

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, November 21, 2007.

Met according to adjournment at 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 Middlesex and Essex, Mr. Tisei, led the Chair (Mr. Rosenberg), members, guests and employees in the recitation of the pledge of allegiance to the flag.

Reports.

The following reports were severally read and placed on file:

A report of the Statewide Emergency Telecommunications Board (under the provisions of Section 18B of Chapter 6A of the General Laws) submitting its annual report for calendar year 2006 (received Friday, November 16, 2007); and

A report of the Bristol County Registry of Deeds (under the provisions of Section 4 of Chapter 4 of the Acts of 2003 and section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure from the County Registers Technological Fund (copies having been forwarded as required to the Senate Committees on Ways and Means and Post Audit and Oversight) (received Monday, November 19, 2007).

The following reports were severally read and sent to the House for its information:

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of the Hampshire County Jail and House of Correction (received Thursday, November 15, 2007);

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of the Franklin County Jail and House of Correction. (received Friday, November 16, 2007);

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of MCI Norfolk (received Monday, November 19, 2007); and

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of the Western Massachusetts Regional Women's Correctional Center (received Tuesday, November 20, 2007).

Petition.

Ms. Chandler presented a petition (subject to Joint Rule 12) of Harriette L. Chandler, Daniel E. Bosley, Edward M. Augustus, Jr., Stanley C. Rosenberg and other members of the General Court for legislation to provide for the full faith and credit of the

Commonwealth to certain evidences of indebtedness issued to regional transit authorities,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Report of a Committee.

By Mr. Petruccelli, for the committee on Municipalities and Regional Government, on petition (accompanied by bill, Senate, No. 1190), a Bill relative to the membership of the conservation commission of the town of Carver (Senate, No. 2428.) [Local approval received on Senate, No. 1190];

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

PAPERS FROM THE HOUSE.

Bills

Relative to abandoned vessels (House, No. 4188,— on House, No. 3781) ;

Authorizing the Commissioner of Capital Asset Management and Maintenance to transfer control of a certain parcel of land (House, No. 4202,— on House, No. 58); and

Relative to the economic development of the Commonwealth (House, No. 4383,— on House, Nos. 375, 377 and 4297);

Were severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

A Bill relative to the use of certain bonds by the Blackstone-Millville Regional School District (House, No. 4389,— on Senate, No. 2246),— **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

A Bill relative to the Ipswich affordable housing trust fund (House, No. 4072,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Communication.

The Clerk read the following communication:

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

November 21, 2007.

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

Dear Mr. Clerk:

ing the Senate Session held on November 20, 2007, I was absent from the Chamber because I was out of state on a previously scheduled trip with my family for the Thanksgiving holiday.

I was, consequently, not recorded on several roll call votes. If I had been present, I would have voted in the affirmative on the following:

House Bill 4121, “An Act Authorizing the Town of Needham to Construct and Maintain a Common Sewer Through Land Acquired for Conservation Purposes”.

House Bill 4185, “An Act Authorizing the Conveyance of a Certain Parcel of Land in the City of Boston”.

House Bill 4216, “An Act Authorizing the City of Fitchburg to Convey Certain Land in the City of Fitchburg in Exchange for the Conveyance of Land by Dawn M Tully to the City of Fitchburg for Watershed Protection Purposes”.

Senate Bill 2367, “An Act to Establish Standards for Long Term Care Insurance”.

Senate Bill 2129, “An Act Relative to Fuel and Shelter Benefits for Veterans”.

House Bill 4189, “An Act Authorizing the Division of Capital Asset Management and Maintenance to Convey a Certain Parcel of Land in the City of Worcester”.

Senate Bill 2083, “An Act Increasing the Punishment for Drag Racing”.

Senate Bill 2247, "An Act Relative to Certain Conservation Land in the Town of Amherst".

House Bill 4098, "An Act Relative to the Town of Duxbury".

Senate Bill 2301, "An Act Establishing the Commonwealth Corps".

Senate Bill 1145, "An Act Authorizing the Town of Lunenburg to Exchange Certain Land".

House Bill 4186, "An Act Authorizing the Commissioner of the Division of Capital Asset Management and Maintenance to Convey Certain Land to Sullivan McLaughlin Companies, Inc.".

Senate Bill 2210, "An Act Authorizing the Division of Capital Asset Management and Maintenance to Exchange Land Held for Conservation and Recreation Purposes with the Nye Family of America Association, Inc.".

Senate Bill 2248, "An Act Allowing for the Continued Use of State Owned Property for Fishing, Boating and Tourism Purposes on the Congamond Lake In Southwick".

