

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, May 12, 2005.

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

The students from Project Prove of Braintree then led the Chair (Mr. Rosenberg), members, guests and employees in the recitation of the pledge of allegiance to the flag.

Distinguished Guests.

There being no objection, the Chair (Mr. Rosenberg) introduced students from Project Prove, in Braintree High School. The students were guests of Senator Morrissey and led by two of the students who intern in Senator Morrissey's office, Tom Shera and Jill Alongi.

There being no objection, the Chair (Mr. Rosenberg) introduced the members of the chorus of the Brookside Elementary School of Dracut. The chorus, who were guests of Senator Tucker, and were accompanied by Representative Harriett L. Stanley, performed in the Great Hall.

There being no objection, the Chair (Mr. Rosenberg) introduced, seated in the Senate gallery, two second grade classes from the Mildred Aitkin Elementary School in Seekonk. They were the guests of Senator Tirnilty.

There being no objection, the Chair (Mr. Rosenberg) introduced the students from the Whitinsville Christian School from Whitinsville. They were accompanied by several teachers, including Peter Brennan, and chaperones. They were the guests of Senator Moore.

Communication.

A communication from the Executive Office for Administration and Finance (pursuant to Section 3B of Chapter 7 of the General Laws) giving notice of its intention to amend 801 CMR 4.00: Fees for Licenses, Permits, and Services to be charged by State Agencies (a copy having been forwarded to the Committee on State Administration and Regulatory Oversight) (received Wednesday, May 11, 2005),— **was placed on file.**

Petitions.

Mr. O'Leary presented a petition (accompanied by bill, Senate, No. 2053) of Robert A. O'Leary and Eric Turkington (by vote of the town) for legislation to amend the Nantucket Islands land bank act to increase the first time home buyer exemption [Local approval received],— **and the same was referred, under Senate Rule 20, to the committee on Environment, Natural Resources and Agriculture.**

Sent to the House for concurrence.

Petitions were presented and referred, as follows:

By Mr. Brewer, a petition (subject to Joint Rule 12) of Stephen M. Brewer and Anthony J. Verga for legislation to expedite the receipt of certain federal funds;

By Mr. Morrissey, a petition (subject to Joint Rule 12) of Michael W. Morrissey and Thomas M. Stanley for legislation to allow employees affected by changes in the actuarial table to make elections of retirement options based on changes made; and

By the same Senator, a petition (subject to Joint Rule 12) of Michael W. Morrissey and Joseph R. Driscoll for legislation to establish a sick leave bank for Zenaïda Correia, an employee of the trial court;

Severally, under Senate Rule 20, 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 Order relative to authorizing the joint committee on Education to make an investigation and study of Senate document numbered 331, relative to physical education (Senate, No. 2051),— **and recommending that the same be referred to the Senate committee on Ethics and Rules.**

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

Papers from the House.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 3846) of Paul J. Donato (with the approval of the mayor and city council) relative to certain elections in the city of Medford;

To the committee on Election Laws.

Petition (accompanied by bill, House, No. 3847) of John. J. Binienda and Edward M. Augustus, Jr. (by vote of the town) relative to the stabilization fund of the town of Leicester;

To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 3848) of James M. Murphy and Robert L. Hedlund (by vote of the town) relative to the appointment of retired police officers in the town of Weymouth to serve as special officers;

To the committee on Public Service.

Petition (accompanied by bill, House, No. 3849) of Anthony Petrucci and others (with the approval of the mayor and city council) relative to repealing the law prohibiting Indians in Boston;

To the committee on State Administration and Regulatory Oversight.

Resolutions.

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

Resolutions (filed by Mr. Rosenberg) “congratulating Thomas Milton Kennedy on the occasion of his eightieth birthday.”

Engrossed Bill Returned by Governor With Recommendation of Amendment.

The engrossed Bill enhancing regenerative medicine in the Commonwealth (see Senate, No. 2039) (which on Thursday, May 5, 2005, had been laid before the Governor for his approbation), was returned to the Senate Clerk by the Governor on Thursday, May 12, 2005 at seven minutes before ten o’clock A.M., with a message recommending an amendment.

The message (Senate, No. 2052) was read and the Senate proceeded to reconsider the bill, in accordance with the provisions of Article LVI of the Amendments to the Constitution.

Pending action thereon, the bill was referred to the committee on Bills in the Third Reading, on motion of Ms. Fargo.

Papers from the House.

Order Adopted.

The following House Order (approved by the committees on Rules of the two branches, acting concurrently) was considered forthwith and adopted in concurrence, as follows, to wit:—

Ordered, That, the committee on Elder Affairs and the committee on Revenue be authorized to sit jointly for the purposes of conducting a public hearing, holding an executive session and reporting on measures previously scheduled to be heard by the committee on Revenue on Tuesday, May 17, 2005.

A petition (accompanied by bill, House, No. 3845) of Robert A. DeLeo and others for legislation to authorize the Department of Highways to establish a sick leave bank for Thomas Kellner, an employee of said department, — was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.

Order Adopted.

On motion of Mr. Moore, —

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 Mr. Brown, at twenty-four minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Monday at eleven o'clock A.M.