shall be expended for a child safety program in the city of Revere; provided further, that not less than \$125,000 shall be expended for New England Puerto Rican Association; provided further, that not less than \$200,000 shall be appropriated to the Spanish American Union Incorporated in the city of Springfield provided further, that not less than \$75,000 of such funds shall be dedicated to the Puerto Rican Cuatro Project, a cultural development project under said Spanish American Union Incorporated;; provided further, that not less than \$125,000 shall be expended for a historic development project at the Worcester Center for the Performing Arts; provided further, that not less than \$300,000 shall be expended for a matching grant to the New England Aquarium; provided further, that not less than \$100,000 shall be expended as a grant to the Southern Worcester Development Corporation; provided further, that not less than \$100,000 shall be expended for The Berkshire Museum, in the City of Pittsfield; provided further, that not less than \$100,000 shall be expended for the Clara Barton Birthplace Museum, Inc.; provided further, that not less than \$100,000 shall be expended for the Lowell Chamber of Commerce; provided further, that not less than \$100,000 shall be expended for the

Merrimack Repertory Theatre; provided further, that not less than \$100,000 shall be expended for the Zeiterion Performing Arts Center; provided further, that not less than \$100,000 shall be expended for the Harlow Old Fort House in the town of Plymouth; provided further, that not less than \$100,000 shall be expended for the Pembroke Park Committee for the facility at Birch street in the town of Pembroke; provided further, that not less than \$100,000 shall be expended for Battleship Cove in Fall River in order to assist the commonwealth's official World War II and 9/11 memorials educational and tourism endeavors; provided further, that not less than \$100,000 shall be provided to the Massachusetts Vietnam Veterans Inc. for a medal of honor convention; provided further, that not less than \$100,000 shall be allocated to the city of Worcester to implement a comprehensive marketing initiative; provided further, that \$100,000 shall be provided as a matching grant for the Mass Central Rail Trail Churnock Hill Rd. Tunnel Project, located in Rutland; provided further, that not less than \$100,000 shall be expended for the Freedom Trail Foundation; provided further, that not less than \$100,000 shall be expended for an elder growth program in Saugus; provided further, that not less than \$100,000 shall be expended for the Cape Cod Economic Development Council; provided further, that \$100,000 shall be expended for an economic development project in the town of Braintree; provided further, that \$100,000 shall be expended for the North End Visitor Center; provided further, that \$100,000 shall be expended for the Old Provincial State House; provided further, that \$100,000 shall be expended for a public safety program in the town of Dudley; provided further, that not less than \$100,000 shall be expended for Crane Beach access in the town of Ipswich; provided further, that not less than \$100,000 shall be expended for the Buzzards Bay Village Association to develop and implement a transportation and communication infrastructure plan for Main Street in Buzzards Bay; provided further, that not less than \$100,000 shall be expended for the Cape Cod Maritime Museum located in Hyannis; provided further, that not less than \$100,000 shall be expended for the Western Massachusetts Economic Development Council for tourism marketing and advertising purposes; provided further, that not less than \$100,000 be expended for the Lake Street Recreation project in the Town of Shrewsbury; provided further, that not less than \$100,000 shall be expended for the Longmeadow community festival; provided further, that not less than \$100,000 shall be expended for the Puerto Rican Cultural Center in Springfield; provided further, that not less than \$100,000 shall be expended for the Russian Community Association of Massachusetts (RCAM) in Boston; provided further, that not less than \$100,000 shall be expended for Centro Las Americas to provide workforce training, educational services and other transitional services in the city of Worcester; provided further, that said grants shall not replace or supplant funding otherwise available to said centers from local chambers of commerce, regional tourist councils, and other public or private