

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, March 30, 2006.

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

The Senator from Essex and Middlesex, Mr. Tisei, led the Chair (Mr. Rosenberg), members, guests and employees in the recitation of the pledge of allegiance to the flag.

Petition.

Mr. Panagiotakos presented a petition (subject to Joint Rule 12) of Steven C. Panagiotakos for legislation relative to real estate tax exemptions for veterans,— and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Committee Discharged.

Mr. Moore, for the committee on Health Care Financing, reported, asking to be discharged from further consideration Of the Senate Bill relative to the adult foster care program (Senate, No. 414); and Of the Senate Bill to enhance emergency responses in public buildings and facilities (Senate, No. 1394); **And recommending that the same severally be referred to the Senate committee on Ways and Means. Under Senate Rule 36, the reports were severally considered forthwith and accepted.**

Mr. Moore, for the committee on Health Care Financing, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 107) of Richard T. Moore, William Smitty Pignatelli, Paul J. Donato, Scott P. Brown and other members of the General Court for legislation to promote healthy alternatives in public school food programs,— and recommending that the same be referred to the Senate committee on Ways and Means. **Under Senate Rule 36, the report was considered forthwith and accepted. Sent to the House for concurrence in 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. Brewer) “in recognition of the service of Albert William Lajoie to the United States Navy during the Vietnam War”; Resolutions (filed by Mr. Brown) “congratulating the First Baptist Church in Needham”; Resolutions (filed by Ms. Murray) “congratulating Olavo B. DeMacedo”; and Resolutions (filed by Ms. Wilkerson and Ms. Creem) “congratulating the Boston Center for the Arts on the occasion of its thirty-fifth anniversary.”

Communication.

The Clerk read the following communication:

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02193-1053

March 30, 2006.

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

Dear Mr. Clerk:

On Wednesday, March 29, 2006, I was absent from the chamber on account of an important event in my district that I needed to attend. In my absence, two roll call votes were taken. Please note that had I been present, I would have

Voted Affirmatively on the following matters:
S 2250, Relative to the Toxic Use Reduction Act
H 4670, Relative to Mercury Management

I would appreciate if this could be printed in the Senate Journal.
Thank you.

Sincerely,
JOHN A. HART, JR.
State Senate.

On motion of Mr. Tisei, the above communication was ordered 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 health insurance for paid elected officials in the town of Sandwich (Senate, No. 2300),— **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 restricting health insurance coverage for paid elected officials in the town of Sandwich”.**
Sent to the House for concurrence.

There being no objection, at four minutes past eleven o'clock P.M., the Chair (Mr. Rosenberg) declared a recess subject to the call of the Chair; and, at twenty-four minutes past five o'clock P.M., the Senate reassembled, Mr. Nuciforo in the Chair. Subsequently, at twenty-five minutes past five o'clock P.M., the Chair (Mr. Nuciforo) announced that the Senate would stand in recess until tomorrow at eleven o'clock A.M.

Friday, March 31, 2006
[being the legislative session of Thursday, March 30, 2006].

At eighteen minutes past eleven o'clock A.M., the Senate reassembled, Mr. Brown in the Chair.

PAPER FROM THE HOUSE.

Notice was received from the House that the Minority Leader had appointed Representative John A. Lepper of Attleboro to the special commission established (under Chapter 1 of the Resolves of 2006) to make an investigation and study of the siting and use of liquefied natural gas facilities in the Commonwealth.

Recess.

Subsequently, at nineteen minutes past eleven o'clock A.M., the Chair (Mr. Brown) declared a recess subject to the call of the Chair; and, at six minutes past twelve o'clock noon, the Senate reassembled, Mr. Havern in the Chair.

PAPER FROM THE HOUSE.

The House Bill extending simulcasting for the horse and greyhound racing industry in the Commonwealth (House, No. 4804),—came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2469.

The rules were suspended, on motion of Mr. Brown and the bill was considered forthwith.

Messrs. Morrissey and Lees presented a request that the Senate recede from its amendment and offer a further amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2471.

The bill was returned to the House endorsed accordingly.

Communication.

The Clerk read the following communication:

William Welch
Senate Clerk
State House, Room 335
Boston, Ma 02133

Dear Mr. Clerk:

I am writing to let you know that I was absent during the Formal Session on Wednesday, March 22, 2006 due to a death in my immediate family.

I would appreciate your assistance with the printing of this communication in the Senate Journal.

Thank you.

Respectfully,
STEPHEN J. BUONICONTI,
Senator.

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

Recess.

There being no objection, at seven minutes past twelve o'clock noon, the Chair (Mr. Havern) declared a recess subject to the call of the Chair; and, at twenty-seven minutes before four o'clock P.M., the Senate reassembled, Mr. Havern in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

PAPERS FROM THE HOUSE.

The House Bill extending simulcasting for the horse and greyhound racing industry in the Commonwealth (House, No. 4804),—**came from the House with the endorsement that the House had laid aside the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2471) on a point of order. The rules were suspended, on motion of Mr. Brown, and, on further motion of Mr. Brown, the Senate insisted on its original amendment (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2469).**

The bill was returned to the House endorsed accordingly.

Engrossed Bill.

An engrossed Bill increasing the accidental death benefit payable to surviving children (see House, No. 13, amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and was signed by the Acting President (Mr. Havern) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Brown,—

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 the same Senator, at twenty-two minutes before four o'clock P.M., the Senate adjourned to meet on the following Monday at eleven o'clock A.M.