

**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.

*Thursday, August 10, 2006.*

Met at three 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.

#### *Reports of Committees.*

By Mr. Hart, for the committee on Tourism, Arts and Cultural Development, on petition, a Bill relative to the distribution of motion pictures in Massachusetts (Senate, No. 2657);

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

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 Senate Bill empowering the Secretary of Public Safety to establish regulations relative to the issuance of police identification cards (Senate, No. 2601).

#### **PAPERS FROM THE HOUSE.**

A petition (accompanied by bill, House, No. 5140) of Charles A. Murphy and Robert A. Havern (by vote of the town) for legislation to place on the ballot in the town of Burlington a certain question relative to prohibiting elected officials from holding more than one elective office of said town,— **was referred, in concurrence, to the committee on Election Laws.**

A Bill protecting employee compensation (House, No. 4663,— on Senate, No. 928 and House, No. 3775),— **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

A Bill authorizing the city of New Bedford to seek the vote of registered voters of the city to determine if the public water supply should be fluoridated (House, No. 5134,— on petition),— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

#### *Emergency Preamble Adopted; Engrossed Bill Enacted.*

An engrossed Bill relative to retirement benefits for Stuart Freedman (see House, No. 4518), 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 4 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.**

*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 House Bill authorizing the Secretary of the Commonwealth to place an election in the city known as the town of Watertown on the state election ballot (House, No. 5184),— **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 State Secretary to place an office on the state ballot in the city known as the town of Watertown”.**

**PAPERS FROM THE HOUSE.**

The Senate Bill relative to the membership of the retirement board of the Massachusetts Water Resources Authority (Senate, No. 2507),— **came from the House amended as follows: in section 1, in paragraph (b) by inserting after the word “ex officio,” (as engrossed) the following: “a second member appointed by the board of directors of the authority for a term of 3 years.”**

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

A Bill relative to certain real property in the city of Northampton (House, No. 5127,— on petition) [Local approval received],— **was read.**

**There being no objection, the rules were suspended, on motion of Mr. Hedlund, 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 protecting certain real property in the city of Northampton.”**

*Matters Taken Out of the Orders of the Day.*

There being no objection, the following matters were taken out of the Orders of the Day and considered as follows:  
The House Bill authorizing the city of Fitchburg to abate certain taxes (House, No. 5177),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to kayak safety (House, No. 4949),— **was considered; and was taken from the table.**  
**Pending the question on passing the bill to be engrossed, Messrs. Barrios, O’Leary, Nuciforo, Lees and Tarr presented an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2709.**

**The amendment was adopted.**

**The bill, as amended, was then passed to be engrossed.**  
**Sent to the House for concurrence in the amendment.**

**PAPERS FROM THE HOUSE.**

*Engrossed Bills.*

The following engrossed bills (the first two of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the Acting President (Mr. Hart) and laid before the Governor for his approbation, to wit:  
Further regulating voting hours in the town of Amherst (see Senate, No. 2154);  
Authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Barnstable (see Senate, No. 2420); and  
Relative to the standard fire insurance policy (see House, No. 1552).

The following engrossed bills (both of which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted, two-thirds of the members present having voted in the affirmative, and were signed by the Acting President (Mr. Hart) and laid before the Governor for his approbation, to wit:  
Reorganizing the Department of Public Works in the town of Hopkinton (see House Bill, printed in House, No. 4747); and  
Validating the actions taken by the town of Norton (see House Bill, printed in House, No. 5120).

*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 Robert S. Creedon, Jr. and Michael W. Morrissey for legislation relative to debt collection.  
**Senate Rule 36 was suspended, on motion of Mr. Knapik, 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. 5267) of Robert J. Nyman that the Teachers' Retirement Board be directed to grant creditable service for retirement purposes to Otis Magoun, Jr., for certain non-public school employment,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

#### *Emergency Preamble Adopted.*

An engrossed Bill relative to welfare reform (see House, No. 5212, 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.**

#### *Order Adopted.*

On motion of Ms. Spilka,—

*Ordered*, That when the Senate adjourns today, it adjourn to meet again on Monday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

On motion of Mr. Moore, at twelve minutes before twelve o'clock noon, the Senate adjourned to meet on the following Monday at eleven o'clock A.M.