

**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, April 28, 2005.

Met according to adjournment at eleven o'clock A.M. (Mr. Havern in the Chair).

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

#### *Communication.*

A communication from the Board of Higher Education (under the provisions of Section 7 of Chapter 150(E) of the General Laws, as amended by Chapter 15A of the Acts of 1980) relative to funding for a collective bargaining agreement executed by and between the Board of Higher Education and the Massachusetts Teachers Association, acting by and behalf of the Massachusetts State College Association (received Wednesday, April 27, 2005),— **was placed on file.**

#### *Petitions.*

Petitions were presented and referred, as follows:

By Mr. Augustus, a petition (subject to Joint Rule 12) of Edward M. Augustus, Jr., James B. Leary, Richard R. Tisei, Alice Hanlon Peisch and other members of the General Court for legislation to establish the public libraries fund;

By Mr. Brewer, a petition (subject to Joint Rule 7B) of Stephen M. Brewer and Anne M. Gobi for legislation to authorize the town of Hardwick to hold town meetings in the town of Barre;

By Mr. Morrissey, a petition (subject to Joint Rule 12) of Michael W. Morrissey for legislation relative to the inspection and certification of air tanks on utility high voltage circuit breakers; and

By the same Senator, a petition (subject to Joint Rule 12) of Michael W. Morrissey for legislation relative to the modification of the helmet law;

**Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

#### PAPERS FROM THE HOUSE.

A Bill establishing a sick leave bank for Michelle Sharac, an employee of the trial court (House, No. 2799, amended,— on petition),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

#### Reports

Of the committee on Higher Education, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 764) of Jarrett T. Barrios, Marie P. St. Fleur, Deborah D. Blumer, Andrea F. Nuciforo, Jr. and other members of the General Court for legislation relative to in-state tuition rates and fees at public higher education institutions; and

Of the petition (accompanied by bill, House, No. 1230) of Marie P. St. Fleur and others relative to the eligibility of students for in-state tuition rates and fees at public higher educational institutions;

And recommending that the same severally be referred to the House committee on Ways and Means.

Of the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2634) of Karyn E. Polito and Shirley Gomes for an investigation by a special commission (including members of the House) relative to long term custodial care options for cognitively intact, physically disabled adults,—and recommending that the same be referred to the committee on Children and Families.

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

*Resolutions.*

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

Resolutions (filed by Mr. Barrios) “congratulating Reverend Michael E. Haynes”;

Resolutions (filed by Mr. Joyce) “congratulating the North Randolph Little League on the occasion of its fiftieth anniversary”;

Resolutions (filed by Messrs. Morrissey, Hedlund and Joyce) “on the occasion of the retirement of Thomas Chirillo”; and

Resolutions (filed by Mr. Panagiotakos) “congratulating the town of Groton on the three hundred fiftieth anniversary of its founding.”

*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 authorizing the town of Abington to establish a capital improvement trust fund (Senate, No. 2025),— **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.**

PAPER FROM THE HOUSE.

A Bill relative to the payment of costs for systems of sewerage and sewage disposal in the town of Shrewsbury (House, No. 2795,— on petition) [Local approval received],— was read.

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

*Order Adopted.*

On motion of Ms. Wilkerson,—

*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.

*Adjournment in Memory of The Honorable Mario Umana.*

The Senator from Suffolk and Middlesex, Mr. Travaglini, moved that when the Senate adjourns today, it do so as a mark of respect to the memory of Former Senate Majority Leader Mario Umana of East Boston.

Mario Umana had a lengthy and distinguished career in public service. He served as a member of the House of Representatives from 1949 to 1952. He served in the State Senate from 1953 to 1958 and 1961 to 1974. He attained the position of Senate Majority Leader which he held from 1971 to 1974. After a distinguished legislative career, Senator Umana became Judge Umana, as he was appointed a justice of the Boston Municipal Court in 1974. He served the people of East Boston with honesty and integrity throughout his public service.

Accordingly, as a mark of respect to the memory of the Honorable Mario Umana, at five minutes past eleven o’clock A.M. on motion of Mr. Tisei, the Senate adjourned to meet again on Monday next at eleven o’clock A.M.