

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 21, 2006.

Met according to adjournment at eleven o'clock A.M.

The President, members, guests and employees then recited the pledge of allegiance to the flag.

Reports.

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 2005 (received Thursday, June 8, 2006),— **was placed on file.**

The following reports were severally read and sent to the House for its information:

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of MCI Cedar Junction (received Monday, June 19, 2006); and

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to an inspection of the Middlesex County Jail (received Tuesday, June 20, 2006).

Petitions.

Petitions were presented and referred, as follows:

By Ms. Murray, a petition (subject to Joint Rule 12) of Therese Murray for legislation to authorize certain terms for borrowing by the town of Falmouth for the acquisition and operation of a golf course;

By Mr. Timilty, a petition (subject to Joint Rule 12) of James E. Timilty for legislation to further regulate gold and silver products;

By the same Senator, a petition (subject to Joint Rule 12) of James E. Timilty for legislation to further regulate pawnbrokers; and

By the same Senator, a petition (subject to Joint Rule 12) of James E. Timilty for legislation to further regulate the purchase and sale of precious metals;

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

Reports of Committees.

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

The Senate Bill relative to lending limits (Senate, No. 2540); and

The House Bill directing the Superintendent of State Office Buildings to install a plaque in honor of school nurses (House, No. 3531).

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:—
Resolutions (filed by Mr. Moore) “honoring Michael Rodrigues”; and
Resolutions (filed by Mr. Pacheco) “congratulating Lesley Anderson on achieving her Gold Award.”

Communication.

The Clerk read the following communication:

**COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133-1053**

June 20, 2006.

Mr. William F. Welch
Clerk of the Massachusetts Senate
335 State House
Boston, MA 02133

Dear Mr. Clerk:

Due to a prior scheduling commitment, I was absent from the Senate Chamber during the formal session on Thursday, June 15th.

As a result, I missed the following votes: engrossment of “An Act Relative to the Retirement Allowance for Certain Teachers” (S. 2302); engrossment of “An Act Relative to Early Education and Care” (H. 4755); the override on “An Act Promoting Access to Health Care” (H. 4479); acceptance of the conference report on “An Act Making Appropriations for the Fiscal Year 2006 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects” (H. 5056); and enactment of “An Act Relative to Economic Investments to Promote Job Creation, Economic Stability, and Competitiveness in the Massachusetts Economy” (H. 5057). Had I been present for these votes, I would have voted in the affirmative.

I respectfully request that a copy of this letter be printed in the Senate Journal as part of the official record for June 15, 2006.
Thank you in advance for your assistance in this matter.

Sincerely,
MARK MONTIGNY.

On motion of Ms. Murray, the above communication was ordered printed in the Journal of the Senate.

Reports of Committees.

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

The Senate Bill relative to oceans (Senate, No. 2308) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft with the same title (Senate, No. 2575).

Ms. Murray moved to suspend the rules so that the matter could be considered forthwith; but objection was made thereto by Mr. Tarr.

Under the rules, placed in the Orders of the Day for the next session.

The House Bill to provide licensing for genetic counselors (House, No. 4326).

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 providing capital facility repairs, grants, and improvements for the Commonwealth (Senate, No. 2385),— **ought to pass, with an amendment in section 2, in item 1790-2015, by striking out the words “inspector general for review and approval. The inspector general” and inserting in place thereof the following words:— “auditor for review and approval. The auditor”.**

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

The bill (Senate, No. 2385, amended) was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act providing capital facility repairs, grants, and improvements.”

By Ms. Murray, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Michael McLaughlin, an employee of the Trial Court of the Commonwealth (House, No. 4578),— **ought to pass.**

There being no objection, the rules were suspended, on motion of Ms. Murray, 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 having been changed by the committee on Bills in the Third Reading to read as follows: “An Act establishing a sick leave bank for Michael McLaughlin, an employee of the Trial Court.”

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 Robert A. Antonioni, Stephen M. Brewer, Harriette L. Chandler and Lewis G. Evangelidis for legislation relative to the retirement of Harold Lane.

Senate Rule 36 was suspended, on motion of Mr. Panagiotakos, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5070) of John J. Binienda and others for legislation relative to creditable service for Rosemarie Carelli, an employee of the Trial Court; and

Petition (accompanied by bill, House, No. 5071) of Christopher J. Donelan for legislation to establish a sick leave bank for Frances M. Ravish, an employee of the Department of the Trial Court;

Severally, under suspension of Joint Rule 12, to the committee on the Judiciary.

Petition (accompanied by bill, House, No. 5072) of Antonio F. D. Cabral and others for legislation to establish a transit fund for the Commonwealth to provide for improvements to commuter rail and other public transportation services outside the greater Boston area;

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

Matter Taken from Table.

There being no objection, the House petition (accompanied by bill, House, No. 4500) of Brian S. Dempsey and others relative to authorizing the Division of Capital Asset Management and Maintenance to convey certain land known as Outer Brewster Island,— **was taken from the table.**

The Senate NON-concurred in the reference to the joint committee on Telecommunications, Utilities and Energy.

On motion of Ms. Resor, the petition was referred to the committees on Telecommunications, Utilities and Energy and Environment, Natural Resources and Agriculture, acting jointly.

Sent to the House for concurrence.

Pursuant to an order previously adopted, on motion of Mr. Tarr, at twenty-six minutes past eleven o'clock A.M., the Senate adjourned to meet on the following day at one o'clock P.M., in a full formal session.