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## UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



### JOURNAL OF THE SENATE IN JOINT SESSION

Joint Session of the Two Houses to Consider Specific Amendments to the Constitution.

*Thursday, June 14, 2007.*

At eight minutes past one o'clock P.M., the two Houses met in

#### JOINT SESSION

and were called to order by the Honorable Therese Murray, President of the Senate.

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

The Proposal for an Initiative amendment to the Constitution to define marriage (see Senate, No. 2220 of 2007) [see House, No. 4617 of 2006] was read, the question being on again agreeing to the amendment.

The Proposal was as follows:--

#### ARTICLE OF AMENDMENT

When recognizing marriages entered into after the adoption of this amendment by the people, the Commonwealth and its political subdivisions shall define marriage only as the union of one man and one woman.

The question on again agreeing to the amendment was taken by a call of the yeas and nays, as required by Article XLVIII of the Amendments to the Constitution, at nine minutes past one o'clock P.M., as follows, to wit (yeas 45 - nays 151) [**Senate Yeas and Nays No. 46**] [**House Yeas and Nays No. 103**]:

#### YEAS.

Brown, Scott P.                      Moore, Richard T.  
Creedon Jr., Robert S.          Panagiotakos, Steven C. -- 5  
Hedlund, Robert L.

#### NAYS.

Antonioni, Robert A.          McGee, Thomas M.

Augustus, Edward M. Menard, Joan M.  
Baddour, Steven A. Montigny, Mark C.  
Barrios, Jarrett T. Morrissey, Michael W.  
Berry, Frederick E. Murray, Therese  
Brewer, Stephen M. O'Leary, Robert A.  
Buoniconti, Stephen J. Pacheco, Marc R.  
Candaras, Gale D. Resor, Pamela P.  
Chandler, Harriette L. Rosenberg, Stanley C.  
Creem, Cynthia Stone Spilka, Karen E.  
Downing, Benjamin B. Tarr, Bruce E.  
Fargo, Susan C. Timilty, James E.  
Hart, Jr., John A. Tisei, Richard R.  
Havern, Robert A. Tolman, Steven A.  
Jehlen, Patricia D. Tucker, Susan C.  
Joyce, Brian A. Walsh, Marian  
Knapik, Michael R. Wilkerson, Dianne -- 34

**YEAS.**

Ayers, Bruce J. Hynes, Frank M.  
Barrows, Fred Kane, Michael F.  
Binienda, John J. Lantigua, William  
Campbell, Linda Dean Lepper, John A.  
Casey, Paul C. Miceli, James R.  
Correia, Robert Murphy, James M.  
Creedon, Geraldine Nangle, David M.  
Curran, Sean Perry, Jeffrey Davis  
deMacedo, Viriato Manuel Peterson Jr., George N.  
Donato, Paul J. Petrolati, Thomas M.  
Evangelidis, Lewis G. Poirier, Elizabeth A.  
Fagan, James H. Polito, Karyn E.  
Flynn, David L. Rogeness, Mary S.  
Fresolo, John P. Rush, Michael F.  
Frost, Paul K. Scaccia, Angelo M.  
Garry, Colleen M. Smola, Todd M.  
Gifford, Susan W. Spiliotis, Joyce A.  
Greene Jr., William G. Timilty, Walter F.  
Hargraves, Robert S. Tobin, A. Stephen  
Humason Jr., Donald F. Webster, Daniel K. -- 40

**NAYS.**

Alicea, Geraldo Mariano, Ronald  
Allen, Willie Mae Marzilli Jr., James J.  
Atkins, Cory McCarthy, Allen J.  
Balsler, Ruth B. McMurtry, Paul  
Bosley, Daniel E. Moran, Michael  
Bradley, Garrett J. Murphy, Charles A.  
Brownsberger, William N. Murphy, Kevin M.

