

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.

Monday, June 4, 2007.

Met at one minute past eleven o'clock A.M. (Mr. McGee in the Chair).

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

Distinguished Guests.

There being no objection, the Chair (Mr. McGee) introduced, seated in the Senate Gallery, students from the Sacred Heart School in Lynn. The students included Mr. McGee's son Thomas and his daughter Katherine.

There being no objection, the Chair (Mr. McGee) handed the gavel to Mr. Hedlund for the purpose of an introduction. Mr. Hedlund then introduced the 2nd grade class from the Foster School in Hingham.

Communication.

A communication from the Honorable Therese Murray, President of the Senate announcing the appointment (pursuant to Section 29A of Chapter 23G of the General Laws) of Vivian Li to the Brownfields Advisory Group for a term to expire on March 20, 2009,— **was placed on file.**

Petitions.

Petitions were presented and referred, as follows:

By Mr. Havern, a petition (subject to Joint Rule 12) of Robert A. Havern for legislation to provide coverage for hearing aids for children;

By the same Senator, a petition (subject to Joint Rule 12) of Robert A. Havern for legislation relative to Susan B. Carpenter;

By Mr. Joyce, a petition (subject to Joint Rule 12) of Brian A. Joyce, Robert M. Koczera, Denise Provost and other members of the General Court for legislation to impose an excise on the use of plastic carryout bags in certain stores; and

By Ms. Walsh, a petition (subject to Joint Rule 12) of Marian Walsh for legislation relative to designating a certain corner in the West Roxbury section of the city of Boston as the Nicholas G. Beram Veterans Association Corner;

Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Report of a Committee.

By Ms. Jehlen, for the committee on, Elder Affairs, on petition, a Bill requiring adequate discharge planning for nursing home residents (Senate, No. 410);

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

Committees Discharged.

Mr. Moore, for the committee on Health Care Financing, reported, asking to be discharged from further consideration of the Senate Bill relative to welfare reform (Senate, No. 115, changed),— **and recommending that the same be referred to the Senate committee on Ways and Means.**

Under Senate Rule 36, the report was considered forthwith and accepted.

Sent to the House for concurrence in the discharge of the joint committee.

Ms. Jehlen, for the committee on Elder Affairs, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 420) of Richard T. Moore, Joan M. Menard, Scott P. Brown, Jennifer M. Callahan and other members of the General Court for legislation to establish collaborative drug therapy management,— **and recommending that the same be referred to the committee on Health Care Financing.**

Under Senate Rule 36, the report was considered forthwith and accepted.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4002) of Ronald Mariano and Joseph R. Driscoll relative to the boundaries of a certain parcel of land on the Fore River and located in the city of Quincy and in the town of Braintree,— **was referred, in concurrence, under suspension of Joint Rule 9, to the committee on Environment, Natural Resources and Agriculture.**

Notice was received from the House announcing the following appointment:

That Representative Evangelidis of Holden has been appointed by the Minority Leader to the Task Force (established pursuant to Section 17 of Chapter 42 of the Acts of 2007) to investigate long-term and short-term solutions to preserve and strengthen the dairy farm industry in Massachusetts.

Resolutions.

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

Resolutions (filed by Mr. Brewer) “honoring Constance Jean Thompson”;

Resolutions (filed by Mr. Brewer) “congratulating Chief Richard S. Ullery, Jr. on the occasion of his retirement from the Wales Police Department”;

Resolutions (filed by Mr. Joyce) “congratulating Carolyn Ina Broody Zidel on her retirement from Simon C. Fireman Community, Hebrew Seniorlife”;

Resolutions (filed by Mr. Knapik) “congratulating Mayor Michael J. Sullivan”;

Resolutions (filed by Mr. Pacheco) “congratulating Jackie Gorrie on her retirement”;

Resolutions (filed by Mr. Rosenberg) “congratulating the University Without Walls Program at the University of Massachusetts Amherst”; and

Resolutions (filed by Ms. Wilkerson) “commending Rosa A. Smith, Ph.D.”

Communication.

The Clerk read the following communication:

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

June 1, 2007.

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

Dear Mr. Clerk:

On Thursday, May 24, 2007, I was unable to be present for one roll call vote during the Senate Fiscal Year 2008 Budget proceedings.

Had I been present, I would have voted in the negative for Amendment #252, Relative to the Maximization of Revenue. I would appreciate your assistance with the printing of this communication in the Senate journal.

Thank you in advance for your help with this request.

Very Truly Yours,
ROBERT A. ANTONIONI,
State Senator,
Worcester and Middlesex District.

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

Recess.

There being no objection, four minutes past eleven o'clock A.M., the Chair (Mr. McGee) declared a recess subject to the call of the Chair; and, at twenty-two minutes before twelve o'clock noon, the Senate reassembled, Mr. McGee in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

PAPERS FROM THE HOUSE.

Emergency Preamble Adopted; Engrossed Bill Enacted.

An engrossed Bill establishing a sick leave bank for Yaniris Cabrera, an employee of the Trial Court (see Senate, No. 2181, amended), 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 (Mr. McGee) and sent to the House for enactment.

Subsequently, the bill, which originated in the Senate, came from the House with the endorsement that it had been enacted in that branch.

The Senate then passed the bill to be enacted; and it was signed by the Acting President (Mr. McGee) and laid before the Governor for his approbation.

Recess.

There being no objection, at ten minutes before twelve o'clock noon, the Chair (Mr. McGee) declared a recess subject to the call of the Chair; and, at twenty-two minutes before five o'clock P.M., the Senate reassembled, the President in the Chair.

PAPER FROM THE HOUSE.

A Bill relative to certain real property in the city of Northampton (House, No. 3975,— on petition),— **was read.**

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

Reports of a Committee.

By Mr. Panagiotakos, for the committee on Ways and Means, that the House Bill authorizing the transfer of certain land to the city of Boston (House, No. 53),— **ought to pass.**

There being no objection, the rules were suspended, on motion of Mr. Rosenberg, and the bill was read a second time and ordered to a third reading.

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill relative to pension divestment (Senate, No. 2217),— **ought to pass, with an amendment substituting a new draft with same title (Senate, No. 2255) (Senator Chandler dissenting).**

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

The bill (Senate, No. 2255) was then ordered to a third reading.

Order Adopted.

On motion of Mr. Tarr,—

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 Mr. Rosenberg, at fourteen minutes before five o'clock P.M., the Senate adjourned to meet on the following day at one o'clock P.M.