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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Thursday, February 21, 2008.

Met at three minutes past eleven o'clock A.M. (Mr. Tolman in the Chair).

The Chair (Mr. Tolman), members, guests and employees then recited the pledge of allegiance to the flag.

Distinguished Guests.

There being no objection, the Chair (Mr. Tolman) introduced Liz Moore, from Mansfield, Massachusetts. Ms. Moore is the sister-in-law of Senate Counsel Alice Moore. She was accompanied by her three children, Shannon, Colleen and Patrick.

Communication.

A communication from the Honorable Therese Murray, President of the Senate, announcing her appointment of Senators John A. Hart, Jr. and Harriette L. Chandler to the Massachusetts Life Sciences Talent Initiative,— **was placed on file.**

Reports of Committees.

By Ms. Candaras, for the committee on Mental Health and Substance Abuse, on petition (accompanied by bill, Senate, No. 1119), an Order relative to authorizing the joint committee on Mental Health and Substance Abuse to make an investigation and study of a certain current Senate document relative to the location of methadone clinics (Senate, No. 2495);
Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Ms. Candaras, for the committee on Mental Health and Substance Abuse, on petition, a Bill requiring the Division of Medical Assistance to reimburse hospitals for the costs of psychiatric patients on medical units (Senate, No. 1125);

By the same Senator, for the same committee, on Senate,

No. 1120 and House, No. 1905, a Bill concerning the right of persons receiving services from programs or facilities of the Department of Mental Health to daily access to fresh air and the outdoors (Senate, No. 2493); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1134), a Bill amending the duration of commitment of alcoholics and substance abusers (Senate, No. 2494);

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Ms. Resor, for the committee on Environment, Natural Resources and Agriculture, on Senate, No. 478 and House, Nos. 736 and 755, a Bill relative to the forest products trust fund (Senate, No. 478);

By the same Senator, for the same committee, on Senate, Nos. 519 and 553 and House, Nos. 740, 769 and 824, a Bill to establish a water resources conservation act and efficiency program (Senate, No. 553);

By the same Senator, for the same committee, on Senate, Nos. 497 and 2379, a Bill relative to water protection (Senate, No. 2491); and

By the same Senator, for the same committee, on Senate, Nos. 518, 521, 533 and 546, a Bill relative to the repair, removal, and

replacement of dams (Senate, No. 2492);

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

By Mr. Augustus, for the committee on Election Laws, on petition, a Bill permitting federal candidates to help defray the cost of local party committee events (Senate, No. 435);

By the same Senator, for the same committee, on petition, a Bill regulating campaign contributions (Senate, No. 451);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 450), a Bill relative to voter registration in public high schools (Senate, No. 2490);

By Ms. Resor, for the committee on Environment, Natural Resources and Agriculture, on petition, a Bill authorizing municipalities to petition for public involvement plans in cases of hazardous material sites (Senate, No. 524);

By the same Senator, for the same committee, on petition, a Bill to strengthen waterways enforcement (Senate, No. 554, changed in line 2, by striking out the number "8" and inserting in place thereof the number "9"); and

By Ms. Candaras, for the committee on Mental Health and Substance Abuse, on petition, a Bill making technical corrections to chapter 232 of the acts of 1998 (Senate, No. 1129);

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

Committee Discharged.

Mr. Downing, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration

Of the Senate Bill establishing a charter school working group (Senate, No. 282);

Of the Senate Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to special education (Senate, No. 2498);

Of the Senate Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to the School Building Authority and civil rights (Senate, No. 2499);

Of the Senate Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to school transportation (Senate, No. 2500);

Of the Senate Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to charter schools (Senate, No. 2501);

Of the Senate Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to governance and bilingual education (Senate, No. 2502);

Of the Senate Order relative to authorizing the joint committee on Education to make an investigation and study of a certain current Senate document relative to skin cancer education (Senate, No. 2503); and

Of the Senate Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to health education (Senate, No. 2504);

And recommending that the same severally be referred to the Senate committee on Ethics and Rules.

Under Senate Rule 36, the reports were severally considered forthwith and accepted.

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:—

Petition (accompanied by bill, House, No. 4542) of Cory Atkins (by vote of the town) for legislation to make certain changes in the historic districts commission of the town of Concord;

Petition (accompanied by bill, House, No. 4543) of James B. Eldridge (by vote of the town) that the town of Lunenburg be authorized to impose assessments for water and sewer betterments; and

Petition (accompanied by bill, House, No. 4544) of David Paul Linsky and others (by vote of the town) that the town of Millis be authorized to establish a public way fund for Crestview Drive and Klifford Circle;

Severally to the committee on Municipalities and Regional Government.

Resolutions.

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

Resolutions (filed by Ms. Murray) "congratulating William Worthy, Jr. on being awarded the Neiman Foundation's Louis Lyons Award for conscience and integrity in journalism"; and

Resolutions (filed by Ms. Resor) "congratulating the town of Boxborough on the occasion of the two hundred and twenty-fifth anniversary of its incorporation."

Reports of a Committee.

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property to the town of Acton (Senate, No. 2442),— **ought to pass, with an**

amendment substituting a new draft with the same title (Senate, No. 2509).

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

The bill (Senate, No. 2509) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property to the town of Shirley (Senate, No. 2443),— **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2510).**

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

The bill (Senate, No. 2510) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill authorizing the Division of Capital Asset Management and Maintenance to grant certain easements in the towns of Russell and Montgomery over lands held for conservation and recreation purposes (Senate, No. 2444),— ought to pass, with an amendment substituting a new draft entitled “An Act authorizing the Division of Capital Asset Management and Maintenance to grant a certain easement over lands held for conservation and recreation purposes” (Senate, No. 2511).

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

The bill (Senate, No. 2511) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

Reports of Committees.

By Mr. Downing, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 7B be suspended on the Senate petition of Joan M. Menard for legislation to permit a municipal committee in the town of Freetown to conduct raffles.

Senate Rule 36 was suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government.

By Mr. Downing, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Robert A. O’Leary for legislation relative to certain benefits for Lynda Watts.

Senate Rule 36 was suspended, on motion of Mr. Tarr, 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. Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4546) of Demetrius J. Atsalis that certain sex offenders assigned to vote in schools or libraries be required to vote by absentee ballot;

Under suspension of Joint Rule 12, to the committee on Election Laws.

Petition (accompanied by bill, House, No. 4547) of Jay R. Kaufman and others relative to the donation of blood by certain minors;

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

Petition (accompanied by bill, House, No. 4548) of George N. Peterson, Jr., for legislation to designate a certain bridge over Depot Street in the town of Grafton as the Private Walter Ermak Bridge;

Under suspension of Joint Rule 12, to the committee on Transportation.

Resolutions.

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:—
Resolutions (filed by Ms. Wilkerson) “recognizing El Mundo Newspaper as it celebrates its thirty-fifth anniversary.”

Order Adopted.

On motion of Mr. Tarr,—

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday next at eleven o’clock A.M.

On motion of the same Senator, at seventeen minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Monday at eleven o'clock A.M.