

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, January 23, 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.

Communication.

A communication from the Honorable Robert E. Travaglini, President of the Senate, announcing the appointments of Senators Thomas M. McGee, Brian P. Lees, Stephen M. Brewer, Steven C. Panagiotakos and Robert A. O'Leary to the Special Commission established (pursuant to Section 19 of Chapter 15A of the General Laws and Section 137 of Chapter 33 of the Acts of 2005) to make an investigation and study to review the tuition and fee waiver program for veterans,- was placed on file.

Report.

A report of the Workers' Compensation Advisory Council (under the provisions of Section 17 of Chapter 23E of the General Laws) relative to the state of the Massachusetts workers' compensation system in fiscal year 2005 (received Thursday, January 19, 2006),- was placed on file.

Petition.

Mr. Moore presented a petition (subject to Joint Rule 12) of Richard T. Moore for legislation to reform the calculation and distribution of education and,- and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of Committees.

Mr. Montigny, for the committee on Bonding, Capital Expenditures and State Assets, that the Senate Bill providing the town of Saugus financial assistance for the replacement of water mains located under certain portions of the state highway Rt. 1 in the town of Saugus (Senate, No. 1747),- ought to pass.
Referred, under Senate Rule 27, to the committee on Ways and Means.

By Ms. Jehlen, for the committee on Public Service, on petition, a Bill relative to eligibility for state group health insurance (Senate, No. 1535);

Read and, under Joint Rule 1E, referred to the committee on Health Care Financing.

By Mr. McGee, for the committee on Labor and Workforce Development, on petition, a Bill relative to Chapter 23 of the General Laws (Senate, No. 1093);

By the same Senator, for the same committee, on petition, a Bill relative to the unfair labor practices (Senate, No. 1124);

By the same Senator, for the same committee, on petition, a Bill relative to labor relations (Senate, No. 1126);

By Ms. Jehlen, for the committee on Public Service, on petition, a Bill relative to the Massachusetts Water Resources Authority employees' retirement system (Senate, No. 1501);

By the same Senator, for the same committee, on petition, a Bill relative to the state retirement system (Senate, No. 1570);

By the same Senator, for the same committee, on petition, a Bill establishing a sick leave bank for Denise Gamache, an employee of the Department of Revenue (Senate, No. 2248); and

By Mr. Hart, for the committee on Tourism, Arts and Cultural Development, on petition, a Bill establishing the Asian American Commission of the Commonwealth of Massachusetts (Senate, No. 2201);

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

By Mr. McGee, for the committee on Labor and Workforce Development, on petition, a Bill relative to apprentice training (Senate, No. 1086);

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

PAPERS FROM THE HOUSE.

A Bill establishing a sick leave bank for Samuel Russell, an employee of the Trial Court (House, No. 4569,- on petition),- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

The following petitions, having been transmitted by the Secretary of the Commonwealth to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution, and having been received in the Office of the Clerk of the House on Friday, January 6, 2006, were referred, in concurrence, as follows:

Initiative petition of Christopher P. Flynn and others for the passage of "An Act to increase consumer convenience and choice by permitting food stores to sell wine" (House, No. 4619);

To the committee on Consumer Protection and Professional Licensure.

Initiative petition of Cecilia A. Wcislo and others for the passage of "An Act to provide voters with more ballot choices" (House, No. 4621);

To the committee on Election Laws.

Initiative petition of Lida E. Harkins and others for the passage of "An Act relative to the establishment of a personal care attendant quality home care workforce council" (House, No. 4623);

To the committee on Health Care Financing.

Initiative petition of Raymond L. Flynn, Sr., and others for the passage of "An Act for an initiative amendment to the Constitution to define marriage" (House, No. 4617);

To the committee on the Judiciary.

A report of the committee on Health Care Financing, asking to be discharged from further consideration of the House Bill to promote proper school nutrition (House, No. 4452), and recommending that the same be referred to the House committee on Ways and Means,- **was considered forthwith, under Senate Rule 36, and accepted, in concurrence, insomuch as relates to the discharge of the joint committee.**

Notice was received from the House that the Speaker announced that he had re-appointed (under section 66 of Chapter 3 of the General Laws) Mrs. Donna Finneran and Dr. Helen Jackson to the Special Commission on the Status of Women.

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:- Resolutions (filed by Mr. Brown) "congratulating Plainville Police Officer Jason Clutterbuck on his exemplary enforcement of the drunk driving laws"; and

Resolutions (filed by Ms. Chandler and Mr. Augustus) "congratulating William J. Fay as the 2006 Grand Marshal of the Worcester County Saint Patrick's Day Parade."

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 changing the term of office for the town moderator in the town of Milton (Senate, No. 2095),- 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 changing the term of office of the moderator for the town of Milton".

Sent to the House for concurrence.

Report of a Committee.

By Mr. Hart, for the committee on Tourism, Arts and Cultural Development, on petition, a Bill designating the official blues artist of the Commonwealth (Senate, No. 2262),- **was read.**

There being no objection, the rules were suspended, on motion of Mr. Rosenberg, and the bill 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 designating Taj Mahal as the official blues artist of the Commonwealth."

Order Adopted.

On motion of Ms. Wilkerson,-

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

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4645) of Rachel Kaprielian and others relative to the taxation of research and development corporations in the Commonwealth,- was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Revenue.

On motion of Mr. Barrios, at seventeen minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Wednesday at eleven o'clock A.M.