Cabral, Antonio F. D.  
Callahan, Jennifer M.  
Calter, Thomas  
Canavan, Christine E.  
Canessa, Stephen R.  
Coakley-Rivera, Cheryl A.  
Conroy, Thomas F.  
Costello, Michael A.  
D'Amico, Steven J.  
DeLeo, Robert A.  
Dempsey, Brian S.  
DiMasi, Salvatore F.  
DiNatale, Stephen  
Donelan, Christopher J.  
Driscoll Jr., Joseph R.  
Eldridge, James B.  
Fallon, Christopher G.  
Falzone, Mark V.  
Fennell, Robert F.  
Fernandes, John V.  
Festa, Michael E.  
Finegold, Barry R.  
Flanagan, Jennifer  
Forry, Linda Dorcena  
Fox, Gloria L.  
Galvin, William C.  
Gobi, Anne M.  
Golden Jr., Thomas A.  
Grant, Mary E.  
Guyer, Denis  
Haddad, Patricia A.  
Hall, Geoffrey D.  
Harkins, Lida E.  
Hill, Bradford  
Honan, Kevin G.  
Jones Jr., Bradley H.  
Kafka, Louis L.  
Kaprielian, Rachel  
Kaufman, Jay R.  
Keenan, John D.  
Kennedy, Thomas P.  
Khan, Kay  
Kocot, Peter V.  
Koczera, Robert M.  
Koutoujian, Peter J.  
Kujawski, Paul  
Natale, Patrick  
Naughton Jr., Harold P.  
Nyman, Robert J.  
O'Day, James  
O'Flaherty, Eugene L.  
Patrick, Matthew C.  
Peake, Sarah  
Pedone, Vincent A.  
Peisch, Alice H.  
Petersen, Douglas W.  
Petruccelli, Anthony W.  
Pignatelli, William "Smitty"  
Provost, Denise  
Puppolo, Angelo  
Quinn, John F.  
Reinstein, Kathi-Anne  
Rice Jr., Robert  
Richardson, Pam  
Rodrigues, Michael J.  
Rogers, John H.  
Ross, Richard J.  
Rushing, Byron  
Sanchez, Jeffrey  
Sandlin, Rosemary  
Sannicandro, Tom  
Scibak, John W.  
Sciortino Jr., Carl M.  
Smith, Stephen  
Smizik, Frank I.  
Speliotis, Theodore C.  
Spellane, Robert P.  
Speranzo, Christopher N.  
Stanley, Harriett L.  
Stanley, Thomas M.  
Story, Ellen  
Straus, William M.  
Sullivan, David B.  
Swan, Benjamin  
Toomey Jr., Timothy J.  
Torrise, David M.  
Turkington, Eric  
Turner, Cleon H.  
Vallee, James E.  
Wagner, Joseph F.  
Wallace, Brian P.  
Walrath, Patricia A.

Kulik, Stephen  
LeDuc, Stephen P.  
Linsky, David P.  
L'Italien, Barbara A.  
Loscocco, Paul  
Malia, Elizabeth A.

Walsh, Martin J.  
Walsh, Steven M.  
Walz, Martha M.  
Welch, James T.  
Wolf, Alice K. -- 117

### **ABSENT OR NOT VOTING**

Atsalis, Demetrius J.                      Verga, Anthony J. -- 3.  
St. Fleur, Marie P.

**The yeas and nays having been completed at sixteen minutes past one o'clock P.M., the amendment was not again agreed to, less than one-fourth of the members elected having voted in the affirmative.**

A statement of Mr. Rogers of Norwood was spread upon the records of the Joint Session, as follows:

MADAM PRESIDENT: I would like to call to the attention of the House the fact that one of our colleagues, Representative Verga of Gloucester, has informed me that he very regretfully cannot be present in the Chamber for today's Constitutional Convention due to medical concerns. Any roll calls that he may miss today will be due entirely to the reason stated.

Subsequent to the Joint Session Mr. Atsalis of Barnstable submitted a statement, as follows:

MADAM PRESIDENT: I would like to have it spread upon the records of the Constitutional Convention that I was not present in the Chamber for today's Joint Session because I was unavoidably delayed when I was stuck in traffic on Route 3 between exits 11 and 15.

A statement of Mr. Rushing of Boston concerning Ms. St. Fleur of Boston was spread upon the records of the Joint Session, as follows:

MADAM PRESIDENT: I would like to call to the attention of the Joint Session the fact that one of our colleagues, Representative St. Fleur of Boston, will not be present during today's Constitutional Convention due to the death of her father. Any roll calls that she may miss today will be due entirely to the reason stated.

Without action on the matters duly and constitutionally assigned for consideration, on motion of Ms. Menard, at seventeen minutes past one o'clock P.M., the Joint Session adjourned; and the Senate withdrew from the House Chamber, under the escort of the Sergeant-at-Arms.