

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 15, 2005.

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

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

Distinguished Guests.

There being no objection, the Chair (Mr. Tolman) introduced, seated in the Gallery, the fourth grade class from the Curtis Guild School from East Boston. The class was accompanied by their teachers and Representative Michael Rush of Boston, whose aunt was one of the teachers. They were the guests of Senate President Travaglini.

Reports.

The following reports were severally read and placed on file:

A report of the Division of Capital Asset Management and Maintenance (under the provisions of Section 40K of Chapter 7 of the General Laws) submitting a copy of its Report on the Real Property Owned and Leased by the Commonwealth of Massachusetts for Fiscal Year 2005 (received Wednesday, June 8, 2005);

A report of the Public Employee Retirement Administration Commission (under the provisions of Chapter 32 of the General Laws) submitting a copy of its annual report for 2004 (received Thursday, June 9, 2005); and

A report of the Massachusetts Life Insurance Community Investment Initiative (pursuant to Section 2(e) of Chapter 259 of the Acts of 1998) submitting a copy of its annual report for 2004 (received Monday, June 13, 2005).

Report of a Committee.

By Ms. Resor, for the committee on Environment, Natural Resources and Agriculture, on Senate, No. 539 and House, No. 1277, a Bill protecting the natural and historic resources of the Commonwealth (Senate, No. 539, changed in section 6, by striking out the words "local affairs", in line 144, and inserting in place thereof the following words "municipalities and regional government" and in line 145, by inserting after the word "administration" the words "and regulatory oversight");

Read and, under Joint Rule 1F, referred to the committee on Bonding, Capital Expenditures and State Assets.

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4158) of Antonio F. D. Cabral and others (with the approval of the mayor and city council) that the licensing authority of the city of New Bedford be authorized to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises to the Sporting Soccer Club;

Under suspension of Joint Rule 7B, to the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 2120) of Eugene L. O’Flaherty and others (with the approval of the mayor and city council) relative to voting districts in the city of Chelsea;

To the committee on Election Laws.

Petition (accompanied by bill, House, No. 4136) of Bradford Hill (by vote of the town) relative to establishing an affordable housing trust fund in the town of Hamilton;

To the committee on Housing.

Petition (accompanied by bill, House, No. 3184) of Eugene L. O’Flaherty and others (with the approval of the mayor and city council) relative to illegal dumping in the city of Chelsea;

To the committee on the Judiciary.

Petition (accompanied by bill, House, No. 3185) of Eugene L. O’Flaherty and Kathi-Anne Reinstein (with the approval of the mayor and city council) for legislation to establish a penalty for recruiting members of “street gangs”, so-called called in the city of Chelsea;

To the committee on Public Safety and Homeland Security.

Petition (accompanied by bill, House, No. 3593) of Arthur J. Broadhurst and Steven A. Baddour (with the approval of the mayor and city council) that the city of Methuen be authorized to pay certain retirement benefits to the family of David San Antonio;

Petition (accompanied by bill, House, No. 4077) of James B. Eldridge and Pamela P. Resor (by vote of the town) relative to the group insurance program of the town of Boxborough; and

Petition (accompanied by bill, House, No. 4137) of Todd M. Smola and Stephen M. Brewer (by vote of the town) relative to health insurance for employees of the town of Wales;

Severally to the committee on Public Service.

Petition (accompanied by bill, House, No. 4091) of Jay R. Kaufman and others (by vote of the town) relative to property taxes in the town of Lexington;

To the committee on Revenue.

A Bill authorizing the town of Greenfield to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 3843,— on House, No. 3228),— **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

A Bill authorizing the city of Lowell to grant a permanent easement of certain park land to abutters (House, No. 3227,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

A communication was received from the Honorable Salvatore F. DiMasi, Speaker of the House of Representatives announcing the following House appointments to special commissions:

Representative William M. Straus of Mattapoissett to the Special Commission established (pursuant to Section 28 of Chapter 28 of the Acts of 1996) for the purposes of developing scientific and socioeconomic research for the purpose of facilitating the recovery of the Commonwealth’s fishing industry; and

Representative Anthony Verga of Gloucester to the Special Commission established (pursuant to Chapter 355 of the Acts of 2004) to investigate whether veterans are subjected to employment discrimination on the basis of their status as veterans.

