

**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, June 14, 2006.*

Met at fourteen minutes past eleven o'clock A.M. (Mr. Hart 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. Hart), members, guests and employees then recited the pledge of allegiance to the flag.

#### *Petitions.*

Petitions were presented and referred as follows:

By Mr. Havern, a petition (accompanied by bill, Senate, No. 2579) of Robert A. Havern, J. James Marzilli, Jr., Jay R. Kaufman and Anne M. Paulsen (by vote of the town) for legislation relative to the issuance of certain temporary loans in anticipation of bonds by the town of Arlington [Local approval received]; and\

By the same Senator, a petition (accompanied by bill, Senate, No. 2580) of Robert A. Havern, J. James Marzilli, Jr., Jay R. Kaufman and Anne M. Paulsen (by vote of the town) for legislation to authorize the town of Arlington to establish a special account for maintenance of all of its town water bodies [Local approval received];

**Severally, under Senate Rule 20, to the committee on Municipalities and Regional Government.  
Severally sent to the House for concurrence.**

#### *Reports of Committees.*

By Mr. Barrios, for the committee on Public Safety and Homeland Security, on petition, a Bill providing for HIV testing for at-risk police officers (Senate, No. 1365, changed in section 1, by striking out the words "also be eligible for", in line 19, and inserting in place thereof the word:— "receive");

**Read and, under Joint Rule 1E, referred to the committee on Health Care Finance.**

By Mr. Hart, for the committee on Tourism, Arts and Cultural Development, on petition, a Bill relative to the observance of Veterans Day (Senate, No. 1845);

**Read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

#### *Committees Discharged.*

Mr. Buoniconti, 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 Tourism, Arts and Cultural Development to make an investigation and study of certain current Senate documents relative to tourism (Senate, No. 2578),— **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.**

#### **PAPER FROM THE HOUSE.**

A report of the committee on Health Care Financing, asking to be discharged from further consideration of the House Bill relative to insurance and lawful travel by applicants for life and disability insurance and insured individuals (House, No. 4962), and recommending that the same be referred to the House committee on Ways and Means,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence, insomuch as relates to the discharge of the joint committee.**

*Resolutions.*

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:—  
Resolutions (filed by Mr. Pacheco) “congratulating John P. Avery, Ph.D. on his retirement as superintendent of Norfolk County Agricultural High School.”

**PAPERS FROM THE HOUSE.**

*Emergency Preamble Adopted; Engrossed Bill Enacted.*

An engrossed Bill authorizing terminal audits for commercial vehicles (see House, No. 2113, 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 (Mr. Hart) and sent to the House for enactment.**

**Subsequently, the bill, which originated in the House, came from the House with the endorsement that it had been enacted in that branch.**

**The Senate then passed the bill to be enacted; and it was signed by the Acting President (Mr. Hart) and laid before the Governor for his approbation.**

A Bill relating to the preparation of ballots in the city of Boston (House, No. 4942,— on petition) [Local approval received],— **was read.**

**There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title have been changed by the committee on Bills in the Third Reading to read as follows: “An Act requiring the preparation of certain ballots in the city of Boston”.**

*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 the charter of the town of Walpole (Senate, No. 2365),— **was read third time. Mr. Brewer for the committee on Bills in the Third Reading, reported, recommending that the bill be amended by substituting a new draft entitled “An Act amending the charter of the town of Walpole” (Senate, No. 2581).**

**This amendment was adopted.**

**The bill (Senate, No. 2581) was then passed to be engrossed.**

**Sent to the House for concurrence.**

*Reports of Committees.*

By Mr. Buoniconti, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of John A. Hart, Jr. for legislation to authorize the University of Massachusetts to convey a certain parcel of land in the city of Boston to the United States of America acting by and through the National Archives and Records Administration.

**Senate Rule 36 was suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Higher Education.**

**Sent to the House for concurrence.**

Mr. Buoniconti, for the committee on Ethics and Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The House Bill allowing unsigned circulars (House, No. 126).