funding sources; provided further, that not less than \$85,000 shall be allocated to the Cambridge Cultural Events fund for the organization of a cultural fair and a Latin American festival in the city of Cambridge; provided further, that not less than \$15,000 shall be expended for the Chelsea Latin American festival; provided further, that not less than \$75,000 shall be expended for the Waltham Tourist Council; provided further, that not less than \$75,000 shall be expended for the rehabilitation and restoration of the Samuel Harrison House in the City of Pittsfield; provided further, that no less than \$75,000 shall be expended for the Foxborough geriatric program; provided further, that \$75,000 shall be expended for the Cultural Center of Cape Cod; provided further, that no less than \$75,000 shall be expended for the Captain Gerald F. DeConto program in Sandwich; provided further, that \$75,000 shall be expended for the Massachusetts Advocates for the Arts, Sciences, and Humanities; provided further that not less than \$75,000 for a public safety grant in the Forest Park area in the city of Springfield; provided further, that no less than \$60,000 be expended for the Boston Irish Tourism Association marketing initiatives and for an analysis of the marketability of the Massachusetts Irish Community; provided further that not less than \$60,000 shall be expended for the Newburyport initiative to attract new businesses and industries; provided further, that not less than \$50,000 shall be expended for the Old Firehouse Museum in South Hadley; provided further, that not less than \$50,000 shall be expended for the Caribbean Carnival Association; provided further, that not less than \$50,000 shall be expended for activities to promote tourism and cultural events in and around the historic downtown in the town of Franklin; provided further, that not less than \$50,000 shall be expended for the START Partnership in Framingham; provided further, that not less than \$50,000 shall be expended as a grant for the Pioneer Valley Visitors and Tourist Information Center; provided further, that not less than \$50,000 shall be provided to the Claflin Hill Symphony Orchestra; provided further, that not less than \$50,000 shall be expended for the Holyoke Merry-Go-Round at Heritage State Park; provided further, that not less than \$50,000 shall be expended for the Greater Haverhill Chamber of Commerce for the expansion of the Haverhill Means Business program; provided further, that not less than \$50,000 shall be expended for the Worcester Historical Museum; provided further, that not less than \$50,000 shall be provided to the Leicester Historical Society for the restoration of the Rev. Samuel May, Jr. House; provided further, that not less than \$50,000 shall be expended for the Louis D. Brown Peace Institute; provided further, that not less than \$50,000 shall be expended for the New Bedford Art Museum for tourism production; provided further, that not less than \$50,000 shall be expended for the Johnny Appleseed Visitors' Center; provided further, that not less than \$50,000 shall be expended for the purposes of the operation of the programs of the Riverside Theatre Works, an organization located in the Hyde Park section of the City of Boston; provided further, that not less than \$50,000 shall be expended for the Attleboro Museum; provided further, not less than \$50,000 shall be provided for the restoration and repairs of the Historical Asa Waters Mansion in the Town of Millbury; provided further, that not less than \$50,000 shall be allocated for the Methuen geriatric safety program; provided further, that not less than \$50,000 shall be expended for the Russian Community Association in Springfield provided further that not less than \$50,000 shall be expended for the Town of Plympton's Tercentennial Celebrations; provided further, that not less than \$50,000 shall be expended as a one time grant to Destination Salem in the city of Salem for the promotion of regional and local tourism; provided further, that not less than \$50,000 be expended by the town of Berkley for environmental restoration and resources grant for the use of the Berkley Highway Department and Tree Department; provided further, that not less than \$50,000 shall be directed to Arts Alive of Falmouth for support of the Woods Hole Film Festival; provided further that not less than \$50,000 shall be expended for TheatreZone Chelsea; provided further, that not less than \$40,000 shall be expended for the Newburyport Economic

