

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, August 22, 2005.

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

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

Petitions.

Mr. Joyce presented a petition (accompanied by bill, Senate, No. 2184) of Brian A. Joyce, Joseph R. Driscoll, Walter F. Timilty and Bruce J. Ayers (by vote of the town) for legislation relative to the town of Randolph, town meeting membership [Local approval received],— **and the same was referred, under Senate Rule 20, to the committee on Municipalities and Regional Government.**

Sent to the House for concurrence.

Mr. Joyce (by request) presented a petition (subject to Joint Rule 12) of Mark O. Vietzke for legislation to authorize the state board of retirement to grant creditable service to Mark O. Vietzke,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Committee Discharged.

Mr. Antonioni, for the committee on Education, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 293) of Robert A. Antonioni and Brian Knuuttila for legislation relative to tuition waivers for human services workers,— and recommending that the same be referred to the committee on Higher Education.

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

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to authorizing the Department of Conservation and Recreation and the Department of Fish and Game to acquire conservation restrictions in and to the lands of the town of Egremont (House, No. 4345),— **was referred, in concurrence, to the committee on Bonding, Capital Expenditures and State Assets.**

Bills

Authorizing the conveyance of a certain parcel of Commonwealth land to the city of Revere for public purposes (House, No. 4308,— on petition);

Establishing a sick leave bank for Kathleen A. Sammataro, an employee of the Trial Court of the Commonwealth (House, No. 4310,— on petition); and

Establishing a sick leave bank for Sandra Spiros, an employee of the Suffolk Superior Court Department of the Trial Court (House, No. 4325,— on petition);

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

A report of the committee on Health Care Financing, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2888) of Robert P. Spellane relative to authorizing a collective bargaining reserve for private sector human services workers, and recommending that the same be referred to the committee on Public Service,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Resolutions.

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

Resolutions (filed by Mr. Brewer) “on the occasion of the retirement of Firefighter and Dispatcher Emmett F. Ahearn”;

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

Resolutions (filed by Mr. Pacheco) “congratulating Robert Blair upon his elevation to the rank of Eagle Scout”; and

Resolutions (filed by Ms. Walsh) “honoring the eighty-fifth anniversary of women’s suffrage in the United States.”

PAPERS FROM THE HOUSE.

Engrossed Bill Returned by Lieutenant-Governor, Acting Governor, with Recommendation of Amendment.

The engrossed Bill establishing a voting precinct in the city of Peabody (see House, No. 3415),— having been returned to the House by Her Honor the Lieutenant-Governor, Acting Governor, in accordance with the provisions of Article LVI of the Amendments to the Constitution, with a recommendation of amendment (for message, see House, No. 4329),— came up with an amendment by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Notwithstanding any general or special law to the contrary, precinct 3 of ward 4 of the city of Peabody shall be one precinct for the purpose of forming congressional, representative, senatorial or councilor districts but shall have 2 polling places for the purposes of voting at any state or municipal election. One such polling location shall be in Brooksby Village to serve voters residing within Brooksby Village and shall be known as precinct 3A of ward 4, and the other polling location shall be designated by the city council under section 24 of chapter 54 of the General Laws to serve all others in precinct 3 of ward 4 and shall be known as precinct 3.

SECTION 2. The board of registrars of voters and the city clerk of the city of Peabody shall take all necessary actions to assure compliance with this act including, but not limited to, assuring the accuracy of the voting lists located at each polling location set forth in section 1. The board of registrars and city clerk shall divide precinct 3 of ward 4 into subprecincts as set forth in section 1, and only the names of voters who reside in each subprecinct shall appear on the voting list for that subprecinct.

SECTION 3. This act shall take effect upon its passage.”, (as corrected, BTR).

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

Engrossed Bills.

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

Amending the designation of a certain overpass in the city of New Bedford (see House, No. 3838); and

Authorizing the town of Dracut to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (see House, No. 4276).

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 to establish a town manager for the town of Braintree (Senate, No. 2157),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act establishing a town manager for the town of Braintree”.**
Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4347) of Daniel E. Bosley relative to the financial integrity of public charities,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Consumer Protection and Professional Licensure.**

Order Adopted.

On motion of Mr. Barrios,—

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

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