House Bill 4122, "An Act Relative to the Change from Conservation Use to General Municipal Use of a Portion of the Property Known as Ridge Hill Reservation in the Town of Needham".

House Bill 4387, "An Act Protecting and Preserving Home Ownership".

I respectfully request that a copy of this letter be printed in the Journal of the Senate. Thank you in advance for your assistance.

Sincerely,
STEPHEN M. BREWER,
State Senator.

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

Papers From The House.
Emergency Preambles Adopted.

An engrossed Bill to promote veterans benefits (see Senate, No. 2397), 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. Rosenberg) and sent to the House for enactment.

An engrossed Bill authorizing the transfer of the former Fisher Hill Reservoir in the town of Brookline (see House, No. 4343, 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. Rosenberg) and sent to the House for enactment.

An engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to exchange certain land in the town of Needham (see House, No. 4367), 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. Rosenberg) and sent to the House for enactment.

Matters Taken Out of the Orders of the Day.

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

The House Bill authorizing the town of Foxborough to grant three additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4300),— **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 authorizing the town of Foxborough to grant 3 additional licenses for the sale of all alcoholic beverages to be drunk on the premises".**

The Senate Bill relative to property tax exemptions in the town of Swampscott (Senate, No. 2324),— **was read a third time and**

**passed to be engrossed.
Sent to the House for concurrence.**

Recess.

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

PAPER FROM THE HOUSE.

The engrossed Bill protecting and preserving home ownership (House, No. 4387), came from the House amended as follows: in Section 20, by striking out the following figure "2007" and inserting in place thereof the figure "2008"; and in Section 21, by striking out the figure "2007" and inserting in place thereof the following figure "2008".

The rules were suspended, on motion of Mr. Tisei, and the House amendment was considered forthwith and adopted, in concurrence.

Engrossed Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor, returning with recommendation of amendment the engrossed Bill relative to the sharing of information by the Division of Unemployment Insurance (see House, No. 4157) [being the text contained in Section 17 of the General Appropriation Bill (see House, No. 4141)] [for message, see Attachment C of House, No. 4156],— came from the House with the endorsement that the House had rejected the amendment recommended by the Governor, and had adopted the following amendment, by striking out all after the enacting clause and inserting in place thereof the following:—

"Subsection (c) of section 46 of chapter 151A of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by adding the following clause:—

(7) to the division of health care finance and policy, information under an interagency agreement for the administration and enforcement of sections 6B, 6C and 18B of chapter 118G and for the administration of the fair share employer contribution requirement under section 188 of chapter 149."

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

The rules were suspended, on motion of Mr. Tisei.

The Governor's amendment was then rejected.

The House amendment was considered; and it was adopted, in concurrence.

Sent to the House for re-enactment.

Engrossed Bills.

The following engrossed bills (the first three 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 (Mr. Rosenberg) and laid before the Governor for his approbation, to wit:—

Increasing the punishment for drag racing (see Senate, No. 2083);

Authorizing the city of Lowell to pay a certain court judgment (see Senate, No. 2329);

To promote veterans benefits (see Senate, No. 2397); and

Authorizing the Division of Capital Asset Management and Maintenance to exchange certain land in the town of Needham (see House, No. 4367).

Recess.

There being no objection, at fourteen 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 one o'clock P.M., the Senate reassembled, Mr. Rosenberg in the Chair.

Papers From The House.

Emergency Preambles Adopted.

An engrossed Bill establishing a sick leave bank for Michelle Souther, an employee of the Registry of Motor Vehicles (see Senate, No. 2384), 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. Rosenberg) and sent to the House for enactment.**

An engrossed Bill relative to the sharing of information by the Division of Unemployment Insurance (see House, No. 4157, 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. Rosenberg) and sent to the House for enactment.**

An engrossed Bill protecting and preserving home ownership (see House, No. 4387, 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. Rosenberg) and sent to the House for enactment.

Engrossed Bills.

The following engrossed bills (the first 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 (Mr. Rosenberg) and laid before the Governor for his approbation, to wit:—

Establishing a sick leave bank for Michelle Souther, an employee of the Registry of Motor Vehicles (see Senate, No. 2384);
Authorizing the town of Foxborough to grant 3 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4300); and

Protecting and preserving home ownership (see House, No. 4387, amended).

An engrossed Bill relative to the sharing of information by the Division of Unemployment Insurance (see House, No. 4157, amended) (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 re-enacted and was signed by the Acting President (Mr. Rosenberg) and again laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Tisei,—

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

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