Development Department's Jump Start Program; provided further, that not less than \$40,000 shall be expended from this item for the purpose of the operation and the promotion of the Ipswich Shuttle Bus service; provided that \$35,000 shall be expended for a public safety grant in the town of Berlin; provided further, that not less than \$35,000 shall be provided to the Bellingham historical commission renovations program; provided further, that \$30,000 in matching funds be expended to the town of Avon for a feasibility study of municipal buildings; provided further, that not less than \$25,000, subject to 100 per cent funding match, shall be made available to the Jacob's Pillow Dance Festival; provided further, that not less than \$25,000 be expended for the Route 6/Hopedale Street public safety program in Hopedale; provided further, that not less than \$25,000 shall be expended to operate the Cape Cod Junior Technology Council; provided further, that not less than \$25,000 shall be expended for the Sturbridge Area Tourist Association; provided further, that not less than \$25,000 shall be expended for the West Brookfield Historical Society for the three hundred and fiftieth Anniversary of the Quaboag Plantation; provided further, that not less than \$25,000 shall be expended for the Sandwich Glass Museum to promote the education of the glass blowing industry in Massachusetts history; provided further, that not less than \$25,000 shall be expended for the Reagle Players of Waltham; provided further, that not less than \$25,000 shall be made available to Woburn for a safety grant in the Walnut Street area in downtown Woburn; provided further, that not less than \$25,000 shall be expended for the Phillipston historical society; provided further, that not less than \$25,000 shall be expended for the Central Quabbin Area Tourism and Visitors Center; provided further, that not less than \$25,000 be expended for improvements in the Prospect Hill Historic District in the City of Lawrence; provided further, that not less than \$25,000 shall be expended for the economic development project at the Salisbury Chamber of Commerce; provided further, that not less than \$20,000 shall be expended for the Amesbury Cultural Center; provided further, that not less than \$20,000 shall be made available for an energy efficiency program in the town of North Attleboro; provided further, that \$15,000 shall be expended for the Sgt. 1st Class Robert E. Rooney project in the town of Plymouth; provided further, that not less than \$15,000 shall be provided to the Cape Cod Cranberry Growers for the production of a Cranberry Harvest Map; provided further, that \$15,000 shall be expended for the Lance Corporal Jeffrey C. Burgess project in the town of Plymouth; provided further, that not less than \$8,000 shall be expended for a recreational program in the town of Freetown; and provided further, not less than \$5,000 shall be provided for the restoration and rebuilding of a historical gazebo in the Town of Auburn

29,255,852

Tourism Fund100.0% ”.

The question on passing item 7007-0900, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at two minutes past three o'clock P.M., as follows, to wit (*yeas 36 — nays 1*) [**Yeas and Nays No. 437**]:

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.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
Fargo, Susan C.	Spilka, Karen E.
Hart, John A., Jr.	Tarr, Bruce E.
Havern, Robert A.	Timilty, James E.
Jehlen, Patricia D.	Tisei, Richard R.
Joyce, Brian A.	Tolman, Steven A.
Knapik, Michael R.	Tucker, Susan C.
Lees, Brian P.	Walsh, Marian
McGee, Thomas M.	Wilkerson, Dianne — 36.
NAYS.	

Hedlund, Robert L. —1.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. —2.

The yeas and nays having been completed at four minutes past three o'clock P.M., item 7007-0900, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Engrossed Bill — Land Taking for Conservation, Etc.

An engrossed Bill authorizing the University of Massachusetts to convey a certain parcel of land in the city of Boston to the United States of America acting by and through the National Archives and Records Administration (see Senate, No. 2597, amended) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,— was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at five minutes past three o'clock P.M., as follows, to wit (*yeas 35 — nays 1*) [Yeas and Nays No. 438]:

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.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
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.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
Knapik, Michael R.	Walsh, Marian — 35.
McGee, Thomas M.	
NAYS.	

Lees, Brian P. —1.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Wilkerson, Dianne — 3.
Rosenberg, Stanley C.	

The yeas and nays having been completed at seven minutes past three o'clock P.M., the bill was passed to be enacted, two-thirds of the members present and voting having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

Reports of a Committee.

By Ms. Murray, for the committee on Ways and Means, on Senate, No. 60, in part, a "Bill authorizing the transfer of certain parcels of land in the city of Taunton" (Senate, No. 2666).

The bill was read. There being no objection, the rules were suspended, on motion of Ms. Fargo, and the bill 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.

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill relative to establishing the Massachusetts conservation corps (Senate, No. 520),— **ought to pass, with an amendment substituting a new draft entitled "An Act relative to establishing the Massachusetts Conservation Corps" (Senate, No. 2667).**

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

The bill (Senate, No. 2667) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill relative to the South Boston power station (Senate, No. 2344),— **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2668).**

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. 2668) was then ordered to a third reading.

After remarks, and pending the question on ordering the bill to a third reading, Mr. Hart moved that the bill be laid on the table; and, in accordance with the provisions of Senate Rule 24, the consideration of the motion to lay on the table was postponed, without question, until the next session.

