

**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, March 13, 2006.*

Met at one minute past eleven o'clock A.M. (Mr. Rosenberg in the Chair).

The Senator from Hampden and Hampshire, Mr. Knapik, led the Chair (Mr. Rosenberg), members, guests and employees in the recitation of the pledge of allegiance to the flag.

#### *Petition.*

Mr. Brewer presented a petition (subject to Joint Rule 12) of Stephen M. Brewer, Anne M. Gobi and others for legislation to reduce firearm license application fees,— and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

#### *Reports of Committees.*

By Mr. Antonioni, for the committee on Education, on Senate, Nos. 102, 308, 316, 318, 322, 325, 327, 329, 332, 341, 342, 344, 357, 364, 366, 2229 and 2352, an Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to educational issues (Senate, No. 2405); and

By Mr. Timilty, for the committee on Municipalities and Regional Government, on Senate, Nos. 1162, 1197 and 1209, an Order relative to authorizing the joint committee on Municipalities and Regional Government to make an investigation and study of certain current Senate documents relative to municipal matters (Senate, No. 2406);

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

By Mr. Antonioni, for the committee on Education, on Senate, Nos. 289, 304 and 309 and House, Nos. 1069, 1086, 1094, 1168, 1192 and 1201, a Bill relative to educator licensure in the Commonwealth (Senate, No. 289);

By the same Senator, for the same committee, on Senate, No. 290 and House, No. 1066, a Bill relative to special education compliance (Senate, No. 290);

By the same Senator, for the same committee, on Senate, No. 347 and House, Nos. 1070, 1076, 1115, 1117, 1132, 1187, 1189 and 1206, a Resolve providing MCAS options (Senate, No. 2404);

By Mr. Barrios, for the committee on Public Safety and Homeland Security, on petition, a Bill prohibiting the sale, transfer or possession of “cop killer” handguns and high powered rifles (Senate, No. 2113);

By Ms. Creem, for the committee on Revenue, on petition, a Bill relative to the negotiation of taxes due under a tax increment financing (TIF) (Senate, No. 1701);

By the same Senator, for the same committee, on Senate, No. 1703 and House, No. 2351, a Bill relative to the taxation of forest, farm, and recreation land (Senate, No. 1703); and

By the same Senator, for the same committee, on petition, a Bill establishing the Martha’s Vineyard housing bank (Senate, No. 2230);

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

By Mr. Timilty, for the committee on Municipalities and Regional Government, on petition, a Bill further clarifying the zoning act (Senate, No. 1158); and

By the same Senator, for the same committee, on petition, a Bill relative to the intermunicipal agreements (Senate, No. 1174);  
**Severally read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

By Mr. Timilty, for the committee on Municipalities and Regional Government, on petition, a Bill to authorize an easement or lease of land by the conservation commission of the town of Falmouth (Senate, No. 2319) [Local approval received];

By the same Senator, for the same committee, on petition, a Bill relative to the charter of the town of Walpole (Senate, No. 2365) [Local approval received]; and

By Ms. Creem, for the committee on Revenue, on petition, a Bill relative to a tax abatement filing for the National Plastics Center and Museum in Leominster (Senate, No. 2386) [Local approval received];

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

#### *Committees Discharged.*

Mr. Buoniconti, for the committee on Ethics and Rules, to whom was referred the Senate Order relative to authorizing the joint committee on Telecommunications, Utilities and Energy to make an investigation and study of certain Senate documents relative to telecommunications, utilities and energy (Senate, No. 2350), reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, Senate No. 1816) of Michael W. Morrissey relative to the Massachusetts Municipal Wholesale Electric Company,— **and recommending that the same be recommitted to the committee on Telecommunications, Utilities and Energy.**

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

Mr. Barrios, for the committee on Public Safety and Homeland Security, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1358) of Robert A. Havern for legislation to establish the rank of first-lieutenant of the State Police,— **and recommending that the same be referred to the committee on Public Service.**

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

**Sent to the House for concurrence.**

#### **PAPERS FROM THE HOUSE.**

A Bill authorizing the Martha's Vineyard Regional High School District to lease certain land (House, No. 4574,— on House, No. 1204),— **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

A Bill relative to the historic district commission of the town of Sudbury (House, No. 4390,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

A report of the committee on Environment, Natural Resources and Agriculture, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3897) of Peter V. Kocot and others relative to an appropriation of funds for protection of the drinking water supply in the western part of the Commonwealth, 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.**

#### *Resolutions.*

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

Resolutions (filed by Mr. O'Leary) "congratulating James R. Ehrhart on the occasion of his retirement";

Resolutions (filed by Mr. Pacheco) "on the fiftieth wedding anniversary of Henry and Dorothy Guillemette";

Resolutions (filed by Ms. Spilka, Messrs. Augustus, Barrios, Buoniconti, Havern and Joyce and Ms. Murray) "celebrating Athletic Trainers Month in Massachusetts"; and

Resolutions (filed by Mr. Timilty) "honoring the memory of Patrick McLaughlin."

#### *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 House Bill regulating financing of construction of sewer system extensions in the town of Concord (House, No. 4364) (its title having been changed by the committee on Bills in the Third Reading),— **was read a third time and passed to be engrossed, in concurrence.**

#### *Reports of Committees.*

By Mr. Timilty, for the committee on Municipalities and Regional Government, on petition, a Bill authorizing the town of Auburn to convey a certain parcel of land (Senate, No. 2388) [Local approval received].

**There being no objection, the rules were suspended, on motion of Ms. Wilkerson, 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 Mr. Buoniconti, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Brian A. Joyce and William C. Galvin for legislation to designate the town of Avon as an economic target area. **Senate Rule 36 was suspended, on motion of Ms. Fargo, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Community Development and Small Business.**  
**Sent to the House for concurrence.**

#### **PAPERS FROM THE HOUSE.**

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4750) of Michael E. Festa and Vincent A. Pedone relative to certain employment practices in connection with children's marketing activities;  
Under suspension of Joint Rule 12, to the committee on Labor and Workforce Development.

Petition (accompanied by bill, House, No. 4751) of Shirley Gomes and Robert A. O'Leary for legislation to designate a certain portion of Route 28 in the town of Harwich as "Head of the Bay Road";  
**Under suspension of Joint Rule 12, to the committee on Transportation.**

*Order Adopted.*

On motion of Mr. Knapik,—

*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 seven minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Thursday at eleven o'clock A.M.