

**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, October 17, 2005.*

Met according to adjournment at eleven o'clock A.M.

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

#### *Distinguished Guests.*

There being no objection, the President introduced, seated in the Senate Gallery, students from the Forestdale School in Malden. They were the guests of Senator Tisei.

There being no objection, the President introduced, seated in the rear of the Chamber, students from the Donald McKay School in East Boston. They were guests of the Senate President.

There being no objection, the President handed the gavel to Ms. Chandler for the purpose of an introduction. Ms. Chandler introduced Ruth Margolis of Worcester.

#### *Reports.*

A report of the Human Resources Division (pursuant to the provisions of Section 25 of Chapter 31 of the General Laws) submitting a listing of Civil Service public safety promotional lists that have been revoked by the Personnel Administrator since January, 2002 (received Wednesday, October 12, 2005),— **was placed on file.**

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 Hampden County Correctional Center (received Wednesday, October 12, 2005),— **was read and sent to the House for its information.**

#### *Reports of Committees.*

By Mr. Buoniconti, for the committee on Public Service, on petition (accompanied by bill, Senate, No. 1411), a Bill relative to interest arbitration for the State Police Association of Massachusetts (Senate, No. 2235);

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

By Mr. Moore, for the committee on Health Care Financing, that the Senate Bill to promote organ and tissue donations and reduce preventable deaths (Senate, No. 1240),— ought to pass, with an amendment substituting a new draft entitled "An Act relative to organ and tissue donations" (Senate, No. 2236).

**Referred, under Senate Rule 26, to the committee on Ethics and Rules.**

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4432) of Garrett J. Bradley and Robert L. Hedlund (by vote of the town) for legislation to regulate certain licenses for the sale of alcoholic beverages to be drunk on the premises in the town of Hingham;

**To the committee on Consumer Protection and Professional Licensure.**

Petition (accompanied by bill, House, No. 4433) of Garrett J. Bradley and Robert L. Hedlund (by vote of the town) relative to temporary loans and the assessment of betterments in the town of Hingham;

**To the committee on Municipalities and Regional Government.**

Petition (accompanied by bill, House, No. 4434) of Garrett J. Bradley and Robert L. Hedlund (by vote of the town) that the retirement board of the town of Hingham be directed to grant certain creditable service to Donald Lincoln;

**To the committee on Public Service.**

A Bill relative to state unemployment tax avoidance (House, No. 4342, amended,— on House, No. 3936),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill establishing a special account for the Norfolk County Fire and Rescue Dispatch Center (House, No. 4374,— on House, No. 3568),— **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

#### Reports

Of the committee on Community Development and Small Business, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 163) of Robert A. O’Leary, Susan W. Pope, Scott P. Brown, Richard T. Moore and other members of the General Court for legislation relative to the shipment of wine,— and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure.

Of the petition (accompanied by bill, House, No. 3144) of Kevin G. Honan for an investigation and study (including members of the General Court) relative to regional and local planning in the Commonwealth,— and recommending that the same be referred to the committee on Housing.

Of the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3660) of Bruce J. Ayers for an investigation by the Attorney General and the Department of Public Health of the liability for remediation of the negative effects caused by the manufacture and sale of lead based paint products,— and recommending that the same be referred to the committee on the Judiciary.

Of the committee on Tourism, Arts and Cultural Development, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1837) of Robert S. Creedon, Jr., Thomas P. Kennedy, Geraldine Creedon and Christine E. Canavan for legislation relative to state and county fairs,— and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure.

**Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

A communication from the Commissioner of Banks (under Section 14 of Chapter 167 of the General Laws) submitting proposed regulations governing community reinvestment and financial institutions (House, No. 4439),— **was referred, in concurrence, to the committee on Financial Services.**

#### *Resolutions.*

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

Resolutions (filed by Mr. Pacheco) “on the occasion of the fiftieth wedding anniversary of Angelo and Helen Arieta.”

#### PAPERS FROM THE HOUSE.

A Bill providing for two associate planning board members in the town of Hanover (House, No. 4294,— on petition) [Local approval received],— was read.

**There being no objection, the rules were suspended, on motion of Ms. Chandler, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4441) of Robert F. Fennell relative to regulating licensed pawnbrokers;  
**Under suspension of Joint Rule 12, to the committee on Consumer Protection and Professional Licensure.**

Petition (accompanied by bill, House, No. 4442) of Mark V. Falzone for legislation to place custodians in Group 2 of the public employees retirement law;

**Under suspension of Joint Rule 12, to the committee on Public Service.**

A petition (accompanied by bill, House, No. 0000) of Brian P. Wallace for legislation to classify certain medications containing controlled release oxycodone as Class A controlled substances,— came from the House, under suspension of Joint Rule 12 referred to the committee on the Judiciary.

**The Senate concurred in the suspension of Joint Rule 12, and NON-concurred in the reference to the committee on the Judiciary.**

**On motion of Ms. Wilkerson, the petition was referred to the committee on Mental Health and Substance Abuse. Sent to the House for its action.**

*Order Adopted.*

On motion of Mr. Knapik,—

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

On motion of Ms. Wilkerson, at five minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Wednesday at one o'clock P.M.