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill regarding real estate appraisal trainees (Senate, No. 2348),— **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2669).**

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. 2669) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill promoting safe schools (Senate, No. 2431),— **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2670).**

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. 2670) was then ordered to a third reading.

The question on passing the bill to be engrossed was determined by a call of the yeas and nays, at thirteen minutes past three o'clock P.M., on motion of Mr. Lees, as follows, to wit (*yeas 36 — nays 0*) [**Yeas and Nays No. 439**]:

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.
Chandler, Harriette L.	O’Leary, Robert A.
Creedon, Robert S., Jr.	Pacheco, Marc R.
Creem, Cynthia Stone	Panagiotakos, Steven C.
Fargo, Susan C.	Resor, Pamela
Hart, John A., Jr.	Spilka, Karen E.
Havern, Robert A.	Tarr, Bruce E.
Hedlund, Robert L.	Timilty, James E.
Jehlen, Patricia D.	Tisei, Richard R.
Joyce, Brian A.	Tolman, Steven A.
Knapik, Michael R.	Tucker, Susan C.
Lees, Brian P.	Walsh, Marian — 36.
NAYS —0.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Wilkerson, Dianne — 3.
Rosenberg, Stanley C.	

The yeas and nays having been completed at sixteen minutes past three o’clock P.M., 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 providing for linguistically appropriate mental health services (printed as House, No. 3900),— **ought to pass, substituting a new draft with the same title (Senate, No. 2671). There being no objection, the rules were suspended, on motion of Ms. Menard, and the bill was read a second time and was amended as recommended by the committee on Ways and Means.**
Pending the question on ordering the bill (Senate, No. 2671) to a third reading, on motion of Mr. Moore, the bill was referred to the committee on Health Care Financing under the provisions of Joint Rule 1E.
Sent to House for concurrence in the reference.

By Ms. Murray, for the committee on Ways and Means, that the House Bill authorizing the conveyance of a certain parcel of land in the town of Winthrop (House, No. 4905, amended),— **ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2672.**
There being no objection, the rules were suspended, on motion of Ms. Menard, 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, read a third time and passed to be engrossed. Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A Bill authorizing the town of Dedham to grant additional alcoholic beverages licenses (House, No. 5208,— being a new draft of Senate, No. 2617) [Local approval received on Senate, No. 2617],— **was read.**
There being no objection, the rules were suspended, on motion of Ms. Menard, and the bill was read a second time.

Pending the question on ordering the bill to a third reading, Ms. Walsh moved that the bill be amended by inserting after section 4 the following section:—

“SECTION 4A. Notwithstanding sections 12 and 77 of chapter 138 of the General Laws, the board of selectmen of the town of Dedham may restrict the licenses issued pursuant to this act to holders of common victualler licenses.”

The amendment was adopted.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

Engrossed Bill — Amended.

The engrossed Bill authorizing the town of Topsfield to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (see House, No. 4810, amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,— was laid before the Senate.

On motion of Mr. Berry, Senate Rule 49 was suspended.

The same Senator moved that the engrossed bill be amended by striking out all after the enacting clause and inserting in place thereof the following:—

“Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Topsfield may grant an additional license for the sale of wines and malt beverages not to be drunk on the premises to James H. Gilford, d/b/a Gil’s Grocery, located at 36 Main street in said town under section 15 of said chapter 138; provided, however that the selling of wines and malt beverages shall be incidental to the sale of food or other products. The license shall be subject to all of chapter 138, except section 17; provided, however, that the licensing authority shall not approve the transfer of the license to any other person, organization, corporation or location.”

The amendment was adopted.

Sent to the House for concurrence in the amendment.

Recess.

There being no objection, at twenty-five minutes past three o’clock P.M., at the request of Mr. Lees, for the purpose of a minority caucus, the Chair (Mr. Havern) declared a recess; and, at twenty-two minutes past four o’clock P.M., the Senate reassembled, the President in the Chair.

Message from the Governor — Disapproval and Reductions in Supplemental Appropriations Bill.

A message from His Excellency the Governor, returning, with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5056, amended), which on Friday, June 16, 2006, had been laid before the Governor for his approbation, came from the House, in part, several items and sections having been passed by the House notwithstanding the reduction or disapproval of the Governor.

