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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Thursday, May 11, 2006.

Met according to adjournment at one o'clock P.M. (Mr. Havern in the Chair).

Distinguished Guests.

There being no objection, the President handed the gavel to Mr. Morrissey for the purpose of an introduction. Mr. Morrissey, along with Mr. Joyce, then welcomed the Division I State Champion Girls Soccer Team, the Division I State Champion Girls Basketball Team and the Division I State Champion Boys State Gymnastics Team from Braintree High School. Also with them were the "Athletes-of-the-Year": Dave Ellis and Amy Caldwell. The team was accompanied by Headmaster Dave Swanton, who briefly addressed the Chamber, signed the guest book and along with the teams, withdrew from the Chamber.

There being no objection, during the consideration of the Orders of the Day, the President handed the gavel to Mr. Brown for the purpose of an introduction. Mr. Brown, along with Ms. Spilka, then introduced Miss Erin Bontempo of Franklin. Ms. Bontempo won the opportunity to be "Shadow Senator" for a day at an auction.

There being no objection, the President recognized former Senator William L. Saltonstall. Senator Saltonstall served from 1967-1978, serving as Assistant Minority Floor Leader from 1973-1978.

There being no objection, the President handed the gavel to Mr. Tolman for the purpose of an introduction. Mr. Tolman, along with Ms. Creem, then recognized Judi Zazula, Executive Director of Helping Hands, and Stanley Rabinowitz of Newton.

Petition.

Mr. Hedlund presented a petition (accompanied by bill, Senate, No. 2534) of Robert L. Hedlund and Garrett J. Bradley (by vote of the town) for legislation to exempt the position of Deputy Police Chief in the town of Hingham from civil service law and rules [Local approval received],— and the same was referred, under Senate Rule 20, to the committee on Public Service. Sent to the House for concurrence.

Reports of Committees.

Mr. Buoniconti, for the committee on Ethics and Rules, reported that the following matters be placed in the Orders of the Day for the next session:

The Senate bills

Relative to protecting banking consumers (Senate, No. 600); and
Relative to parking for handicapped individuals and disabled veterans (Senate, No. 1172); and
The Senate Resolve studying trafficking of persons and involuntary servitude (Senate, No. 2289); and

The House bills

Requiring public notice prior to restricting MassHealth (House, No. 4284); and
Authorizing the Martha's Vineyard Regional High School District to lease certain land (House, No. 4574).

PAPERS FROM THE HOUSE.

Bills

Relative to certain elder abuse assessment reports (House, No. 1490, amended,— on petition);
Relative to the victims of drunk driving trust fund (House, No. 2043,— on Senate, Nos. 1888 and 1892 and House, No. 2043);
Providing for the annual observance of Massachusetts History Day (House, No. 3465,— on petition);
Directing the Superintendent of State Office Buildings to install a plaque in honor of school nurses (House, No. 3531,— on petition);
Relative to certain insurance benefits for part time elected officials of the town of Norwell (printed in House, No. 4386,— being a message from His Excellency the Governor); and
Relative to kayak safety (House, No. 4949,— on House, Nos. 1414 and 1934).

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

There being no objection, at one minute past one o'clock P.M., the Chair (Mr. Havern) declared a recess subject to the call of the Chair; and at twenty-three minutes past one o'clock P.M., the Senate reassembled, the President in the Chair.

The Senator from Worcester, Hampden, Hampshire and Franklin, Mr. Brewer, offered the following prayer:

Dear God, May we bring, as a Senate and as a society, love where there is hatred, healing where there is pain, harmony where there is discord, light where there is darkness, freedom where there is oppression, hope where there is despair, peace where there is strife. We ask this of you. Amen.

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

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:—
Resolutions (filed by Mr. Hedlund) “recognizing the refurbishing of Norwell’s Civil War Memorial”;
Resolutions (filed by Mr. Pacheco) “congratulating the Raynham’s Lions Club for 60 years of community service”; and
Resolutions (filed by Mr. Timilty) “congratulating Chief of Police Richard D. Hurley on his retirement from the Medfield Police Department.”

