

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.

Thursday, January 24, 2008.

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

Distinguished Guests.

There being no objection, the Chair (Mr. Tolman) handed the gavel to Mr. Moore for the purpose of an introduction. Mr. Moore then introduced students from East Boston High School, who are active participants in the "Reebok 4 Real Students Advocate Program". The Senate commends you for your outstanding commitment to human rights around the world and the elimination of land mines worldwide. We also welcome and applaud human rights advocate Abraham Gebreyesus, who at the age of 11 survived a land mine explosion in the fields of his small village town in Eritrea.

Communications.

The following communications were severally placed on file:

Communication from the Department of Public Health relative to a plan of correction submitted pursuant to inspection of the Northeastern Correctional Center (received Friday, January 18, 2008);

Communication from the Department of Public Health relative to a plan of correction submitted pursuant to inspection of the Essex County Correctional Alternative Center (received Friday, January 18, 2008); and

Communication from the Department of Public Health relative to a plan of correction submitted pursuant to inspection of the Middlesex County House of Corrections (received Wednesday, January 23, 2008).

Reports.

The following reports were severally read and placed on file:

A report of the Public Employee Retirement Administration Commission submitting its Financial Bulletin for Fourth Quarter 2007 (received Thursday, January 17, 2008);

A report of the Executive Office for Administration and Finance (under the provisions of Section 40K of Chapter 7 of the General Laws) submitting a copy of the Commonwealth of Massachusetts Real Property Report for 2008 (received Tuesday, January 22, 2008); and

A report of the Norfolk 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 Wednesday, January 23, 2008).

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 Bay State Correctional Center (received Friday, January 18, 2008),— **was read and sent to the House for its information.**

Petitions.

Ms. Jehlen presented a petition (accompanied by bill, Senate, No. 2471) of Patricia D. Jehlen, Anthony D. Galluccio, Timothy J. Toomey, Jr., Denise Provost and other members of the General Court (with the approval of the mayor and board of aldermen) for legislation to authorize concurrent jurisdiction between the Commonwealth of Massachusetts and the city of Somerville relative to certain roadways in the said city [Local approval received],— **and the same was referred, under Senate Rule 20, to the committee on Transportation. Sent to the House for concurrence.**

Petitions were presented and referred, as follows:

By Mr. McGee, a petition (subject to Joint Rule 12) of Thomas M. McGee for legislation to establish a sick leave bank for Lois Tobin an employee of the Department of Mental Retardation; and

By Mr. Montigny, a petition (subject to Joint Rule 12) of Mark C. Montigny, Joan M. Menard, Michael J. Rodrigues, Robert M. Koczera and other members of the General Court for legislation to authorize the state retirement board to grant creditable service to Joan Casey-Amaral;

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

PAPERS FROM THE HOUSE.

Bills

Relative to the issuance of certain bonds by the town of Wellfleet (House, No. 4036,— on petition) [Local approval received]; and

Relative to certain civil service positions in the city of Worcester (House, No. 4497,— on House, No. 3981) [Local approval received on House, No. 3981];

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

Resolutions.

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

Resolutions (filed by Mr. Creedon) “congratulating Karen Faye Iolli on her retirement as co-founder and co-owner of the Ailano School of Cosmetology, Incorporated in Brockton, Massachusetts.”

Communication.

The Clerk read the following communication:

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

January 3, 2008.

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

Dear Mr. Clerk:

Please be advised that due to a previous engagement outside of the state, I was unable to participate formal session on Wednesday, January 2, 2008. Had I been present for the two roll calls on Senate Bill 2456, An Act to Reduce Carbon Dioxide Emissions through Participation in the Regional Greenhouse Gas Initiative, I would have voted nay in both instances. I have already been officially recorded as being opposed to the bill, as it was redrafted. I respectfully request that this communication be spread upon the records.

Sincerely,
MARC R. PACHECO,
State Senator.

On motion of Ms. Wilkerson, the above communication was ordered printed in the Journal of the Senate.

Reports of Committees.

By Mr. Downing, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Richard T. Moore and Jennifer Callahan for legislation to designate certain bridges in the town of Millville in honor of John Dean.

Senate Rule 36 was suspended, on motion of Mr. Tisei, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

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 (Mr. Tolman) and laid before the Governor for his approbation, to wit:

Establishing the North Carver Water District (see Senate, No. 2308);

Establishing a sick leave bank for John Sullivan, an employee of the Trial Court (see Senate, No. 2395);

Exempting the positions of police chief and fire chief in the town of Burlington from the civil service law (see House, No. 2363); and

Authorizing the town of Burlington to issue 8 additional licenses for the sale of all alcoholic beverages to be drunk on the premises and 2 additional licenses for the sale of wines and malt beverages to be drunk on the premises (see House, No. 4048).

An engrossed Bill validating the actions taken at the September 24, 2007 town meeting held by the town of Burlington (see printed in House, No. 4487) (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, two-thirds of the members present having voted in the affirmative, and it was signed by the Acting President (Mr. Tolman) and laid before the Governor for his approbation.

Resolutions.

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:—
Resolutions (filed by Ms. Creem) “congratulating Doctor Yang Jianli.”

Order Adopted.

On motion of Mr. Moore,—

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 Ms. Wilkerson, at eighteen minutes past eleven o’clock A.M., the Senate adjourned to meet on the following Monday at eleven o’clock A.M.