The message (House, No. 5091) was read; and the Senate proceeded to reconsider several items, which had been reduced or disapproved in accordance with the provisions of the Constitution.

Item 1599-1110 (Sheriff Pay Increase Reserve) was considered as follows:

“1599-1110

For the costs associated with section 17 of this act 157,609”.

The question on passing item 1599-1110, contained in section 2A, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-three minutes past four o’clock P.M., as follows, to wit (*yeas 35 — nays 1*) [**Yeas and Nays No. 440**]:

YEAS.	
Antonioni, Robert A.	Montigny, Mark C.
Augustus, Edward M., Jr.	Moore, Richard T.
Baddour, Steven A.	Morrissey, Michael W.
Barrios, Jarrett T.	Murray, Therese

Berry, Frederick E.	Nuciforo, Andrea F., Jr.
Brewer, Stephen M.	O’Leary, Robert A.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
Fargo, Susan C.	Spilka, Karen E.
Hart, John A., Jr.	Tarr, Bruce E.
Havern, Robert A.	Timilty, James E.
Jehlen, Patricia D.	Tisei, Richard R.
Joyce, Brian A.	Tolman, Steven A.
Knapik, Michael R.	Tucker, Susan C.
Lees, Brian P.	Walsh, Marian
McGee, Thomas M.	Wilkerson, Dianne — 35.
Menard, Joan M.	
NAYS.	
Hedlund, Robert L. — 1.	
ANSWERED “PRESENT”.	
Brown, Scott P. — 1.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at twenty-nine minutes past four o’clock P.M., item 1599-1110 contained in section 2A, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 1599-7800 (Judicial Pay Raise Reserve) was considered as follows:
“1599-7800

For a reserve to meet the fiscal year 2006 costs of salary adjustments for justices of the supreme judicial court, appeals court and trial court, and certain other employees pursuant to sections 41, 42 and 44 of this act 6,998,409”.

The question on passing item 1599-7800, contained in section 2A, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at a half past four o’clock P.M., as follows, to wit (*yeas 31 — nays 1*) [**Yeas and Nays No. 441**]:

YEAS.	
Antonioni, Robert A.	McGee, Thomas M.
Augustus, Edward M., Jr.	Menard, Joan M.

Baddour, Steven A.	Moore, Richard T.
Barrios, Jarrett T.	Morrissey, Michael W.
Berry, Frederick E.	Murray, Therese
Brewer, Stephen M.	Nuciforo, Andrea F., Jr.
Chandler, Harriette L.	Pacheco, Marc R.
Creem, Cynthia Stone	Panagiotakos, Steven C.
Fargo, Susan C.	Resor, Pamela
Hart, John A., Jr.	Spilka, Karen E.
Havern, Robert A.	Tarr, Bruce E.
Hedlund, Robert L.	Tisei, Richard R.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
Knapik, Michael R.	Wilkerson, Dianne — 31.
Lees, Brian P.	
NAYS.	
Brown, Scott P. — 1.	
ANSWERED “PRESENT”.	
Creedon, Robert S., Jr.	Timilty, James E.
Montigny, Mark C.	Walsh, Marian — 5.
O’Leary, Robert A.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. —2.

The yeas and nays having been completed at twenty-seven minutes before five o’clock P.M., item 1599-7800 contained in section 2A, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 1599-7900 (Trial Court Clerk Salary Increase Reserve) was considered as follows:

“1599-7900

For the costs associated with sections 39, 40, 43, 45, 46, 47, 48 and 49 of this act 2,004,590”.

The question on passing item 1599-7900, contained in section 2A, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-six minutes before five o’clock P.M., as follows, to wit (*yeas 30 — nays 1*) [**Yeas and Nays No. 442**]:

YEAS.	
Antonioni, Robert A.	McGee, Thomas M.