Orders of the Day.

The Orders of the Day were considered, as follows:

Bills

Relative to clinical laboratories (Senate, No. 725);
Relative to the compensation and expenses of members of the Board of Registration in Medicine (Senate, No. 1288);
Allowing widows of veterans to retain ownership of veterans’ plates (House, No. 1706, changed);
Relative to the charter of the town of Truro (House, No. 4104);
Relative to reduction in rank for members of the fire department of the town of Swampscott (House, No. 4184);
Relative to the membership of the town meeting of the town of Shrewsbury (House, No. 4206); and
Relative to apprentice linemen (House, No. 4669);

Were severally read a second time and ordered to a third reading.

The Senate Bill requiring the inspecting and securing of unsafe or abandoned buildings (Senate, No. 1370) (its title having been changed by the committee on Bills in the Third Reading),— **was read a third time and passed to be engrossed.**

Sent to the House for concurrence.

The Senate Bill relative to the negotiation of taxes due under a tax increment financing (TIF) (Senate, No. 1701),— **was read a second time.**

After remarks, and pending the question on ordering the bill to a third reading, on motion of Mr. Lees, the further consideration thereof was postponed until Thursday, May 18.

The House Bill designating a certain bridge in the town of Weymouth as the Weymouth veterans memorial bridge (House, No. 1693, changed),— **was read a second time.**

Pending the question on ordering the bill to a third reading, Mr. Hedlund moved that the bill be laid on the table; and, in accordance with the provisions of Senate Rule 24, the consideration of the motion to lay on the table was postponed, without question, until the next session.

The House Bill relative to HIV and Hepatitis C prevention (House, No. 4176, amended),— **was read a second time.**

The amendment, previously recommended by the committee on Ways and Means, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2512,— was considered.

Ms. Menard moved that the proposed Ways and Means amendment be amended in section 3, in the third sentence of subsection (a) of proposed section 27A, by inserting after the word “agencies” the following words:— “that choose to participate”.

Pending the question on adoption of the further amendment (Menard), pending the question on adoption of the proposed Ways and Means amendment and pending the main question on ordering the bill to a third reading, on motion of Mr. Lees, the further consideration thereof was postponed until the next session.

The House Bill protecting the rights of target shooters (House, No. 4552),— **was read a third time.**

Pending the question on passing the bill to be engrossed, Mr. Barrios moved that the bill be amended by striking out all after the enacting clause and inserting in place thereof the following text:—

“SECTION 1. Section 123 of chapter 140 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by inserting after the first paragraph the following paragraph:—

Clauses Eighteenth to Twenty-first, inclusive, of the first paragraph shall not apply to: (a) any firearm lawfully owned or possessed under a license issued under this chapter on or before October 21, 1998; or (b) any firearm designated by the secretary of public safety, with the advise of the gun control advisory board established pursuant to section 131½ of chapter 140, as a firearm solely designed and sold for formal target shooting competition. The secretary of public safety shall compile a list, on a bi-annual basis, of firearms designated as formal target shooting firearms in accordance with this paragraph. Such list shall be made available for distribution by the executive office of public safety.”; and by striking out the title and inserting in place thereof the following title: “An Act further regulating the use of target shooting weapons.”

This amendment was **adopted**.

