

**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, July 13, 2005.*

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

#### *Communication.*

A communication from the Board of Higher Education (under the provisions of Section 7 of Chapter 150E of the General Laws) submitting a copy of a request for an appropriation to fund a Collective Bargaining Agreement executed by and between the Board of Higher Education and the Association of Professional Administrators, MTA/NEA (received Friday, July 8, 2005),— **was placed on file.**

#### *Report.*

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 Western Massachusetts Correctional Alcohol Center (received Tuesday, July 12, 2005),— **was read and sent to the House for its information.**

#### *Petitions.*

Mr. Joyce presented a petition (accompanied by bill, Senate, No. 2150) of Brian A. Joyce (by vote of the town) for legislation to authorize Paul Chapman to receive a salary as a police officer in addition to receiving a retirement allowance [Local approval received],— **and the same was referred, under Senate Rule 20, to the committee on Public Service. Sent to the House for concurrence.**

Petitions were presented and referred, as follows:

By Ms. Chandler, a petition (subject to Joint Rule 12) of Harriette L. Chandler for legislation to reduce frivolous appeals of environmental and land use permits; and

By Mr. Morrissey, a petition (subject to Joint Rule 12) of Michael W. Morrissey and Ronald Mariano for legislation relative to the sale of land in Quincy by the Massachusetts Water Resources Authority;  
**Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

#### *Reports of Committees.*

By Mr. Montigny, for the committee on Bonding, Capital Expenditures and State Assets, on petition, a Bill authorizing the sale of certain land in the town of Milton (Senate, No. 44);

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

By Mr. Hart, for the committee on Economic Development and Emerging Technologies, on petition (accompanied by bill, Senate, No. 24), a Bill establishing the Hatfield Economic Development Corporation (Senate, No. 2153) [Local approval received on Senate, No. 24];

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

*Committee Discharged.*

Mr. O'Leary, for the committee on Higher Education, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 778) of Pamela P. Resor, J. James Marzilli, Jr., Louis L. Kafka, Robert A. O'Leary and other members of the General Court for legislation to promote sustainable agriculture and the use of non toxic pest management,— and recommending that the same be referred to the committee on Environment, Natural Resources and Agriculture.

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

**Sent to the House for concurrence.**

PAPERS FROM THE HOUSE.

Bills

Providing for a certain exemption from the sales tax (House, No. 4220, amended,— on Senate, No. 1659 and House, Nos. 2295 and 2523); and

Providing incentives to the motion picture industry (House, No. 4252, amended,— on House, Nos. 3823);

**Were severally read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Notice was received from the House that the House had insisted on its amendments to the Senate Bill providing timely access to emergency contraception (Senate, No. 2073), and had concurred in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Representatives Koutoujian of Waltham, Harkins of Needham and Gomes of Harwich had been appointed as the committee on the part of the House.

*Reports of Committees.*

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 relative to municipalities borrowing money for underground utility construction (Senate, No. 1192).

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

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 Resolve to establish a special commission relative to the training of law enforcement officers (Senate, No. 1352, changed).

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

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 relative to claims trusts funds (House, No. 3835, changed).

**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. Menard, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Mark C. Montigny for legislation to promote the financial integrity of public charities.

**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 the Judiciary. Sent to the House for concurrence.**

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4253) of Christopher J. Donelan and Daniel E. Bosley relative to the Standardbred Breeding Program,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Economic Development and Emerging Technologies.**

*Engrossed Bill.*

An engrossed Bill designating a certain bridge in the town of Westport as the Westport Police Officers Memorial Bridge (see House, No. 1690) (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 and laid before the Governor for his approbation.**

*Reports of a Committee.*

By Ms. Murray, for the committee on Ways and Means, that the House Bill providing for a certain exemption from the sales tax (House, No. 4220, amended),— ought to pass, with an amendment in section 1, by striking out, in line 2, the words “day of August 13, 2005” and inserting in place thereof the following words:— days of August 13, 2005 and August 14, 2005”; in section 2, by striking out, in lines 2 and 9 and 10, the words “day of August 13, 2005” and inserting in place thereof the following words:— “days of August 13, 2005 and August 14, 2005”; in said section 2, by inserting after the words “August 13, 2005”, in line 8, the following words:— “and August 14, 2005”; and in section 3, by striking out, in line 5, the words “day of August 13, 2005” and inserting in place thereof the following words:— “days of August 13, 2005 and August 14, 2005”.  
**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.**

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill authorizing the Department of Highways to acquire and transfer certain parcels of land in the town of Bourne (Senate, No. 2078),— 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 was ordered to a third reading.**

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill relative to the installation of carbon monoxide alarms and smoke detectors in residential buildings (Senate, No. 2134),— ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2152).  
**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. 2152) was then ordered to a third reading.**

PAPER FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation relative to reforming the Massachusetts Rental Voucher Program (House, No. 4234),— **came from the House with endorsement that the House had referred the message to the committee on Children and Families. The Senate NON-concurred in the reference to the committee on Children and Families.**  
**On motion of Mr. Tarr, the message was referred to the committee on Housing. Sent to the House for its action.**

*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 same Senator, at eleven minutes past eleven o'clock A.M., the Senate adjourned to meet on the following day at one o'clock P.M.