

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, July 23, 2007.

Met according to adjournment at eleven o'clock A.M. (Mr. Rosenberg in 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.

Communications.

The following communications were severally read and placed on file, to wit:—

A communication from the Honorable Therese Murray, President of the Senate, announcing the appointment of Senator Robert A. Antonioni, Senate Chairman of the Committee on Education, to the Commonwealth Readiness Project; and

A communication from the Honorable Therese Murray, President of the Senate, announcing the appointment of Senator Richard T. Moore to the Special Commission established (pursuant to Section 26 of Chapter 428 of the Acts of 2006) to make an investigation and study of drowsy driving.

Petition.

Ms. Chandler presented a petition (subject to Joint Rule 12) of Harriette L. Chandler and Lewis G. Evangelidis for legislation to authorize the Division of Capital Asset Management and Maintenance to grant an easement in certain land in the town of Holden [Local approval received],— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Papers from the House.

Notice was received from the House announcing the following appointments:

That Representative Gifford of Wareham has been appointed by the Minority Leader to the Special Commission (established pursuant to Section 84 of Chapter 61 of the Acts of 2007) to review the current state of the homeowners' insurance market.

That Representatives Costello of Newburyport and Tobin of Quincy have been appointed by the Speaker of the House to the Madeline Amy Sweeney Award Selection Committee (established pursuant to Section 214 of Chapter 6 of the General Laws) for the purpose of selecting citizens of the Commonwealth who have displayed extraordinary courage, bravery and heroism without regard to personal safety, in an effort to save the life of another.

Resolutions.

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

Resolutions (filed by Mr. Brewer) “congratulating Mr. and Mrs. Robert Briere on the occasion of their fiftieth wedding anniversary”;
Resolutions (filed by Ms. Candaras and Mr. Tolman) “commending Elizabeth Childs, M.D. for her dedicated service as Commissioner of Mental Health”;
Resolutions (filed by Mr. O’Leary, Ms. Murray, Ms. Jehlen, Mr. Pacheco, Ms. Resor and Mr. Tarr) “memorializing the United States Congress to designate the Vineyard and Nantucket Sounds as no discharge zones”;
Resolutions (filed by Mr. Pacheco) “congratulating Don Dickens on his retirement”; and
Resolutions (filed by Ms. Spilka, Messrs. Antonioni, Brewer, Havern, Joyce, Montigny and Moore, Ms. Resor, Messrs. Rosenberg, Tisei and Tolman, Ms. Tucker and Ms. Walsh) “honoring Leis H. ‘Harry’ Spence for his outstanding dedication and service to children of the Commonwealth and their families.”

Communication.

The Clerk read the following communication:

OFFICE OF THE MAJORITY WHIP
MASSACHUSETTS SENATE
STATE HOUSE, ROOM 216, BOSTON, MA 02133

Dear Mr. Clerk:

Due to an unavoidable scheduling conflict I was unable to attend the July 19, 2007 Senate session. Had I been present I would have voted in the affirmative on the following two roll call votes:

H.B. 4110: An Act to Reduce the Reliance on Property Taxes through Municipal Health Care.

H.B. 3954: An Act Authorizing the Town of Wellesley to Exchange Certain Property with James and Pamela Broderick.

I respectfully request that these remarks be reflected in the Senate Journal.

Sincerely,
JOAN M. MENARD,
Senate Majority Whip,
1st Bristol and Plymouth District.

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

Reports of Committees.

By Ms. Menard for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Robert A. Antonioni for legislation relative to the Massachusetts Academy of Math and Science at WPI. **Senate Rule 36 was suspended, on motion of Ms. Tucker, 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. Sent to the House for concurrence.**

Paper from the House.

A petition (accompanied by bill, House, No. 4175) of Brian S. Dempsey and others for legislation to designate a certain bridge on Route 110 in the city of Haverhill as the Emilio Brothers Memorial Bridge,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Transportation.**

Recess.

There being no objection, at eight minutes past eleven o’clock A.M., the Chair (Mr. Rosenberg) declared a recess subject to the call of the Chair; and, at eleven minutes before twelve o’clock noon, the Senate reassembled, the 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).

Papers from the House.

Emergency Preamble Adopted.

An engrossed Bill relative to property owned by the Boys and Girls Club of Brockton, Inc. (see Senate, No. 2175), 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 3 to 0. The bill was signed by the Acting President (Mr. Rosenberg) and sent to the House for enactment.

Engrossed Bill.

An engrossed Bill improving juror service (see Senate, No. 2261, amended) (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.

Recess.

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

Paper from the House.

A Bill relative to licensing board salaries in the city of Boston (House, No. 2012,— on petition) [Local approval received],— **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, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act increasing the salaries of the licensing board in the city of Boston”.

Reports of a Committee.

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill relative to welfare reform (Senate, No. 115, changed),— **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2295).**

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. 2295) was ordered to a third reading.

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill relative to employer assisted housing (Senate, No. 746),— **ought to pass, with an amendment substituting a new draft entitled “An Act relative to employer assisted housing and responsible lending” (Senate, No. 2296).**

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. 2296) was ordered to a third reading.

Order Adopted.

Mr. Panagiotakos offered the following order, to wit:

Ordered, Notwithstanding Senate Rule 7 or any other rule to the contrary:

(1) the Senate Bill relative to welfare reform (Senate, No. 115, changed), with the new draft proposed by the committee on Ways and Means (Senate, No. 2295); and

(2) the Senate bill relative to employer assisted housing (Senate, No. 746), with the new draft proposed by the committee on Ways and Means (Senate, No. 2296);

shall be read a second time and ordered to a third reading with the recommended Ways and Means new draft. The new drafts shall be placed in the Orders of the Day for a third reading, in each instance, on the Senate calendar for Tuesday, July 24, 2007.

All amendments to the new drafts (Senate, No. 2295) and (Senate, No. 2296) shall be filed electronically in the Office of the Clerk of the Senate no later than 10:00 A.M, on Tuesday, July 24, 2007 for consideration during the session of July 24, 2007.

Under the rules, referred to the committee on Ethics and Rules.

Subsequently, Ms. Menard, for the said committee, reported, recommending that the order ought to be adopted.

The rules were suspended, on motion of Mr. Tarr, and the order was considered forthwith and adopted.

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 the same Senator, at twelve minutes past two o'clock P.M., the Senate adjourned to meet on the following day at one o'clock P.M.