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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Monday, August 14, 2006.

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

Reports.

The following reports were severally read and placed on file:

A report of the Division of Unemployment Assistance (under the provisions of Section 14F of Chapter 151A of the General Laws) relative to the condition of the Unemployment Insurance Trust Fund for the month of July 2006 (received Friday, July 28, 2006); and

A report of the Executive Office of Transportation (pursuant to line items 6000-0100 and 6010-0001 of the General Appropriation Act for Fiscal Year 2006 and Chapter 87 of the Acts of 2000) submitting various reports (received Monday, August 7, 2006).

Resolutions.

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:—
Resolutions (filed by Mr. Timilty) “congratulating Gregory A. Zandrow of Sharon on earning the rank of Eagle Scout of America.”

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 exempting Scott LeMay from the maximum age requirement for firefighters in the city of Methuen (House, No. 4118),— **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 certain conservation restrictions in the town of Edgartown (House, No. 4570),— **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 amendment of conservation restrictions in the town of Edgartown.”**

The House Bill establishing the Cohasset Library Trust, Inc. (House, No. 4840),— was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Hedlund moved that the bill be amended in section 5, by inserting after the word “purposes” the following words:— “, but the town shall not appropriate any public funds for the trust,”; and in section 6, by inserting after the words “charitable purposes” the following words:— “, but the trust shall have no role in the governance of the library”.

This amendment was adopted.

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

The Senate Bill releasing certain land in the town of Amherst from the operation of an agricultural preservation restriction (Senate, No. 2359, amended),— **came from the House passed to be engrossed, in concurrence with an amendment striking out all after the enacting clause and inserting in place thereof the text of House document numbered 5235.**
The rules were suspended, on motion of Mr. Brown, and the House amendment was considered forthwith and adopted, in concurrence.

The House Bill further regulating senior housing (House, No. 3189, amended),— came from the House with the endorsement that the House had concurred in the Senate amendment adding the following section:—

“SECTION 3. This act shall apply only to dwelling units constructed after the effective date of this act.” adding the following section:— “Section 3. This act shall apply only to dwelling units constructed after the effective date of this act.”, with a further amendment striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Section 4 of chapter 151B, as appearing in the 2004 Official Edition, is hereby amended by striking out, in lines 192 to 193 inclusive, the words ‘, on 1 parcel or on contiguous parcels of land, totaling, at least 5 acres in size’ and inserting in place thereof the following words:— provided that the housing owner or manager register biennially with the department of housing and community development.

SECTION 2. Section 4 of chapter 151E, as appearing in the 2004 Official Edition, is hereby amended by striking out, in lines 259 to 261 inclusive, the words ‘, on 1 parcel or on contiguous parcels of land, totaling at least 5 acres in size’ and inserting in place thereof the following words:— provided that the housing owner or manager register biennially with the department of housing and community development.

SECTION 3. This act shall apply only to dwelling units constructed after January 1, 2007,”

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

Emergency Preamble Adopted; Engrossed Bill Enacted.

An engrossed Bill relative to the membership of the retirement board of the Massachusetts Water Resources Authority (see Senate, No. 2507, 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 and sent to the House for enactment.

Subsequently, the bill, which originated in the Senate, 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 and laid before the Governor for his approbation.

Engrossed Bills.

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 and were signed by the President and laid before the Governor for his approbation, to wit:

Authorizing the town of Shrewsbury to exchange certain land (see House, No. 4739); and

Authorizing the State Secretary to place an office on the state election ballot in the city known as the town of Watertown (see House, No. 5184).

Order Adopted.

On motion of Mr. Brown,—

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday next 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 seventeen minutes past eleven o’clock A.M., the Senate adjourned to meet on the following Thursday at eleven o’clock A.M.