

NOTICE: While reasonable efforts have been made to assure the accuracy of the data herein, this is **NOT** the official version of Senate Journal. It is published to provide information in a timely manner, but has **NOT** been proofread against the events of the session for this day. All information obtained from this source should be checked against a proofed copy of the Senate Journal.

UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Thursday, January 19, 2006.

Met at three minutes past eleven o'clock A.M. (Mr. Hart in the Chair).

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

Report.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of the Bridgewater Correctional Facilities Complex Kitchen (received Tuesday, January 17, 2006),— **was read and sent to the House for its information.**

Reports of Committees.

By Mr. Montigny, for the committee on Bonding, Capital Expenditures and State Assets, on petition, a Bill relative to the disposition of easements or other interests in land in Uxbridge under the care and control of the Department of Conservation and Recreation (Senate, No. 53);

By the same Senator, for the same committee, on petition, a Bill reimbursing the town of Southbridge for the cost of purchasing its own armory (Senate, No. 54); and

By the same Senator, for the same committee, on petition, a Bill relative to the sale of land in Quincy by the Massachusetts Water Resource Authority (Senate, No. 2190);

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

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

The Senate Bill relative to assault with bodily fluids upon correction officers (Senate, No. 1324, changed).

Papers from the House.

A Bill relative to the development of underused state owned real property and the disposition of state owned surplus real property (House, No. 4491, printed as amended,— on Senate, Nos. 39 and 42 and on House, Nos. 1423, 3421, 3425, 3428, 3430, 3433, 3840 and 3841),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Reports

Of the committee on Housing, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4563) of John P. Fresolo relative to the privacy of public records concerning reports of injuries of employees of public agencies and authorities of the Commonwealth; and

Of the committee on Municipalities and Regional Government, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3575) of William C. Brown for legislation to require the presence of a quorum for the transaction of business by governmental bodies;

And recommending that the same severally be referred to the committee on State Administration and Regulatory Oversight.

Of the committee on Veterans and Federal Affairs, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 1980) of Robert S. Creedon, Jr. and Michael W. Morrissey for legislation relative to tax exemptions for veterans;

Of the petition (accompanied by bill, Senate, No. 1987) of Robert L. Hedlund, Brian P. Lees, Richard R. Tisei, Bruce E. Tarr and other members of the General Court for legislation relative to tax exemptions for disabled veterans;

Of the petition (accompanied by bill, Senate, No. 1988) of Evelyn Ferreira for legislation relative to tax exemptions for disabled veterans;

Of the petition (accompanied by bill, Senate, No. 1997) of Richard T. Moore, Edward G. Connolly, Brian A. Joyce, John Binienda and other members of the General Court for legislation relative to real estate exemptions for surviving spouses of veterans killed in time of war and victims of terrorism;

Of the petition (accompanied by bill, Senate, No. 2004) of Michael W. Morrissey for legislation to further the exemption from taxation of certain real estate and personal estate owned or held in trust for the benefit of certain incorporated war veteran organizations;

Of the petition (accompanied by bill, Senate, No. 2005) of Michael W. Morrissey, Bruce J. Ayers and Ronald Mariano for legislation to provide real estate tax abatement to veterans;

Of the petition (accompanied by bill, Senate, No. 2008) of Pamela P. Resor, James B. Eldridge and Cory Atkins for legislation relative to reduction in local property tax and excise tax for certain disabled veterans of World War II and the Korean War;

Of the petition (accompanied by bill, Senate, No. 2013) of Steven A. Tolman for legislation relative to veterans exemptions; and

Of the petition (accompanied by bill, Senate, No. 2129) of Robert A. O'Leary for legislation relative to tax exemptions for spouses of disabled veterans;

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

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.

A report of the committee on Ways and Means, asking to be discharged from further consideration of the House Bill relative to discrimination in public education (House, No. 1452); and recommending that the same be referred to the committee on Education,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence, insomuch as relates to the reference to the joint committee.**

The annual report of the Public Employee Retirement Administration Commission (under Sections 21, 102 and 103 of Chapter 32 of the General Laws) relative to the percentum change in the average cost-of-living as shown by the United States consumer price index for the year 2005 compared with such index for the year 2004 (House, No. 4635),— **was referred, in concurrence, to the committee on Public Service.**

Resolutions.

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

Resolutions (filed by Messrs. Brown and Creedon) “on the retirement of Sergeant First Class Frederick Allen Coe, Jr.”;

Resolutions (filed by Messrs. Lees, Brown, Hedlund, Knapik, Tarr and Tisei) “commending the Ronald Reagan Legacy Project’s celebration of February 6, 2006 as “Ronald Reagan Day”;

Resolutions (filed by Messrs. Lees, Brown, Hedlund, Knapik, Tarr and Tisei) “congratulating Yakov and Tsilya Tochilnikov”;

and

Resolutions (filed by Mr. McGee) “congratulating the St. Mary’s Football Team on their Division 3A State Championship.”

Communications.

The Clerk read the following communication:

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

January 18, 2006.

William Welch, *Clerk*
Massachusetts State Senate
State House, Room 334
Boston, MA 02133

Dear Mr. Clerk:

Due to a recent medical procedure I was unable to attend the Senate session on January 18, 2006. Had I been present, I would have voted in favor of House Bill, No. 4489, An Act Further Regulating the Meetings of Municipal Boards and House Bill, No. 4523, An Act Authorizing the Town of Groton to Lease a Certain Parcel of Land.

I respectfully request that a copy of this letter be printed in the Senate Journal as part of the official record for January 18, 2006. Thank you in advance for your attention to this important matter.

Sincerely,

Frederick E. Berry,
Majority Leader.

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

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

January 19, 2006.

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

Dear Mr. Clerk:

I was out of the state during the formal Senate session on Wednesday January 18, 2006, and therefore, was not present for the roll call votes on House Bill No. 4489 as amended by Senator Tucker and House Bill No. 4523.

Had I been present, I would have voted in the affirmative on House No. 4489 as amended by Senator Tucker, relative to further regulating meetings of municipal boards, and in the affirmative on House No. 4523, the enactment of land taking in the town of Groton.

I would appreciate your assistance with the printing of this communication in the Senate Journal. Thank you for your assistance with this request.

Sincerely,
Stanley C. Rosenberg,
State Senator,
Hampshire and Franklin District.

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

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 Braintree Electric Light Department generating project (Senate, No. 2318),— **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 authorizing certain actions by the Braintree Electric Light Department Generating Project”.**
Sent to the House for concurrence.

Report of a Committee.

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

The House Bill relative to the Northern Berkshire Industrial Park and Development Corporation (House, No. 4376).
There being no objection, the rules were suspended, on motion of Mr. McGee, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act amending the law establishing the Northern Berkshire Industrial Park and Redevelopment Corporation.

Order Adopted.

On motion of Mr. Tisei,—

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

On motion of Mr. McGee, at eight minutes past eleven o’clock A.M., the Senate adjourned to meet on the following Monday at eleven o’clock A.M.