

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.

Wednesday, April 2, 2008.

Met at one minute past eleven o'clock A.M. (Mr. Rosenberg in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

The Senator from Norfolk, Bristol and Middlesex, Mr. Brown led the Chair (Mr. Rosenberg), members, guests and employees in the recitation of the pledge of allegiance to the flag.

Communication.

A communication from the Department of Public Health relative to a plan of correction submitted pursuant to inspection of the Western Massachusetts Regional Women's Correctional Center (received Monday, March 31, 2008),— **was placed on file.**

Report.

A report of the Massachusetts State Lottery Commission (under the provisions of Section 38 of Chapter 10 of the General Laws) submitting its 2007 Charitable Gaming Division Annual Report (received Monday, March 31, 2008),— **was placed on file.**

Petitions.

Mr. Tisei presented a petition (accompanied by bill, Senate, No. 2602) of Richard R. Tisei, Thomas M. McGee and Katherine M. Clark (with the approval of the mayor and city council) for legislation to authorize the city of Melrose to issue pension funding bonds or notes,— **and the same was referred, under Senate Rule 20, to the committee on Municipalities and Regional Government.**

Sent to the House for concurrence.

Mr. Knapik presented a petition (subject to Joint Rule 12) of Michael R. Knapik, Peter V. Kocot and Donald P. Humason, Jr. for legislation to authorize the Department of Fish and Game to acquire a conservation restriction on lands of the city of Westfield,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Reports of Committees.

Mr. Moore, for the committee on Health Care Financing, that the Senate Bill relative to dementia special care units in long-term care facilities (Senate, No. 425),— **ought to pass (Estimated cost — less than \$100,000);**
Read and, under Senate Rule 26, referred to the committee on Ethics and Rules.

By Mr. Morrissey, for the committee on Consumer Protection and Professional Licensure, on petition (accompanied by bill, Senate, No. 2237), a Bill relative to authorizing the city of Northampton to convert five currently issued seasonal all alcohol licenses to annual all alcohol licenses (Senate, No. 2594) [Local approval received on Senate, No. 2237];
Read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

By Mr. Buoniconti, for the committee on Financial Services, ought NOT to pass:
On the petition (accompanied by bill, Senate, No. 576) of Robert S. Creedon, Jr. for legislation relative to calling for the accountability of the Commissioner of Insurance by converting the position to an elected office;
On the petition (accompanied by bill, Senate, No. 594) of Brian A. Joyce for legislation relative to group insurance;
On the petition (accompanied by bill, Senate, No. 626) of Marc R. Pacheco for legislation to increase options in the case of loss of group health insurance coverage;
On the petition (accompanied by bill, Senate, No. 635) of Bruce E. Tarr, Richard R. Tisei, Thomas P. Kennedy, Christine E. Canavan and other members of the General Court for legislation to maintain health coverage for the seriously ill;
On the petition (accompanied by bill, Senate, No. 638) of Richard R. Tisei, Bradley H. Jones, Jr., Bruce E. Tarr, Paul J.P. Loscocco and other members of the General Court for legislation to create healthcare purchasing cooperatives; and
On the petition (accompanied by bill, Senate, No. 747) of Jarrett T. Barrios, David M. Torrissi, Mark C. Montigny, Brian A. Joyce and other members of the General Court for legislation to preserve home ownership;
By Mr. Marzilli, for the committee on Tourism, Arts and Cultural Development, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 2002) of Robert L. Hedlund, Carl M. Sciortino, Jr., Christine E. Canavan, Jennifer M. Callahan and other members of the General Court for legislation relating to the treatment of elephants; and
By Mr. McGee, for the committee on Veterans and Federal Affairs, ought NOT to pass, on the petition (accompanied by bill, Senate, No. 2144) of James E. Timilty for legislation relative to the definition of a World War II veteran;
Severally referred, under Senate Rule 36, to the committee on Ethics and Rules.

PAPER FROM THE HOUSE.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating the acts and proceedings of the 2007 spring annual town meeting and 2007 fall annual town meeting by the town of Natick (House, No. 4623),— **was referred, in concurrence, to the committee on Municipalities and Regional Government.**
Communication.

The Clerk read the following communication:

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133-1053

April 1, 2008.

Mr. William Welch, Clerk
Massachusetts State Senate
State House, Room 335
Boston, MA 02133

Dear Mr. Clerk:

On Thursday March 20, 2008, I was absent from the Senate floor due to a very important matter in my district. I missed two roll calls. The first roll call was an amendment to H4595 RESOLUTIONS PROVIDING FOR A DECLARATION OF THE INTENT OF THE HOUSE OF REPRESENTATIVES AND THE SENATE RELATIVE TO THE AMOUNT AND DISTRIBUTION OF LOCAL AID TO THE COMMONWEALTH'S CITIES, TOWNS AND REGIONAL SCHOOL DISTRICTS FOR FISCAL YEAR 2009. After debate, the question on adoption of the amendment was determined by a call of the yeas and the nays at one minute before seven o' clock P.M. Had I been present, I would have voted no on this amendment.

The question on adoption of the resolutions (H 4595) was determined by a call of the yeas and nays at five minutes past seven o' clock P.M. Had I been present, I would have voted yes on the resolutions.

I would respectfully request that this letter be published in the Senate Journal as part of the official record. Thank you in advance for your assistance in this matter.

*Sincerely,
Dianne Wilkerson,
State Senator,
Second Suffolk District.*

On motion of Mr. Brown the above communication was ordered printed in the Journal of the Senate.

Report of a Committee.

Mr. Downing, 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 House Bill further regulating parking for handicapped persons (House, No. 3499, changed).

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

PAPERS FROM THE HOUSE.

Engrossed Bills.

The following engrossed bills (all of which originated in the House), 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 (Mr. Rosenberg) and laid before the Governor for his approbation, to wit:

Relative to the board of public works in the town of Whitman (see House, No. 4045);

Increasing the membership of the board of selectmen in the town of Georgetown (see House, No. 4166); and

Authorizing the city of Salem to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (see House, No. 4456).

Engrossed Resolve.

An engrossed Resolve providing for an investigation and study by a special commission relative to the establishment of a cranberry heritage area (see Senate, No. 2496) (which originated in the Senate), 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 (Mr. Rosenberg) and laid before the Governor for his approbation.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4643) of Stephen L. DiNatale relative to the penalties for the use or manufacture of hidden compartments for the purpose of transporting or distributing controlled substances;

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

Petition (accompanied by bill, House, No. 4644) of Cleon H. Turner for legislation to regulate the number of sales tax holidays, so-called, in the Commonwealth.

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

Order Adopted.

On motion of Mr. Brown, —

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow at one o'clock P.M., in a full formal session.

On motion of the same Senator, at eight minutes past eleven o'clock A.M., the Senate adjourned to meet on the following day at one o'clock P.M.