Augustus, Edward M., Jr.	Moore, Richard T.
Baddour, Steven A.	Morrissey, Michael W.
Barrios, Jarrett T.	Murray, Therese
Berry, Frederick E.	Nuciforo, Andrea F., Jr.
Brewer, Stephen M.	O’Leary, Robert A.
Chandler, Harriette L.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
Fargo, Susan C.	Spilka, Karen E.
Hart, John A., Jr.	Tarr, Bruce E.
Havern, Robert A.	Tisei, Richard R.
Hedlund, Robert L.	Tolman, Steven A.
Jehlen, Patricia D.	Tucker, Susan C.
Joyce, Brian A.	Walsh, Marian
Knapik, Michael R.	Wilkerson, Dianne — 30.
NAYS.	
Brown, Scott P. — 1.	
ANSWERED “PRESENT”.	
Creedon, Robert S., Jr.	Montigny, Mark C.
Lees, Brian P.	Pacheco, Marc R.
Menard, Joan M.	Timilty, James E. — 6.
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at twenty-three minutes before five o’clock P.M., item 1599-7900 contained in section 2A, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

*Message from the Governor — Disapproval
General Appropriations Bill.*

A message from His Excellency the Governor, returning, with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2007 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 (see House, No. 5000), which on Friday, June 30, 2006, had been laid before the Governor for his approbation, came from the House, in part, several items and sections having been passed by the House notwithstanding the reduction or disapproval of the Governor. The message (House, No. 5150) was read; and the Senate proceeded to reconsider one item, which had been disapproved in accordance with the provisions of the Constitution.

Item 2300-0100 (Commissioner's Office — Fisheries and Wildlife) was considered as follows:

"2300-0100

For the office of the commissioner; provided, that the commissioner's office shall assess and receive payments from the division of marine fisheries, the division of fisheries and wildlife, the public access board, the riverways programs, and all other programs under the control of the department of fish and game; provided further, that the purpose of those assessments shall be to cover appropriate administrative costs of the department, including but not limited to payroll, personnel, legal and budgetary costs; provided further, that the amount and contribution from each division or program shall be determined by the commissioner of fish and game; provided further, that the commissioner shall not increase the level of assessments from the amount assessed for fiscal year 2006 to any agency, or line item within the department; provided further, that the department shall file a report with the house and senate committees on ways and means not later than September 1, 2006 that details the level of assessments to each department under the control of the office of the commissioner in fiscal years 2006 and 2007; and provided further, that \$50,000 in matching funds shall be provided to the National Marine Life

Center for animal care 500,001".

[The Governor struck the following wording “; provided further, that the commissioner shall not increase the level of assessments from the amount assessed for fiscal year 2006 to any agency, or line item within the department; provided further, that the department shall file a report with the house and senate committees on ways and means not later than September 1, 2006 that details the level of assessments to each department under the control of the office of the commissioner in fiscal years 2006 and 2007”.]

The question on passing item 2300-0100, contained in section 2, in concurrence, the objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-two minutes before five o'clock P.M., as follows, to wit (*yeas 34 — nays 3*) **[Yeas and Nays No.**

443]:

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.
Chandler, Harriette L.	O'Leary, Robert A.
Creedon, Robert S., Jr.	Pacheco, Marc R.
Creem, Cynthia Stone	Panagiotakos, Steven C.
Fargo, Susan C.	Resor, Pamela
Hart, John A., Jr.	Spilka, Karen E.
Havern, Robert A.	Timilty, James E.
Jehlen, Patricia D.	Tisei, Richard R.
Joyce, Brian A.	Tolman, Steven A.
Knapik, Michael R.	Tucker, Susan C.
Lees, Brian P.	Walsh, Marian
McGee, Thomas M.	Wilkerson, Dianne — 34.
NAYS.	

Brown, Scott P.	Tarr, Bruce E.— 3.
Hedlund, Robert L.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C.—2.

