

**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, December 27, 2005.*

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.

#### *Communications.*

The following communications were severally received and placed on file:

A communication from the Honorable Robert E. Travaglini, President of the Senate, announcing the appointment of Senators John A. Hart, Jr. and Thomas M. McGee to the Special Commission established (pursuant to Section 36 of Chapter 45 of the Acts of 2005) to review to the effectiveness of the "Back to the Beaches" program;

A communication from the Honorable Brian P. Lees, Minority Leader of the Senate, announcing the appointment of Senator Bruce E. Tarr to serve on the Special Commission established (pursuant to Section 37 of Chapter 37 of the Acts of 2005) to make an investigation and study relative to the production of television coverage of legislative sessions and other proceedings; and

A communication from William F. Galvin, Secretary of the Commonwealth (under the provisions of Section 80 of Chapter 4 of the Acts of 2003), submitting a copy of the Registry of Deeds Technology Advisory Committee Report (copies having been forwarded as required to the Senate Committees on Ways and Means and Post Audit and Oversight) (received Thursday, December 22, 2005).

A communication from the Hampshire Sheriff's Office relative to correction actions taken pursuant to a Department of Public Health inspection of the Hampshire County Jail and House of Correction (received Tuesday, December 20, 2005),— **was read and sent to the House for its information.**

#### *Report.*

A report of the Transportation Finance Commission (pursuant to Section 13 of Chapter 196 of the Acts of 2004) submitting its 2005 update report (received Tuesday, December 20, 2005),— **was placed on file.**

#### *Petitions.*

Petitions were presented and referred, as follows:

By Mr. Brewer, a petition (subject to Joint Rule 12) of Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to the age of appointment of district engineering inspectors;

By the same Senator, a petition (subject to Joint Rule 12) of Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to continuing education requirements for operators of hoisting machinery;

By the same Senator, a petition (subject to Joint Rule 12) of Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to continuing education requirements for inspectors, of boilers and amusement devices;

By the same Senator, a petition (subject to Joint Rule 12) of Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to continuing education requirements for oil burner technicians;

By the same Senator, a petition (subject to Joint Rule 12) of Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to continuing education requirements for pipe fitters, refrigeration technicians, and sprinkler fitters;

By the same Senator, a petition (subject to Joint Rule 12) of Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to meetings of the board of building regulations and standards;

By the same Senator, a petition (subject to Joint Rule 12) of Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to the membership of the board of building regulations and standards;

By the same Senator, a petition (subject to Joint Rule 12) of Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to continuing education for licensed construction supervisors;

By the same Senator, a petition (subject to Joint Rule 12) of Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to the oversight of inspections;

By the same Senator, a petition (subject to Joint Rule 12) of Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to home improvement contractor registration;

By the same Senator, a petition (subject to Joint Rule 12) of Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to applications for inspectors of amusement devices;

By the same Senator, a petition (subject to Joint Rule 12) of Stephen M. Brewer, Jarrett T. Barrios and Cheryl A. Rivera for legislation relative to amusement devices; and

By Ms. Tucker, a petition (subject to Joint Rule 12) of Susan C. Tucker, James R. Miceli and Barry R. Finegold for legislation to authorize the Division of Capital Asset Management and Maintenance to lease certain property;  
**Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

#### PAPERS FROM THE HOUSE.

##### *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 Acting President and laid before the Governor for his approbation, to wit:

Designating a certain bridge in the town of Dighton as the Lance Corporal John J. VanGyzen IV memorial bridge (see Senate, No. 1945, changed); and .

Authorizing certain appropriations from the capital projects fund in the town of Bridgewater (see House, No. 4095).

##### *Recess.*

There being no objection, at seven minutes past eleven o'clock A.M., the Chair (Ms. Wilkerson) declared a recess; and at eight minutes before twelve o'clock noon, the Senate reassembled, Ms. Wilkerson in the Chair.

#### PAPERS FROM THE HOUSE.

##### *Emergency Preamble Adopted.*

An engrossed Bill establishing a sick leave bank for Marion Dawicki, an employee of the Trial Court (see House, No. 4554), 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.**

*Engrossed Bill.*

An engrossed Bill relative to the board of selectmen of the town of Upton (see House, No. 4373) (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.**

*Report of a Committee.*

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 relative to the voting procedures of presidential electors (Senate, No. 462).

**There being no objection, the rules were suspended, on motion of Mr. Brown, and the bill was read a second time. Pending the question on ordering it to a third reading, on motion of Mr. Brown, the bill was recommitted to the committee on Election Laws.**

*Recess.*

There being no objection, at six minutes before twelve o'clock noon, the Chair (Ms. Wilkerson) declared a recess; and at twelve minutes past three o'clock P.M., the Senate reassembled, Ms. Wilkerson in the Chair.

*Order Adopted.*

On motion of Mr. Brown,—

*Ordered*, That when the Senate adjourns today, it adjourn to meet again tomorrow 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 thirteen minutes past three o'clock P.M., the Senate adjourned to meet on the following day at eleven o'clock A.M.