

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.

Monday, September 19, 2005.

Met at six minutes past eleven o'clock A.M. (Ms. Wilkerson in the Chair).

The Chair (Ms. Wilkerson), 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 Massachusetts Teachers Association/Massachusetts Community College Council (MCCC) (received Thursday, September 15, 2005),— **was placed on file.**

Report of a Committee.

By Ms. Fargo, for the committee on Public Health, on the recommitted petition (accompanied by bill, Senate, No. 1255), a Bill to establish a task force within the Board of Registration in Medicine to study medical spas (Senate, No. 2191);

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

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4360) of Charles A. Murphy and Robert A. Havern (by vote of the town) relative to the charging of a fee for records in the town of Burlington,— **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Bills

Establishing the Massachusetts principal and income act (House, No. 760,— on Senate, No. 926 and House, No. 760);

Relative to the transportation finance commission (House, No. 2116, changed,— on petition); and

Relative to the Swansea Water District (House, No. 3557,— on petition);

Were severally read and, under Senate Rule 26, referred to the committee on Ethics and Rules.

Bills

Authorizing the retirement of Robert Welby of the Boston Police Department (House, No. 4121,— on petition) (Local approval received]; and

Authorizing the town of Hingham to convey certain land (House, No. 4267,— on House, No. 4181) [Local approval received on House, No. 4181];

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

A report of the committee on Elder Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3881) of A. Stephen Tobin and Robert J. Nyman relative to assisted living for patients with Alzheimer's disease, and recommending that the same be referred to the committee on Public Health,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

The following notices received from the House were severally read and placed on file, to wit:

That the Speaker of the House had appointed Representatives Rushing of Boston, Story of Amherst, Leary of Worcester, Lantigua of Lawrence and Peisch of Wellesley to serve on the joint special committee (established under House Order, No. 4059) for the purpose of planning for the celebration of the three hundred and seventy-fifth anniversary of the General Court;

That the Minority Leader of the House of Representatives, Bradley H. Jones, Jr. had appointed Representative Rogeness of Longmeadow to serve on the joint special committee (established under House Order, No. 4059) for the purpose of planning for the celebration of the three hundred and seventy-fifth anniversary of the General Court; and

That the Speaker of the House had appointed Representatives Petrolati of Ludlow and Dempsey of Haverhill to the special commission (pursuant to section 37 of chapter 45 of the Acts of 2005) to study the production of cable television coverage of legislative sessions, committee hearings, and other legislative and administration proceedings.

Resolutions.

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

Resolutions (filed by Ms. Chandler) “congratulating the Worcester Women's History Project on its tenth anniversary”;

Resolutions (filed by Messrs. Joyce and Morrissey) “on the fiftieth anniversary of the Braintree Women's Club”;

Resolutions (filed by Ms. Murray) “on the occasion of National Alcohol and Drug Addiction Recovery Month”;

Resolutions (filed by Mr. O'Leary, Ms. Murray, Messrs. Hedlund and Montigny, Ms. Resor and Mr. Tarr) “congratulating the Woods Hole Oceanographic Institution on its seventy-fifth anniversary”; and

Resolutions (filed by Mr. Travaglini) “commemorating the observance of ‘Performance Recognition Day’.”

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 Senate Bill relative to municipal appropriations (Senate, No. 1202),— was read a second time.

Ms. Resor presented an amendment substituting a new draft entitled “An Act further regulating municipal transfers of appropriations” (Senate, No. 2192).

The amendment was adopted.

The bill (Senate, No. 2192) was then ordered to a third reading.

Reports of Committees.

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 Robert F. Daly for legislation relative to the election of retirement options.

Senate Rule 36 was suspended, on motion of Mr. Tisei, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the House for concurrence.

PAPER FROM THE HOUSE.

A Bill establishing a traffic commission in the city of Woburn (House, No. 4063,— on petition) [Local approval received],— was read.

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.

Report 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 relative to issuing motor vehicle citations on state and community college campuses (Senate, No. 2132).

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

Recess.

There being no objection, at twelve minutes past eleven o'clock A.M., the Chair (Ms. Wilkerson) declared a recess subject to the call of the Chair; and, at three o'clock P.M., the Senate reassembled, the President in the Chair.

Report of a Committee.

By Ms. Murray, for the committee on Ways and Means, that the Senate Bill relative to responsible welfare reform (Senate, No. 2144),— ought to pass, with an amendment substituting a new draft entitled "An Act enacting responsible welfare reform" (Senate, No. 2144).

There being no objection, the rules were suspended, on motion of Mr. Tisei, and the bill was read a second time and was amended as recommended by the committee on Ways and Means.

The bill (Senate, No. 2193) was then ordered to a third reading.

PAPERS FROM THE HOUSE.

Emergency Preambles Adopted.

An engrossed Bill establishing a sick leave bank for Earle Bercier, an employee of the Department of Correction (see House, No. 4056), 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.

An engrossed Bill establishing a sick leave bank for Kathleen A. Sammataro, an employee of the Trial Court (see House, No. 4310), 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.

An engrossed Bill establishing a sick leave bank for Sandra Spiros, an employee of the Trial Court (see House, No. 4325), 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 Bills.

The following engrossed bills (the first 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 President and laid before the Governor for his approbation, to wit:

Eliminating maintenance and capital investment funds in the city of Newburyport (see Senate, No. 2135); and

Authorizing the retirement of Zanaida Flores of the Boston Police Department (see House, No. 4120).

Order Adopted.

On motion of Mr. Tisei,—

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 three minutes past three o'clock P.M., the Senate adjourned to meet on the following day at one o'clock P.M.