After remarks, the question on passing the bill, as amended, to be engrossed was determined by a call of the yeas and nays, at eighteen minutes before two o’clock P.M., on motion of Mr. Lees, as follows, to wit (yeas 38 — nays 0) [**Yeas and Nays No. 251**]:

YEAS.	
Antonioni, Robert A.	Knapik, Michael R.
Augustus, Edward M., Jr.	Lees, Brian P.
Baddour, Steven A.	McGee, Thomas M.
Barrios, Jarrett T.	Menard, Joan M.
Berry, Frederick E.	Montigny, Mark C.
Brewer, Stephen M.	Moore, Richard T.
Brown, Scott P.	Morrissey, Michael W.
Buoniconti, Stephen J.	Murray, Therese
Chandler, Harriette L.	Nuciforo, Andrea F., Jr.
Creedon, Robert S., Jr.	O’Leary, Robert A.
Creem, Cynthia Stone	Pacheco, Marc R.
Fargo, Susan C.	Resor, Pamela
Hart, John A., Jr.	Rosenberg, Stanley C.
Havern, Robert A.	Spilka, Karen E.
Hedlund, Robert L.	Tarr, Bruce E.
Jehlen, Patricia D.	Timilty, James E.
Joyce, Brian A.	Tisei, Richard R.
Tolman, Steven A.	Walsh, Marian

Tucker, Susan C.	Wilkerson, Dianne — 38.
NAYS — 0.	
ABSENT OR NOT VOTING.	
Panagiotakos, Steven C. — 1.	

**The yeas and nays having been completed at fourteen minutes before two o'clock P.M., the bill was passed to be engrossed, in concurrence, with the amendment.
Sent to the House for concurrence in the amendment.**

The Senate Bill relative to the licensure of animal control officers (Senate, No. 2518),— **was read a third time and, after remarks, was passed to be engrossed.
Sent to the House for concurrence.**

The Senate Bill removing automatic qualification for certain licenses (Senate, No. 469, amended) (its title having been changed by the committee on Bills in the Third Reading),— was read a third time. The question on passing it to be engrossed was determined by a call of the yeas and nays, at eleven minutes before two o'clock P.M., on motion of Mr. Lees, as follows, to wit (yeas 38 — nays 0) [**Yeas and Nays No. 252**]:

YEAS.	
Antonioni, Robert A.	Knapik, Michael R.
Augustus, Edward M., Jr.	Lees, Brian P.
Baddour, Steven A.	McGee, Thomas M.
Barrios, Jarrett T.	Menard, Joan M.
Berry, Frederick E.	Montigny, Mark C.
Brewer, Stephen M.	Moore, Richard T.
Brown, Scott P.	Morrissey, Michael W.
Buoniconiti, Stephen J.	Murray, Therese
Chandler, Harriette L.	Nuciforo, Andrea F., Jr.
Creedon, Robert S., Jr.	O'Leary, Robert A.
Creem, Cynthia Stone	Pacheco, Marc R.
Fargo, Susan C.	Resor, Pamela
Hart, John A., Jr.	Rosenberg, Stanley C.
Havern, Robert A.	Spilka, Karen E.
Hedlund, Robert L.	Tarr, Bruce E.
Jehlen, Patricia D.	Timilty, James E.
Joyce, Brian A.	Tisei, Richard R.
Tolman, Steven A.	Walsh, Marian

Tucker, Susan C.	Wilkerson, Dianne — 38.
NAYS — 0.	
ABSENT OR NOT VOTING.	
Panagiotakos, Steven C. — 1.	

The yeas and nays having been completed at eight minutes before two o'clock P.M., the bill was passed to be engrossed. Sent to the House for concurrence.

The House Bill relative to judges and registers of probate (House, No. 4251, amended),— **was read a third time.**
Pending the question on passing the bill to be engrossed, Mr. Creedon and Ms. Creem moved that the bill be amended by adding the following section:

“SECTION 6. Notwithstanding any general or special law to the contrary, the register of probate of Middlesex county shall not revoke the designation as deputy assistant register of, or reduce the compensation paid to, any employee who has been so designated since May 1, 2006.”

After remarks, the amendment was adopted.

