

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.



Wednesday, June 22, 2005.

Met at three minutes past eleven o'clock A.M. (Mr. Rosenberg in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

The Senator from Hampden and Hampshire, Mr. Knapik, led the Chair (Mr. Rosenberg), members, guests and employees in the recitation of the pledge of allegiance to the flag.

Communications.

The following communications were severally received and placed on file:

A communication from the Honorable Robert E. Travaglini, President of the Senate, announcing the appointment of Senator Stephen M. Brewer to serve on the Special Commission established (pursuant to Section 2 of Chapter 355 of the Acts of 2004) to make an investigation and study of veterans employment opportunities, effective as of Monday, June 20, 2005; and

A communication from the Honorable Robert E. Travaglini, President of the Senate, announcing the appointment of Senator Robert A. O'Leary to serve on the Special Commission established (pursuant to Section 28 of Chapter 28 of the Acts of 1996) to make an investigation and study relative to Massachusetts fisheries recovery, effective as of Tuesday, June 21, 2005.

Reports.

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 the Suffolk County Jail (received Wednesday, June 15, 2005); 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 inspection of the Middlesex County House of Correction and Jail (received Monday, June 20, 2005).

Petitions.

Petitions were presented and referred as follows:

By Mr. Joyce, a petition (accompanied by bill, Senate, No. 2095) of Brian A. Joyce, Walter F. Timilty and Linda Dorcena Forry (by vote of the town) for legislation to change the term of office for the town moderator of the town of Milton [Local approval received];

Under Senate Rule 20, to the committee on Municipalities and Regional Government.

By Mr. Havern, a petition (accompanied by bill, Senate, No. 2093) of Robert A. Havern and William G. Greene, Jr. (by vote of the town) for legislation relative to the town of Billerica EMS [Local approval received]; and

By the same Senator, a petition (accompanied by bill, Senate, No. 2094) of Robert A. Havern and William G. Greene, Jr. (by vote of the town) for legislation relative to Francis K. Rayne, civil service exemption [Local approval received];

Severally, under Senate Rule 20, to the committee on Public Service.

Severally sent to the House for concurrence.

Mr. Nuciforo presented a petition (subject to Joint Rule 12) of Andrea F. Nuciforo, Jr., Susan C. Tucker, Edward M. Augustus, Jr., Cleon H. Turner and other members of the General Court for legislation relative to the prohibition of investment of certain public funds in companies doing business in Sudan,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Reports of Committees.

By Mr. Hart, for the committee on Tourism, Arts and Cultural Development, on petition, a Bill relative to public library construction funding (Senate, No. 1841);

Read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Mr. Timilty, for the committee on Municipalities and Regional Government, on Senate, No. 1210 and House, No. 4083, a Bill authorizing the sale of certain conservation land in the town of Tewksbury (Senate, No. 1210) [Local approval received on House No. 4083]; and

By the same Senator, for the same committee, on petition, a Bill providing for alternative members on the community development board of the city of Methuen (Senate, No. 2021) [Local approval received];

Severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Papers from the House.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4171) of Colleen M. Garry and Susan C. Tucker (by vote of the town) that the licensing authority of the town of Dracut be authorized to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises to Evan Themeles d/b/a Broadway Convenience Store; and

Petition (accompanied by bill, House, No. 4172) of Colleen M. Garry and Susan C. Tucker (by vote of the town) that the licensing authority of the town of Dracut be authorized to issue an additional license for the sale of wine and malt beverages not to be drunk on the premises to Scotts Food Mart Inc;

Severally to the committee on Consumer Protection and Professional Licensure.

A Bill relative to the designation of a certain overpass in the city of New Bedford (House, No. 3838,— on petition),— **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

Reports.

Of the committee on Children and Families, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 66) of Harriette L. Chandler and Robert A. Antonioni for legislation to increase participation in universal school breakfast programs for low income students,— and recommending that the same be referred to the committee on Education.

Of the petition (accompanied by bill, Senate, No. 106) of Richard T. Moore, Shirley Gomes, Edward G. Connolly, Robert L. Hedlund and other members of the General Court for legislation to provide pediatric palliative care to children with life-limiting illness in the Commonwealth,— and recommending that the same be referred to the committee on Public Health.

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.

Resolutions.

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

Resolutions (filed by Mr. Pacheco) “congratulating James and Alice Pacheco on the occasion of their Golden Wedding Anniversary.

Communication.

The Clerk read the following communication:

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

June 20, 2005.

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

Dear Mr. Clerk:

I was out of state attending a meeting of Legislative Health Care Chairs on June 16, 2005 when the Senate met in formal session. I was, consequently, not recorded on several roll call votes. If I had been present, I would have voted in the affirmative on the following matters:

- Enactment of Senate 2077, An Act authorizing land use for the purpose of easements for construction and repair of a water main in the town of Holbrook.
- Enactment of House 2794, An Act relative to authorizing the town of Shrewsbury to sell and convey a certain parcel of land.
- Engrossment of Senate 2073: An Act to provide timely access to emergency contraception.

I would appreciate your assistance with the printing of this communication in the Senate Journal, Thank you for your assistance with this request.

Sincerely,
RICHARD T. MOORE,
State Senator,
Worcester and Norfolk District.

On motion of Mr. Knapik, the above communication was ordered printed in the Journal of the Senate.

Reports 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 designating the Massachusetts National Guard way in the city of Westfield (Senate, No. 1915).

There being no objection, the rules were suspended, on motion of Mr. Knapik, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

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 House 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).

There being no objection, the rules were suspended, on motion of Mr. Knapik, 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 authorizing the town of Greenfield to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises."

Papers from the House.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4178) of Patricia A. Walrath that the Division of Medical Assistance be directed to apply for increased federal reimbursement for family planning services;

Under suspension of Joint Rule 12, to the committee on Health Care Financing.

Petition (accompanied by bill, House, No. 4179) of A. Stephen Tobin and others relative to the election of retirement options by public employees;

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

Engrossed Bill.

An engrossed Bill authorizing certain expenditures by the town of Seekonk (see House Bill, printed in, House, No. 4164) (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, two-thirds of the members present having voted in the affirmative, and it was signed by the Acting President and laid before the Governor for his approbation.**

Recess.

There being no objection, at thirteen minutes past eleven o'clock A.M., the Chair (Mr. Rosenberg) declared a recess subject to the call of the Chair; and, at five minutes past twelve o'clock noon, the Senate reassembled, Mr. Rosenberg in the Chair.

Order Adopted.

On motion of Mr. Hedlund,—

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 the same Senator, at six minutes past twelve o'clock noon, the Senate adjourned to meet on the following day at eleven o'clock A.M.
