

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, August 18, 2008.

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

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

Report of a Committee.

By Mr. Galluccio, for the committee on Public Service, on petition, a Bill relative to the maximum age requirement for police officers in the town of Manchester-by-the-Sea (Senate, No. 2809) [Local approval received];

Read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

PAPERS FROM THE HOUSE.

A joint petition (accompanied by bill, House, No. 5077) of Sarah K. Peake and Robert A. O'Leary (by vote of the town) that the town of Harwich be authorized to establish an affordable housing fund under the jurisdiction of the treasurer of said town,— **was referred, in concurrence, to the committee on Housing.**

Notice was received from the House announcing the following appointment:

That House Minority Leader had appointed Representative deMacedo of Plymouth as his designee to the advisory commission established (under Section 2 of Chapter 114 of the Acts of 2008) to assist the Secretary of Energy and Environmental Affairs in developing an ocean management plan.

Engrossed Bill Returned by Governor with Recommendation of Amendment.

The engrossed bill authorizing the development of a regional education, training and skills center in the city of Taunton (see Senate, No. 53, changed and amended) (which on Monday, August 4, 2008, had been laid before the Governor for his approbation), was returned to the Senate Clerk by the Governor on Thursday, August 14, 2008 at ten minutes before four o'clock A.M., with a message recommending an amendment.

The message (Senate, No. 2873) was read and the Senate proceeded to reconsider the bill, in accordance with the provisions of Article LVI of the Amendments to the Constitution.

Pending action thereon, the bill was referred to the committee on Bills in the Third Reading, on motion of Mr. Moore.

Bill Returned by Governor With His Objections Thereto.

A message from His Excellency the Governor, returning, with his disapproval of Section 13 contained in the engrossed bill relative to the preservation of dairy farms (Senate, No. 2743, amended) which, on Monday, August 4, 2008, had been laid before the Governor for his approbation, and which, at ten minutes before four o'clock A.M., on Thursday, August 14, 2008, had been returned by His Excellency, under Article LXIII of the Amendments to the Constitution, to the Senate Clerk, together with his

objections thereto in writing as relates to Section 13.

The message (Senate, No. 2872) was read and, under Senate Rule 27 referred to the committee on Ways and Means.

Resolutions.

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

Resolution (filed by Mr. Antonioni) “recognizing the retirement of the Honorable Joseph L. Hart, Jr.”

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 Senate Resolve relative to a special commission to study innovative methods for funding the conservation of forested wildlands and woodlands in the Commonwealth (Senate, No. 477) (the committee on Ethics and Rules having recommended that the resolve be amended substituting a new draft with the same title (Senate, No. 2874).

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

The bill (Senate, No. 2874) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

Communication.

The Clerk read the following communication:

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

August 14, 2008.

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

Dear Mr. Clerk:

On Thursday July 31, 2008, I was absent from the Senate Floor due to a matter of significant importance to my district, I missed three roll calls.

1. H 4900 AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2009 FOR THE MAINTENANCE OF THE DEPARTMENTS, BOARDS, COMMISSIONS, INSTITUTIONS AND CERTAIN ACTIVITIES OF THE COMMONWEALTH, FOR INTEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS AND FOR CERTAIN PERMANENT IMPROVEMENTS. Relative to a veto override of Item 8324-0000 Department of Fire Services.

2. House 4089 AN ACT AUTHORIZING THE APPOINTMENT OF CERTAIN PERSONS AS FIREFIGHTERS IN THE CITY OF FALL RIVER. Relative to a veto override.

3. House 4139 AN ACT AUTHORIZING SUPERANNUATION RETIREMENT FOR LEO SENEAL. Relative to a veto override.

Had I been present, I would have voted in the affirmative on all three matters.

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,
DIANE WILKERSON,
State Senator,
Second Suffolk District.

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

PAPER FROM THE HOUSE.

Engrossed Bill.

An engrossed Bill exempting the position of police captain in the town of Hudson from the provisions of the civil service law (see House, No. 4777) (which originated in the House), 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. Petruccelli) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Moore,—

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

On motion of Mr. Knapik, at nine minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Thursday at eleven o'clock A.M.