Ms. Chandler, Mr. Brewer, Ms. Resor and Messrs. Augustus, Moore and Antonioni moved that the bill be amended, in section 2, in proposed section 23B of chapter 217 of the General Laws, by striking out the words “Worcester, 1 administrative deputy assistant” and inserting in place thereof the following words:— “Worcester, 2 administrative deputy assistants”; and in said section 3, in the first sentence of proposed section 29F of said chapter 217, by striking out the words “3 employees” and inserting in place thereof the following words:— “6 employees”.

The amendment was adopted.

The bill was then passed to be engrossed, in concurrence, with the amendments and amendments previously adopted by the Senate.

Sent to the House for concurrence in the amendments.

The House Bill extending eligibility for health insurance for school employees (House, No. 4654) (its title having been changed by the committee on Bills in the Third Reading),—was read a third time.

After remarks, the question on passing it to be engrossed, in concurrence, was determined by a call of the yeas and nays, at one minute before two o'clock P.M. on motion of Mr. Antonioni, as follows, to wit (yeas 39 — nays 0) **[Yeas and Nays No. 253]:**

YEAS.	
Antonioni, Robert A.	Lees, Brian P.
Augustus, Edward M., Jr.	McGee, Thomas M.
Baddour, Steven A.	Menard, Joan M.
Barrios, Jarrett T.	Montigny, Mark C.
Berry, Frederick E.	Moore, Richard T.
Brewer, Stephen M.	Morrissey, Michael W.
Brown, Scott P.	Murray, Therese
Buoniconti, Stephen J.	Nuciforo, Andrea F., Jr.
Chandler, Harriette L.	O'Leary, Robert A.
Creedon, Robert S., Jr.	Pacheco, Marc R.
Creem, Cynthia Stone	Panagiotakos, Steven C.

Fargo, Susan C.	Resor, Pamela
Hart, John A., Jr.	Rosenberg, Stanley C.
Havern, Robert A.	Spilka, Karen E.
Hedlund, Robert L.	Tarr, Bruce E.
Jehlen, Patricia D.	Timilty, James E.
Joyce, Brian A.	Tisei, Richard R.
Knapik, Michael R.	Walsh, Marian
Tolman, Steven A.	Wilkerson, Dianne — 39.
Tucker, Susan C.	
NAYS — 0.	

The yeas and nays having been completed at two minutes past two o'clock P.M., the bill was passed to be engrossed, in concurrence.

The engrossed Bill relative to certain motor vehicle violations (see Senate, No. 2132, amended) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,— **was considered, the question being on passing the bill to be enacted.**

The amendment, previously moved by Mr. Lees, inserting after the enacting clause the following section:—

“SECTION 1. The first paragraph of section 2 of chapter 90C of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by adding the following words:— Notwithstanding the preceding, the executive office of public safety shall, by regulation, require that all police officers in any department headed by a police chief, as defined in section 1, must complete adequate training to effectuate traffic stops in order to issue citations. The traffic stop training provided by the state police academy and the municipal police training committee shall satisfy the requirements of this section. The secretary of public safety may prohibit the issuance of citation books to any police chief, as defined by said section 1, if officers under the authority of such police chief have failed to receive the required training. If the secretary of public safety has prohibited the issuance of citation books to a police chief, the police chief may request, in writing, that the issuance of citation books resume. The secretary of public safety may, as a precondition to allowing such request, require that all police officers under in such police chief's department receive additional hours of training in effectuating traffic stops.”,— was considered.

Pending the question on adoption of the amendment, Mr. Pacheco moved that the amendment (Lees) be amended by striking out the text contained therein and inserting in place thereof the following:

By inserting, after Section 3 (of the engrossed bill), the following 2 sections:—

“SECTION 3A. Section 2 of said chapter 90C, as so appearing, is hereby amended by inserting after the first paragraph the following 2 paragraphs:—

Each police chief appointed by the trustees of the commonwealth's state and community colleges under section 22 of chapter 15A shall certify to the registrar, on or before January first of each year, that:

