

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 14, 2005.

Met at three minutes past eleven o'clock A.M. (Mr. Barrios 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. Barrios), 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 Souza-Baranowski Correctional Center (received Thursday, March 10, 2005),— **was read and sent to the House for its information.**

PAPERS FROM THE HOUSE.

Messages were referred, in concurrence, as follows:

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 validating the actions taken at an annual town meeting and special town meeting of the town of Rockland (House, No. 999); and

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 the filling of a vacancy on the Amherst Select Board (House, No. 1000); **Severally to the committee on Municipalities and Regional Government.**

A petition (accompanied by bill, House, No. 1265) of Kathi-Anne Reinstein and others (with the approval of the mayor and city council) relative to authorizing the opening of schools on certain holidays in the city of Revere,— **was referred, in concurrence, to the committee on Education.**

Communications.

The Clerk read the following communications:

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

March 10, 2005.

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

Dear Mr. Clerk:

On Wednesday, January 26, 2005 I was away from the State House due to extreme weather conditions, and I was therefore unable to be present for Senate Roll Call Vote # 2, on an amendment to Senate Bill 20. Had I been present, I would have voted in the negative on this amendment.

I respectfully request that this communication be printed in the Senate Journal. Thank you for your assistance in this matter.

Sincerely,
SUSAN C. FARGO,
State Senator,
3rd Middlesex District.

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

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

March 10, 2005.

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

Dear Mr. Clerk:

On Wednesday, March 9, 2005, I was unable to attend the formal session of the Senate because I was attending the New England Council Annual Meeting in Washington, DC. During this session I missed three roll call votes. If I had been in attendance I would have voted in the affirmative on the following roll calls:

H. 2010 An Act Making Appropriations for the Fiscal Year 2005 to Provide for Supplementing Certain Existing Appropriations and for Certain other Activities and Projects

- Relative to overriding the Governor's veto of item 1599-4123
- Relative to overriding the Governor's veto of item 1599-4124
- Relative to overriding the Governor's veto of section 32

I respectfully request that this communication be printed in the Journal. Thank you for your consideration.

Sincerely,
THOMAS M. MCGEE,
State Senator,
3rd Essex and Middlesex District.

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

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 1448) of John A. Lepper and others relative to the minimum age for appointment as a police officer,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

Recess.

There being no objection, at eight minutes past eleven o'clock A.M., the Chair (Mr. Barrios) declared a recess; and at seven minutes past one o'clock P.M., the Senate reassembled, Mr. Barrios in the Chair.

A Bill authorizing the school department of the city of Revere to be open on certain holidays (House, No. 1265,— on petition),— was read.

There being no objection, the rules were suspended, on motion of Mr. Hedlund, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for James E. Vesey, an employee of the Trial Court (see Senate, No. 29, 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 Acting President and sent to the House for enactment.

Recess.

There being no objection, at ten minutes past one o'clock P.M., the Chair (Mr. Barrios) declared a recess; and at twenty-nine minutes past one o'clock P.M., the Senate reassembled, Mr. Barrios in the Chair.

PAPERS FROM THE HOUSE.

Engrossed Bills.

The following engrossed bills (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 Acting President and laid before the Governor for his approbation, to wit:

Establishing a sick leave bank for James E. Vesey, an employee of the Trial Court (see Senate, No. 29, amended); and
Authorizing the school department of the city of Revere to be open on certain holidays (see House, No. 1265).

Order Adopted.

On motion of Mr. Hedlund,—

Ordered, That when the Senate adjourns today, it adjourn to meet again on Wednesday next at eleven o'clock A.M.

On motion of the same Senator, at twenty-nine minutes before two o'clock P.M., the Senate adjourned to meet on the following Wednesday at eleven o'clock A.M.