

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.

Wednesday, May 11, 2005.

Met at eleven minutes past 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.

Distinguished Guests.

There being no objection, the Chair (Mr. Havern) handed the gavel to Representative Travis of Rehoboth for the purpose of introducing, seated in the Senate Gallery, the Class "C" state champion girls basketball team from the Joseph Case High School in Swansea. The team was the guest of Senator Menard, Senator Hedlund, Representative Haddad of Somerset and Representative Travis of Rehoboth.

Report of a Committee on a Proposal for a Legislative Amendment to the Constitution.

Under the provisions of Joint Rule 23, the following proposal was placed on file, the time within which the said committee was required to report having expired:

Of the committee on the Judiciary, ought NOT to pass (under Joint Rule 23) on the petition (accompanied by proposal, House, No. 653) of Emile J. Goguen and Philip Travis or a legislative amendment to the Constitution relative to the definition of marriage.

Petitions.

Petitions were presented and referred, as follows:

By Mr. Brown, a petition (subject to Joint Rule 12) of Scott P. Brown for legislation to authorize the Department of Mental Retardation of the Commonwealth to establish a sick leave bank for Trisha Sarvia;

By Mr. Creedon, a petition (subject to Joint Rule 12) of Robert S. Creedon, Jr. for legislation to prohibit physician self-referrals;

By Mr. McGee, a petition (subject to Joint Rule 12) of Thomas M. McGee, Steven M. Walsh and Robert F. Fennell for legislation to further regulate the rights of an adopted child; and

By Mr. Morrissey, a petition (subject to Joint Rule 12) of Michael W. Morrissey, John J. Binienda and Brian S. Dempsey for legislation relative to the renewable energy portfolio;

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

Report of a Committee.

By Mr. Antonioni, for the committee on Education, on petition (accompanied by bill, Senate, No. 331), an Order authorizing the joint committee on Education to make an investigation and study of a Senate document relative to physical education (Senate, No. 2051);

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

Committees Discharged.

Ms. Menard, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration of the Senate Resolve to establish a special commission relative to the training of law enforcement officers (Senate, No. 1352, changed),— and recommending that the same be referred to the Senate committee on Senate Ethics and Rules.

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

Resolutions.

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

Resolutions (filed by Ms. Walsh) “congratulating Brian Holland on the occasion of his Court of Honor.”

Orders Adopted.

Mr. Rosenberg presented the following order, to wit:

Ordered, That the Senate hereby calls for a joint session of the two Houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, to consider the following proposals:

Proposal for a legislative amendment to the Constitution relative to laws created by the people using the Initiative process (see Senate, No. 7) with reference to which the committee Election Laws has reported recommending said amendment ought NOT to pass (Senator Brown dissenting);

Proposal for a legislative amendment to the Constitution to allow absentee voting (see Senate, No. 9) with reference to which the committee Election Laws has reported recommending said amendment ought NOT to pass;

Proposal for a legislative amendment to the Constitution relative to the method of electing the Lieutenant-Governor and Governor (see Senate, No. 10) with reference to which the committee Election Laws has reported recommending said amendment ought NOT to pass;

Proposal for a legislative amendment to the Constitution increasing the term office for the General Court from two to four years (see Senate, No. 11) with reference to which the committee Election Laws has reported recommending said amendment ought NOT to pass (Senator Brown and Representatives Turner of Dennis and Rogeness of Longmeadow dissenting);

Proposal for a legislative amendment to the Constitution promoting the representative character of ballot questions (see Senate, No. 13) with reference to which the committee Election Laws has reported recommending said amendment ought NOT to pass;

Proposal for a legislative amendment to the Constitution relative to vacancies in the Governor’s Council (see Senate, No. 14) with reference to which the committee Election Laws has reported recommending said amendment ought NOT to pass;

Proposal for a legislative amendment to the Constitution relative to the certification of judges (see Senate, No. 15), having been reported amendment ought NOT to pass from the committee on Election Laws (under Joint Rule 23), the time within which said committee was required to report having expired;

Proposal for a legislative amendment to the Constitution relative to establishing county government (see Senate, No. 16) with reference to which the committee Municipalities and Regional Government has reported recommending said amendment ought NOT to pass;

Proposal for a legislative amendment to the Constitution relative to emergency appointments of elected officials (see Senate, No. 17) with reference to which the committee Public Safety and Homeland Security has reported recommending said amendment ought to pass;

Proposal for a legislative amendment to the Constitution to change the length of term for Representatives and Senators from two years to four years (see House, No. 39) with reference to which the committee Election Laws has reported recommending said amendment ought NOT to pass (Senator Brown and Representatives Turner of Dennis and Rogeness of Longmeadow dissenting); and

Proposal for a legislative amendment to the Constitution relative to redistricting for the House of Representatives, Senate and Governor’s Council (see House, No. 40) with reference to which the committee Election Laws has reported recommending said

amendment ought NOT to pass (Senator Brown and Representatives Turner of Dennis, Frost of Auburn and Rogeness of Longmeadow dissenting).

There being no objection, the rules were suspended, on motion of Mr. Rosenberg and the order was considered forthwith and adopted.

Mr. Barrios presented the following order, to wit:

Ordered, That the Senate hereby calls for a joint session of the two Houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, to consider a proposal for a legislative amendment to the Constitution relative to the definition of marriage (see House, No. 653) with reference to which the committee on the Judiciary has reported recommending said amendment ought NOT to pass.

There being no objection, the rules were suspended, on motion of Mr. Rosenberg and the order was considered forthwith and adopted.

Order Adopted.

On motion of Mr. Rosenberg,—

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

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