- (a) the police officers appointed by the trustees at the state or community college have been issued a current first aid/CPR certificate;
- (b) (i) (A) 51 per cent of such police officers have completed either the basic full-time recruit academy operated or certified by the municipal police training committee or the campus police academy operated by the Massachusetts state police, or (B) 51 per cent of the police officers have completed a basic reserve/intermittent police officer training course approved by the municipal police training committee and have had at least 5 years experience issuing citations pursuant to chapter 90C; and (ii) the remaining 49% of police officers have completed a minimum of a basic reserve/intermittent police officer training course approved by the municipal police training committee.
- (c) such officers have completed annual in-service training of no less than 40 hours;
- (d) such officers meet the same firearms qualification standards as set from time to time by the municipal police training committee if such officers have been authorized. by the board of trustees of the state or community college to carry firearms;
- (e) the state or community college police department submits uniform crime reports to the FBI;
- (f) a memorandum of understanding has been entered into with the police chief of the municipality wherein the state or community college is located outlining the policies and procedures for utilizing the municipality's booking and lock-up facilities, fingerprinting and breathalyzer equipment if the state or community college police department does not provide booking and lock-up facilities, fingerprinting or breathalyzer equipment; and
- (g) the state or community college police department has policies and procedures in place for use of force, pursuit, arrest, search and seizure, racial profiling and motor vehicle law enforcement.

Notwithstanding the previous paragraph, nothing in this section shall limit the authority granted to the police chiefs and police officers at the state and community colleges under said section 22 of said chapter 15A or section 18 of chapter 73.

SECTION 3B. Said chapter 90C, as so appearing, is hereby further amended by inserting after section 2 the following section:—

Section 2A. The authority for police officers appointed by the trustees of the commonwealth's state and community colleges under section 22 of chapter 15A to issue citations under this chapter shall be limited to the issuance of citations for violations occurring on the property of state and community colleges. Separate record-keeping and data collection, including, but not limited to, racial or gender profiling data collection and analysis required under chapter 228 of the acts of 2000, shall be performed by such campus police departments, separate from those conducted by any municipal police department or the state police."

The further amendment was adopted.

The pending amendment (Lees) was then adopted, as amended.

Sent to the House for concurrence in the amendment.

The Senate Bill further regulating intermunicipal agreements (Senate, No. 1174),— **was considered, the main question being on passing the bill to be engrossed.**

There being no objection, on motion of Ms. Fargo, the pending amendment, previously moved by Ms. Fargo, Ms. Creem and Mr. Timilty, that the bill be amended in section 1, by striking out, in lines 12 to 13, the words "Board of Selectmen" and inserting in place thereof the following words:— "town meeting"; and in said section 1, by adding the following sentence:— "In a town that accepts this provision, approval of this agreement may be by vote of the board of selectmen.",— *was withdrawn*.

Ms. Fargo and Ms. Creem then offered an amendment striking out all after the enacting clause and inserting in place thereof the following text:—

"SECTION 1. Chapter 40 of the General Laws is hereby amended by inserting after section 4A the following section:—

Section 4A½. In a town that accepts this section, approval of an agreement authorized under section 4A may be by vote of the board of selectmen, subject to any conditions imposed by section 4A or any other sections of this chapter or by the town in its acceptance of this section. A town may revoke its acceptance of this section at any time, but this revocation shall not affect any agreement approved under this section before the town revoked its acceptance."

Pending the question on adoption of the amendment, and pending the main question of passing the bill to be engrossed, on motion of Mr. Brewer, the further consideration thereof was postponed until Thursday, May 18.

The House Bill establishing a primary seat belt law (House, No. 229, amended),— **was considered, the main question on passing it to be engrossed.**

Pending the question on passing the bill to be engrossed, Ms. Wilkerson and Mr. Nuciforo moved that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2539.

Pending the question on adoption of the amendment, and pending the main question on passing the bill to be engrossed, on motion of Mr. Barrios, the further consideration thereof was postponed until the next session.

