

**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.

*Tuesday, September 6, 2005.*

Met at ten minutes past eleven o'clock A.M.

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

#### *Report.*

A report of the Boston University/Chelsea Partnership (under the provisions of Section 13 of Chapter 133 of the Acts of 1989) submitting its legislative report for 2004-2005 (received Thursday, September 1, 2005),— **was placed on file.**

#### PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4354) of Antonio F. D. Cabral and Mark C. Montigny (with the approval of the mayor and city council) that the city of New Bedford be authorized to regulate the operation of motorized bicycles and motorized scooters,— **was referred, in concurrence, to the committee on Transportation.**

#### Bills

Establishing an affordable housing trust fund in the town of Duxbury (House, No. 3155,— on petition) [Local approval received];

Relative to the board of assessors of the town of Provincetown (House, No. 4096,— on petition) [Local approval received]; and

Providing for an affordable housing trust fund in the town of Hamilton (House, No. 4136,— on petition) [Local approval received];

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

#### *Resolutions.*

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

Resolutions (filed by Mr. Joyce) “honoring Thomas P. Lyman on the occasion of his retirement”;

Resolutions (filed by Mr. O’Leary) “congratulating the Friends of Dennis Senior Citizens, Inc. on the occasion of its twenty-fifth anniversary”; and

Resolutions (filed by Mr. Pacheco) “on the occasion of the retirement of Peter King.”

*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 establishing a voting precinct in the city of Haverhill (House, No. 4101),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4355) of Sean Curran and others relative to the granting of real estate tax exemptions to surviving spouses of members of the armed forces who lost their lives in the current military conflicts in Iraq and Afghanistan,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Revenue.**

*Engrossed Bill.*

An engrossed Bill establishing the Westford town center sewer district (see House, No. 4188) (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 President and laid before the Governor for his approbation.**

*Recess.*

There being no objection, at thirteen minutes past eleven o'clock A.M., the President declared a recess, subject to the call of the Chair; and at five minutes past one o'clock P.M., the Senate reassembled, the President in the Chair.

PAPER FROM THE HOUSE.

A Bill making appropriations to provide funding for certain activities and projects associated with the Commonwealth's efforts to help the victims of Hurricane Katrina (printed in House, No. 4356,— being a message from His Excellency the Governor),— was read.

**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.**

*Recess.*

There being no objection, at eight minutes past one o'clock P.M., the President declared a recess subject to the call of the Chair; and, at twenty-six minutes before two o'clock P.M., the Senate reassembled, the President in the Chair.

PAPERS FROM THE HOUSE.

*Emergency Preamble Adopted.*

An engrossed Bill making appropriations to provide funding for certain activities and projects associated with the Commonwealth's efforts to help the victims of Hurricane Katrina (see House Bill, printed in House, No. 4356), 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 President and sent to the House for enactment.**

*Engrossed Bill.*

Ms. Fargo in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair), an engrossed Bill making appropriations to provide funding for certain activities and projects associated with the Commonwealth's efforts to help the victims of Hurricane Katrina (see House Bill, printed in House, No. 4356) (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.**

*Order Adopted.*

On motion of Mr. Knapik,—

*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.

*Adjournment in Memory of 1st Lt. Derek Hines of Newburyport.*

The Senator from Essex, Mr. Baddour presented a request that when the Senate adjourns today, it do so as a mark of respect to the memory of 1st Lt. Derek Hines of Newburyport.

1st Lt. Hines was killed in the line of duty on Thursday, September 1st while conducting security operations in Baylough, Afghanistan. He had continued to fire at insurgents even after being fatally shot. He was 24 years old. Hines is the oldest of four children and the son of State Police Sgt. Steven Hines and Susan Hines.

In 1999, he graduated from St. John's Prep in Danvers, where he played hockey and lacrosse. A West Point graduate, he rose to the rank of first lieutenant in the Army, was an Army Ranger and a member of the elite 101st Airborne Division.

Deployed to Afghanistan last March, Hines had been on a mission to secure areas of the country, and along with his fellow soldiers was instrumental in supporting the efforts of people in the area to create a democracy. He will be sadly missed by his family and friends.

Accordingly, as a mark of respect to the memory of 1st Lt. Derek Hines, at nineteen minutes before two o'clock P.M. on motion of Mr. Knapik, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.