**There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and ordered to a third reading.**

**PAPERS FROM THE HOUSE.**

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5049) of Jeffrey Davis Perry and others that the Division of Capital Asset Management and Maintenance be authorized to grant easements on certain property in the towns of Bourne and Sandwich to Algonquin Gas Transmission and Keyspan Energy of New England;

**Under suspension of Joint Rule 12, to the committee on Bonding, Capital Expenditures and State Assets.**

Petition (accompanied by bill, House, No. 5050) of Marie J. Parente and Stanley C. Rosenberg relative to the care and protection of children within the jurisdiction of the Department of Social Services;

**Under suspension of Joint Rule 12, to the committee on Children and Families.**

Petition (accompanied by bill, House, No. 5051) of Geoffrey D. Hall and others relative to permitting certain vehicles to park in handicapped spaces;

**Under suspension of Joint Rule 12, to the committee on Transportation.**

*Reports of Committee.*

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill to require adequate discharge planning for nursing home residents (Senate, No. 403),— **ought to pass.**

**There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and ordered to a third reading.**

By Ms. Murray, for the committee on Ways and Means, that the Senate Resolve providing for a study of long term custodial care options for cognitively intact, physically disabled young and middle aged adults between the ages 19 and 59 (Senate, No. 2145),— **ought to pass, with an amendment substituting a new draft entitled “A Resolve to study long term care options for adult chronically ill, physically or neurologically disabled young and middle aged adults between ages 19 and 59” (Senate, No. 2582).**

**There being no objection, the rules were suspended, on motion of Mr. Tarr, and the resolve was read a second time and was amended, as recommended by the committee on Ways and Means.**

**The resolve (Senate, No. 2582) was then ordered to a third reading.**

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill relative to the retirement allowance for certain teachers (Senate, No. 2302),— ought to pass, with an amendment striking out the figure “2020” and inserting in place thereof the following figure:— “2010”.

**There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

**The bill (Senate, No. 2302, amended) was then ordered to a third reading.**

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Barnstable (Senate, No. 2420),— **ought to pass.**

**There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and ordered to a third reading.**

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill relative to disabled veterans’ motor vehicle plates (Senate, No. 2428),— **ought to pass.**

**There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and ordered to a third reading.**

By Ms. Murray, for the committee on Ways and Means, that the House Bill relative to early education and care (House, No. 4755),— **ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2583.**

**There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

**The bill, as amended, was then ordered to a third reading.**

*Recess.*

There being no objection, at twenty-eight minutes past eleven o’clock A.M., the Chair (Mr. Hart) declared a recess subject to the call of the Chair; and, at seventeen minutes before two o’clock P.M., the Senate reassembled, Mr. Hart in the Chair.

**PAPER FROM THE HOUSE.**

*Engrossed Bill.*

An engrossed Bill requiring the preparation of certain ballots in the city of Boston (see House, No. 4942) (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. Hart) and laid before the Governor for his approbation.

*Order Adopted.*

Mr. Hart offered the following, to wit:

Ordered, That notwithstanding the provisions of Joint Rule 10 the committees on Economic Development and Emerging

Technologies be granted until Friday, June 30, 2006, within which time to make its final report on Senate document numbered 2502.

**Under the rules referred to the committees on Rules of the two branches, acting concurrently.**

**Subsequently, Mr. Buoniconti, for the said committees, reported, that the order ought to be adopted.**

**The rules were suspended, on motion of Mr. Tarr, and the order was considered forthwith and adopted.**

**Sent to the House for concurrence.**

*Order Adopted.*

On motion of Mr. Tarr,—

*Ordered,* That when the Senate adjourns today, it adjourn to meet again tomorrow at one o'clock P.M., in a full formal session.

On motion of the Senator, at a quarter before two o'clock P.M., the Senate adjourned to meet again tomorrow at one o'clock P.M.