Resolutions.

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

Resolutions (filed by Messrs. Baddour and Tarr) “honoring Dr. Garry Murphy, Superintendent of the Triton Regional School District on the occasion of his retirement celebration June 17, 2005”;

Resolutions (filed by Mr. Brewer) “on the occasion of the two hundred and fiftieth anniversary of the incorporation of the town of Charlton”;

Resolutions (filed by Mr. Hart) “on the occasion of the one hundredth fifteenth anniversary of the Independent Order of Vikings”;

Resolutions (filed by Mr. Montigny) “congratulating Rita T. Raymond”;

Resolutions (filed by Mr. O’Leary) “observing June 17, 2005 as Relay for Life Day in Massachusetts”;

Resolutions (filed by Mr. Pacheco) “congratulating Alexander H. Duane upon his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. Pacheco) “on the one hundredth anniversary of the Order of Red Men”; and

Resolutions (filed by Messrs. Tolman, Antonioni, Augustus, Barrios, Berry, Brewer, Brown and Buoniconti, Ms. Chandler, Ms.

Creem, Ms. Fargo, Messrs. Havern, Joyce, Knapik, Lees, McGee, Montigny, Moore and Morrissey, Ms. Murray, Messrs. Nuciforo, O’Leary, Pacheco and Rosenberg, Ms. Spilka, Messrs. Tarr, Timilty and Tisei, Ms. Tucker and Ms. Wilkerson) “on the occasion of the sixtieth anniversary of the Professional Fire Fighters of Massachusetts.”

Report of a Committee.

Ms. Menard, 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 Senate Bill to provide timely access to emergency contraception (Senate, No. 2073).

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

Order Adopted.

Ms. Wilkerson presented the following order, to wit:

Ordered, That notwithstanding any rule to the contrary, all amendments to the Senate Bill to provide timely access to emergency contraception (Senate, No. 2073) must be filed electronically in the office of the Senate Clerk by twelve o’clock noon on Thursday, June 16, 2005.

There being no objection, the order was considered forthwith; and it was adopted.

PAPER FROM THE HOUSE.

The Senate Bill authorizing certain easements in the town of Holbrook for construction and maintenance of a water main (Senate, No. 2077, amended),— came from the House passed to be engrossed, in concurrence with an amendment adding at the end thereof the following section:

“SECTION 2. This act shall take effect upon its passage.”.

The rules were suspended, on motion of Mr. Rosenberg, and the House amendment was considered forthwith and adopted, in concurrence.

Order Adopted.

On motion of Ms. Murray,—

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

Adjournment in Memory of State Senator Mary L. Fonseca.

The Senator from Bristol and Plymouth, Ms. Menard, presented a request that when the Senate adjourns today, it do so as a mark of respect to the memory of former State Senator Mary L. Fonseca of Fall River.

Mary Fonseca served in the State Senate from 1953 to 1984, the second woman ever elected to the Senate. Known as a strong advocate for the working man and working families, Senator Fonseca fought long and hard to give them the means to compete for jobs as the long time chairman of the Committee on Education. She was appointed Second Assistant Majority Leader by Senate President Kevin Harrington in January 1973 and later that year became the first woman appointed Assistant Majority Floor Leader. She retained that position until her retirement in 1984.

Accordingly, as a mark of respect to the memory of former State Senator Mary L. Fonseca, at thirteen minutes past eleven o’clock A.M. on motion of Ms. Wilkerson, the Senate adjourned to meet again on Thursday next at one o’clock P.M.