The yeas and nays having been completed at twenty minutes before five o'clock P.M., item 2300-0100, contained in section 2, stands, in concurrence, notwithstanding the objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 3000-1000 (Department of Early Education and Care Administration) was considered as follows:

“3000-1000

For the administration of the department of early education and care and the costs of field operations and licensing provided through the department; provided that funds from this item shall be expended on the development and piloting of a kindergarten readiness assessment system that is educationally sound; provided further, that funds from this item shall be expended on the development of a comprehensive evaluation system for all early education and care programs in the commonwealth; provided further, that not later than December 15, 2006, the department shall issue its annual report to the secretary of administration and finance, the chairpersons of the joint committee on education, and the chairpersons of the house and senate ways and means committees, which shall include an update on the progress made in meeting the information technology needs of the department, and on the development of a comprehensive and scientifically valid longitudinal study of the effectiveness of various early education and care programs and services; provided further, that the department shall report monthly to the joint committee on education, the joint committee on children and families, the house and senate committees on ways and means, and the secretary of administration and finance on the unduplicated number of children on waiting lists for state-subsidized early education and care programs and services; provided further, that notwithstanding chapter 66A of the General Laws to the contrary, the department of early education and care, the lead agencies of community partnership councils, the child care resource and referral agencies, the department of education, the department of transitional assistance, the department of social services, and the department of public health may share with each other personal data regarding the parents and children who receive services provided under early education and care programs administered by the commonwealth for waitlist management, program implementation and evaluation, reporting, and policy development purposes; provided further, that the commissioner of the department of early education and care may transfer funds between items 3000-2000, 3000-2025, 3000-4000, 3000-4050, and 3000-4060, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 15 days prior to any such transfer; provided further, that no more than 5 percent of any item may be transferred in fiscal year 2007; provided further, that funds from this item shall be expended to develop an implementation plan for a workforce development system in collaboration with the board and chancellor of higher education, pursuant to section 5 of chapter 15D of the General Laws; provided further, that, as part of the development of said workforce implementation plan, not less than \$100,000 shall be expended for the development of core competencies for those working with children in early education programs; provided further, that the department shall consult with early childhood education practitioners, researchers and experts in early childhood education, child development, and children's mental health, and faculty in degree granting programs in the early childhood education field; provided further, that in developing said core competencies the department shall differentiate by levels of responsibility, delivery settings, and developmental age group of the children; provided further, the department shall consider core competencies defined by other states as well as the Program Standards for Children Ages 3 and 4 promulgated by the department of education; provided further, that the board of early education and care shall adopt core competency requirements for those working with children from birth through entrance into kindergarten on or before February 15, 2007; and provided further, that a copy of the proposed core competencies shall be provided, no later than December 15, 2006, to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate ways and means committees and the house and senate chairs of the joint committee on education 10,952,486”.

After debate, the question on passing item 3000-1000, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at seven minutes before five o'clock P.M., as follows, to wit (*yeas 33 — nays 4*) [**Yeas and Nays No. 444**]:

YEAS.	
Antonioni, Robert A.	Moore, Richard T.
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.
Chandler, Harriette L.	Panagiotakos, Steven C.
Creedon, Robert S., Jr.	Resor, Pamela
Creem, Cynthia Stone	Spilka, Karen E.
Fargo, Susan C.	Tarr, Bruce E.
Hart, John A., Jr.	Timilty, James E.
Havern, Robert A.	Tisei, Richard R.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
McGee, Thomas M.	Walsh, Marian
Menard, Joan M.	Wilkerson, Dianne — 33.
Montigny, Mark C.	
NAYS.	
Brown, Scott P.	Knapik, Michael R.
Hedlund, Robert L.	Lees, Brian P. — 4.
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. — 2.

The yeas and nays having been completed at five minutes before five o'clock P.M., item 3000-1000, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 3000-6050 (Professional Development) was considered as follows:

“3000-6050

For grants to provide professional development for early education and care providers to be distributed by the department with

approval of the board; provided, that eligible recipients for such grants shall include community partnership councils, municipal school districts, regional school districts, educational collaboratives, head start programs, licensed child care providers, and child care resource and referral centers; provided further, that the department shall only approve professional development courses and offerings with proven, replicable results in improving early education and care, and which shall have demonstrated the use of best practices, as determined by the department; provided further, that the department shall, not later than February 15, 2007, provide a report on the number of early childhood educators and providers who have received such training, the estimated number who have requested such additional training, and a review and analysis of the most effective types of professional development and the most common gaps in the knowledge base of early childhood educators, along with legislative or regulatory recommendations of the department; and provided further, that said report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate ways and means committees and the house and senate chairs of the joint committee on education 1,500,000”.