A message from His Excellency the Governor, returning, with his disapproval of certain sections contained in the engrossed Bill promoting access to affordable, quality, accountable health care (see House, No. 4479, amended) (as relates to section 27), which on Wednesday, April 5, 2006, had been laid before the Governor for his approbation,— having previously come from the House, in part, several sections having been passed by the House notwithstanding the reduction or disapproval of the Governor (for message, see House, No. 4857),— **was considered; the main question being on passing section 27, notwithstanding the disapproval of His Excellency the Governor.**

Pending the question on the motion to lay the matter on the table, and pending the main question on passing section 27, notwithstanding the disapproval of His Excellency the Governor, on motion of Mr. Lees, the further consideration thereof was postponed until Thursday, May 18.

A message from His Excellency the Governor, returning, with his disapproval of certain sections contained in the engrossed Bill promoting access to affordable, quality, accountable health care (see House, No. 4479, amended) (as relates to section 112), which on Wednesday, April 5, 2006, had been laid before the Governor for his approbation,— having previously come from the House, in part, several sections having been passed by the House notwithstanding the reduction or disapproval of the Governor (for message, see House, No. 4857),— **was considered; the main question being on passing section 112 notwithstanding the disapproval of His Excellency the Governor.**

Pending the question on the motion to lay the matter on the table, and pending the main question on passing section 112, notwithstanding the disapproval of His Excellency the Governor, on motion of Mr. Lees, the further consideration thereof was postponed until Thursday, May 18.

The Senate Bill relative to checkerboard sewer systems (Senate, No. 2396),— was read a second time and after remarks, was ordered to a third reading.

Resolutions.

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

Resolutions (filed by Ms. Chandler, Messrs. Antonioni, Augustus, Montigny, Nuciforo, O'Leary, Ms. Resor, Mr. Rosenberg, Ms.

Tucker and Ms. Wilkerson) “calling upon the President of the United States to continue to lead vigorous international effort to prevent genocide in Darfur, Sudan.”

Mr. Berry in the Chair, after remarks, the question on adoption of the resolutions was determined by a call of the yeas and nays, at a half past two o’clock P.M., on motion of Ms. Chandler, as follows, to wit (yeas 39 — nays 0) **[Yeas and Nays No. 254]:**

YEAS.	
Antonioni, Robert A.	Lees, Brian P.
Augustus, Edward M., Jr.	McGee, Thomas M.
Baddour, Steven A.	Menard, Joan M.
Barrios, Jarrett T.	Montigny, Mark C.
Berry, Frederick E.	Moore, Richard T.
Brewer, Stephen M.	Morrissey, Michael W.
Brown, Scott P.	Murray, Therese
Buoniconti, Stephen J.	Nuciforo, Andrea F., Jr.
Chandler, Harriette L.	O’Leary, Robert A.
Creedon, Robert S., Jr.	Pacheco, Marc R.
Creem, Cynthia Stone	Panagiotakos, Steven C.
Fargo, Susan C.	Resor, Pamela
Hart, John A., Jr.	Rosenberg, Stanley C.
Havern, Robert A.	Spilka, Karen E.
Hedlund, Robert L.	Tarr, Bruce E.
Jehlen, Patricia D.	Timilty, James E.
Joyce, Brian A.	Tisei, Richard R.
Knapik, Michael R.	Walsh, Marian
Tolman, Steven A.	Wilkerson, Dianne — 39.
Tucker, Susan C.	
NAYS — 0.	

The yeas and nays having been completed at twenty-six minutes before three o’clock P.M., the resolutions were adopted.

PAPERS FROM THE HOUSE.

Committee of Conference.

The House Bill relative to mercury management (House, No. 4670),— came from the House with the endorsement that the House had NON-concurred in the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2470, printed as amended), and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Smizik of Brookline, DeLeo of Winthrop and Gifford of Wareham had been appointed the committee on the part of the House.

