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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Thursday, August 30, 2007.

Met at ten minutes past eleven o'clock A.M. (Ms. Wilkerson 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 (Ms. Wilkerson), members, guests and employees then recited the pledge of allegiance to the flag.

Communication.

A communication from the Honorable Richard R. Tisei, Senate Minority Leader, announcing the appointment of Richard Smith, Chief of Police for the town of Wakefield, to the special commission established to study the existing levels of services offered to reduce recidivism rates (pursuant to Section 87 of Chapter 61 of the Acts of 2007),— **was placed on file.**

Report.

A report of the Commission on the Status of Woman (under the provisions of Section 66 of Chapter 3 of the General Laws) submitting its annual report for fiscal year 2007 (received Monday, August 27, 2007),— **was placed on file.**

Reports of Committees.

By Ms. Wilkerson, for the committee on State Administration and Regulatory Oversight, on petition, a Bill relative to brain aneurysm awareness month (Senate, No. 1870);

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

By Mr. Downing, for the committee on Public Service, on petition, a Bill exempting Brian J. Donoghue of Norwood from the maximum age requirements for appointment as a firefighter in the town of Norwood (Senate, No. 2257) [Local approval received];

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

Petition.

On motion of Mr. Moore, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Ms. Menard, (accompanied by bill) of Joan M. Menard and William M. Straus for legislation to establish a sick leave bank for Kathryn McGaffey, an employee of the Department of Social Services,— **and the same was referred to the committee on Public Service.**

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4227) of Daniel E. Bosley for legislation to establish a creative economy council

within the Executive Office of Housing and Economic Development;

Under suspension of Joint Rule 12, to the committee on Economic Development and Emerging Technologies.

Petition (accompanied by bill, House, No. 4228) of Daniel E. Bosley and others for legislation to designate Norman Rockwell as the official artist of the Commonwealth;

Under suspension of Joint Rule 12, to the committee on Tourism, Arts and Cultural Development.

Matter Taken Out of the Orders of the Day.

There being no objection, the following matter was taken out of the Orders of the Day and considered as follows:

The House Bill relative to certain disability retirement for Thomas Kamataris (House, No. 4077),— 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 relative to retirement benefits for Thomas Kamataris”.

PAPERS FROM THE HOUSE.

A Bill designating a certain parcel of land in the town of Canton as the Clyde S. Pushard Field (House, No. 750,— on petition),— **was read.**

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

The Senate Bill further regulating access to birth certificates (Senate, No. 63, amended),— came from the House passed to be engrossed, in concurrence with an amendment in section 1, by adding the following paragraph:

“(c) Any child of a deceased parent who was adopted shall have the rights enumerated in this section”; and inserting after section 2 the following section:

"SECTION 3. Paragraph (h) of section 13 of said chapter 46, as appearing in the 2006 Official Edition, is hereby amended by striking out the eleventh sentence and inserting in place thereof the following 2 sentences:- If the original record has been amended following adoption in accordance with this section, the clerk or state registrar shall issue information contained in the original record only upon receipt of an order of the probate court for the county in which said adoption was granted or in accordance with section 2B, or in the case of an adoption granted outside the commonwealth, upon order of the probate court for the county in which said birth occurred or in accordance with said section 2B, instructing said clerk or state registrar to release the information contained in such original record. Evidence contained in the adoption record of a parent's willingness to provide information about her identity to the adopted person shall in extraordinary circumstances, be considered sufficient evidence to warrant the granting of an order for release of the information contained in the birth certificate registered prior to adoption.

Senate Rule 36 was suspended, on motion of Mr. Brewer, and the House amendment was considered forthwith.

Mr. Berry presented a motion that the Senate concur with the House amendment with a further amendment striking out in section 1 the following paragraph (inserted by amendment by the House):—

“(c) Any child of a deceased parent who was adopted shall have the rights enumerated in this section”; and in section 2 by adding the following:—

Section 2C. If an adopted person is deceased, his child, if 18 years or older, or such child's parent or guardian if such child is less than 18 years of age, shall be eligible to apply for the information his adopted parent would have access to under section 2B and to participate in the adoption contact information registry pursuant to section 31.”

The motion prevailed and the Senate concurred in the House amendment with the further amendment.

Sent to the House for concurrence in the further amendment.

Engrossed Bills.

The following engrossed bills (the first two of which originated in the Senate), 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 (Ms. Wilkerson) and laid before the Governor for his approbation, to wit:

Further regulating access to birth certificates (see Senate, No. 63, amended);

Relative to elections in the city of Lowell in 2007 (see Senate, No. 2323); and

Designating a certain bridge in the town of Freetown as the Joseph F. Simmons, Jr. bridge (see House, No. 3643, changed).

Order Adopted.

On motion of Mr. Tarr,—

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

Adjournment in Memory of Army Specialist Jeremy Bouffard.

The Senator from Berkshire, Hampshire and Franklin, Mr. Downing, presented a request that when the Senate adjourns today, it do so in memory of Army Specialist Jeremy Paul Bouffard of Middlefield.

Army Specialist Jeremy Paul Bouffard, a 21 year old graduate of Gateway Regional High School, was an infantry scout with the 25th Infantry Division stationed in Iraq. Bouffard's helicopter went down after completing a mission in the northern province of Tamim. Bouffard was known to his friends and family as a kind young man who chose to serve out of a sense of honor and commitment to the nation.

Army Specialist Bouffard is survived by his wife, Amanda, son Caleb Matthew, parents Paula and Stephen, and sisters, Therese, Molly, and Maegan.

Accordingly, as a mark of respect to the memory of Army Specialist Jeremy Bouffard of Middlefield, at two minutes past one o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Tuesday next at eleven o'clock A.M.