The question on passing item 3000-6050, contained in section 2, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at four minutes before five o'clock P.M., as follows, to wit (*yeas 37 — nays 0*) [**Yeas and Nays No. 445**]:

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.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
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.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
Knapik, Michael R.	Walsh, Marian
Lees, Brian P.	Wilkerson, Dianne — 37.
McGee, Thomas M.	
NAYS — 0.	
ABSENT OR NOT VOTING.	

Buoniconti, Stephen J.	Rosenberg, Stanley C. —2.
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The yeas and nays having been completed at two minutes before five o'clock P.M., item 3000-6050, contained in section 2, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Engrossed Bills Returned by Governor With His Objections Thereto.

The engrossed Bill to establish a personal care attendant quality home care workforce council (see House, No. 4758, amended), which, on Friday, June 30, 2006, had been laid before His Excellency the Governor for his approbation,— came from the House the same having been returned by His Excellency the Governor, with his objections thereto in writing, [for message, see House, No. 5218 and having passed that branch, notwithstanding said objections.

The message (House, No. 5218) was read; and the Senate proceeded to reconsider the bill, in accordance with the provisions of the Constitution.

The question on passing the bill, in concurrence, the objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at two minutes past five o'clock P.M., as follows, to wit (*yeas 38 — nays 0*) [**Yeas and Nays No. 446**]:

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.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
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.
Jehlen, Patricia D.	Travaglini, Robert E.
Joyce, Brian A.	Tolman, Steven A.
Knapik, Michael R.	Tucker, Susan C.
Lees, Brian P.	Walsh, Marian
McGee, Thomas M.	Wilkerson, Dianne — 38.

NAYS — 0.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. —2.

The yeas and nays having been completed at eight minutes past five o'clock, the bill was passed by the Senate, notwithstanding the objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

The engrossed Bill to provide tenure for school nurses (see House, No. 1087), which, on Thursday, June 8, 2006, had been laid before His Excellency the Governor for his approbation,— came from the House the same having been returned by His Excellency the Governor, with his objections thereto in writing, [for message, see House, No. 5214] and having passed that branch, notwithstanding said objections.

The message (House, No. 5214) was read; and the Senate proceeded to reconsider the bill, in accordance with the provisions of the Constitution.

The question on passing the bill, in concurrence, the objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at nine minutes past five o'clock P.M., as follows, to wit (*yeas 37 — nays 0*) [**Yeas and Nays No. 447**]:

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.
Chandler, Harriette L.	Pacheco, Marc R.
Creedon, Robert S., Jr.	Panagiotakos, Steven C.
Creem, Cynthia Stone	Resor, Pamela
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.
Jehlen, Patricia D.	Tolman, Steven A.
Joyce, Brian A.	Tucker, Susan C.
Knapik, Michael R.	Walsh, Marian
Lees, Brian P.	Wilkerson, Dianne — 37.

McGee, Thomas M.	
NAYS — 0.	
ABSENT OR NOT VOTING.	
Buoniconti, Stephen J.	Rosenberg, Stanley C. —2.

The yeas and nays having been completed at eleven minutes past five o'clock, the bill was passed by the Senate, notwithstanding the objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor, returning with recommendation of amendment the engrossed Bill relative to the minimum wage (see House, No. 4781, amended) [for message, see House, No. 5217],— **came from the House with endorsement that the House rejected the amendment recommended by the Governor (as approved by the House Committee on Bills in the Third Reading) and had adopted an amendment by inserting before the enacting clause the following emergency preamble:**

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to increase forthwith the minimum wage, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”
The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

There being no objection, the rules were suspended, on motion of Ms. Murray.

The Governor’s amendment was then rejected.

The House amendment was then considered; and it was adopted, in concurrence.

Sent to the House for re-enactment.

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 relative to the modernization of Optometric patient care (Senate, No. 1277),— **was read a third time and passed to be engrossed.**

Sent to the House for concurrence.

Order Adopted.

On motion of Mr. Havern,—

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow at twelve o'clock noon, in a full formal session without a calendar.

On motion of the same Senator, at fourteen minutes past five o'clock P.M., the Senate adjourned to meet on the following day at twelve o'clock noon.