The President in the Chair, on motion of Mr. Berry, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Resor, Tucker and Tarr were appointed on the part of the

Senate.

The bill was returned to the House endorsed accordingly.

The Senate Bill amending the Nantucket Island Land Bank Act to increase the first-time homebuyers exemption (Senate, No. 2330),— 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 4926.

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

Order — Amended.

The Senate Order relative to authorizing the joint committee on Children and Families until Thursday, May 11, 2006 within which to make its final report on S-959 relative to birth certificates,— came from the House with the endorsement that the House had amended the order as follows: by inserting after the number “959” the following:— “and House documents numbered 2858, 2870 and 3864.”

There being no objection, the House amendment was considered forthwith, and adopted, in concurrence.

A petition (accompanied by bill, Senate No. 2535) of Robert E. Travaglini, Karen E. Spilka, Thomas M. McGee, Frederick E. Berry and other members of the General Court for legislation to support strong families by providing paid family and medical leave, increasing tax deductions for working families, and establishing a work-family council,— came from the House with endorsement that the House concurred in the suspension of Joint Rule 12; and had NON-concurred in the reference to the committee on Children and Families. The petition bore the further endorsement that the matter had been referred to the committees on Children and Families and Labor and Workforce Development, acting jointly.

On motion of Ms. Spilka, the Senate receded from its reference to the committee on Children and Families and concurred in the reference to the committees on Children and Families and Labor and Workforce Development, acting jointly.

Report of Committees.

By Mr. Buoniconti, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Thomas M. McGee, Robert F. Fennell, Stephen M. Walsh, Mark V. Falzone and other members of the General Court for legislation to restrict the use of certain amusement devices.

Senate Rule 36 was suspended, on motion of Mr. Rosenberg, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Safety and Homeland Security.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4956) of Alice K. Wolf and Sandra Sherwood that the State Board of Retirement be authorized to grant certain credit to said Sandra Sherwood for services rendered to the Department of Education,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

A Bill designating the South Boston Court House as the Chief Justice Joseph F. Feeney courthouse (House, No. 3445,—on petition).

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

A petition (accompanied by bill, House, No. 4500) of Brian S. Dempsey and others relative to authorizing the Division of Capital Asset Management and Maintenance to convey certain land known as Outer Brewster Island,— came from the House with the endorsement that the House had referred the petition to the committee on Telecommunications, Utilities and Energy.

Pending the question on concurring in the reference to said committee, Mr. Hedlund moved to lay the matter on the table; and, in accordance with the provisions of Senate Rule 24, the consideration of the motion to lay on the table was postponed without question until the next session.

Matter Taken Out of the Notice Section of the Calendar.

There being no objection, the following matter was taken out of the Notice Section of the Calendar and considered as follows:

The Senate Bill authorizing the appointment of Lori Moniz as a reserve police officer for the city of Taunton (Senate, No. 2486),— was read a second time, ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

Order Adopted.

On motion of Mr. Berry,—

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

Moment of Silence.

The President, the members, guests and employees stood in a moment of silence and reflection to the memory of Private First Class Brian M. Moquin of Worcester who was killed in a U.S. Army helicopter accident in Afghanistan this past Sunday.

Adjournment in Memory of Brian M. Moquin.

The Senator from Worcester, Mr. Augustus, and the Senator from Worcester, Ms. Chandler, moved that when the Senate adjourns today, it adjourn in memory of Private First Class Brian M. Moquin of Worcester.

Private First Class Moquin was killed in a U.S. Army helicopter accident in Afghanistan during an offensive against al-Qaeda and Taliban forces near the Pakistani border on May 7, 2006. An adventurous, creative and brave patriot, Brian attended Shrewsbury and Millbury High Schools and was the loving son of Tracy Vaillancourt of Worcester.

Accordingly, as a mark of respect to the memory of Private First Class Brian M. Moquin, at twelve minutes before three o'clock P.M., on motion of Mr. Berry, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.