

**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, February 25, 2008.*

Met at four minutes past eleven o'clock A.M. (Mr. McGee in the Chair).

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

#### *Petitions.*

Petitions were presented and referred, as follows:

By Mr. Galluccio, a petition (subject to Joint Rule 12) of Anthony D. Galluccio for legislation relative to penalties for overweight and speeding vehicles;

By the same Senator, a petition (subject to Joint Rule 12) of Anthony D. Galluccio for legislation relative to commercial motor vehicle safety; and

By the same Senator, a petition (subject to Joint Rule 12) of Anthony D. Galluccio for legislation relative to the age of commercial motor vehicles;

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

#### *Reports of Committees.*

By Mr. Buoniconti, for the committee on Financial Services, on Senate, Nos. 561, 567, 570, 577, 579, 580, 581, 591, 592, 596, 598, 600, 615, 620, 621, 629, 637, 646, 649 and 2186, an Order relative to authorizing the joint committee on Financial Services to make an investigation and study of certain current Senate documents relative to financial services (Senate, No. 2507); and

By Mr. Moore, for the committee on Health Care Financing, on Senate, No. 102, 122, 123, 412, 650, 652, 653, 654 and 702, an Order relative to authorizing the joint committee on Health Care Financing to make an investigation and study of certain current Senate documents relative to health care financing (Senate, No. 2508);

**Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.**

By Mr. Buoniconti, for the committee on Financial Services, on petition, a Bill to prohibit discrimination against physical therapists and physical therapist assistants in securing medical malpractice insurance (Senate, No. 2215);

**Referred, under Joint Rule 1E, to the committee on Health Care Financing.**

By Mr. Augustus, for the committee on Election Laws, on Senate, No. 446 and House, No. 646, a Bill relative to election day registration (Senate, No. 2514) (Senators Creedon and Brown dissenting);

**Read and, under Senate Rule 27, referred to the committee on Ways and Means.**

By Mr. Buoniconti, for the committee on Financial Services, on Senate, No. 573 and House, No. 1021, a Bill authorizing the conversion of the liquor liability joint underwriting association of Massachusetts into the liquor liability mutual insurance company (Senate, No. 573);

By the same Senator, for the same committee, on petition, a Bill protecting banking consumers (Senate, No. 603);  
By the same Senator, for the same committee, on petition, a Bill relative to credit union mortgages (Senate, No. 647);  
By Mr. Moore, for the committee on Health Care Financing, on petition, a Bill to promote the elimination of medication waste in certain state facilities (Senate, No. 1311) [Estimated cost — \$0]; and  
By Mr. Timilty, for the committee on Public Safety and Homeland Security, on petition, a Bill prohibiting the use of chain link basketball nets (Senate, No. 1419);  
**Severally read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

By Mr. Buoniconti, for the committee on Financial Services, ought NOT to pass:  
On the petition (accompanied by bill, Senate, No. 588) of John A. Hart, Jr. for legislation relative to reduction in premiums for safe drivers;  
On the petition (accompanied by bill, Senate, No. 597) of Brian A. Joyce and Gale D. Candaras for legislation to license mortgage loan originators; and  
On the petition (accompanied by bill, Senate, No. 2187) of Dianne Wilkerson for legislation to establish community reinvestment obligations for certain mortgage lenders;  
**Severally referred, under Senate Rule 36, to the committee on Ethics and Rules.**

*Committees Discharged.*

Mr. Downing, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration of the Senate Order relative to authorizing the joint committee on Mental Health and Substance Abuse to make an investigation and study of a certain current Senate document relative to the location of methadone clinics (Senate, No. 2495),— **and recommending that the same be referred to the Senate committee on Ethics and Rules. Under Senate Rule 36, the report was considered forthwith and accepted.**

**PAPERS FROM THE HOUSE.**

*Bills*

Exempting the city of Springfield from certain provisions of the General Laws (House, No. 4082,— on petition) [Local approval received];  
Relative to town employees of the town of West Tisbury (House, No. 4102,— on petition) [Local approval received];  
Relative to the charter of the town of Plymouth (House, No. 4267,— on petition) [Local approval received]; and  
Establishing a charter for the town of Medway (House, No. 4460,— on petition) [Local approval received];  
**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. Morrissey) “congratulating the town of Holbrook on the one hundred and thirty-sixth anniversary of its incorporation.”

*Engrossed Bills Returned by Governor With Recommendation of Amendment.*

The engrossed Bill abolishing the North East Solid Waste Committee (see Senate, No. 549, amended) (which on Wednesday, February 13, 2008, had been laid before the Governor for his approbation), was returned to the Senate Clerk by the Governor on Thursday, February 21, 2008 at eleven minutes before five o'clock P.M., with a message recommending an amendment.  
**The message (Senate, No. 2512) 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. Hedlund.**

The engrossed Bill further regulating employee compensation (see Senate, No. 1059) (which on Thursday, February 14, 2008, had been laid before the Governor for his approbation), was returned to the Senate Clerk by the Governor on Thursday, February 21, 2008 at eleven minutes before five o'clock P.M., with a message recommending an amendment.  
**The message (Senate, No. 2513) 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. Tisei.**

*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 Senate Bill authorizing the town of Orleans to operate a sewer system (Senate, No. 2452),— **was read a third time and passed to be engrossed.**  
**Sent to the House for concurrence.**

*Reports of Committees.*

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 Bill relative to a board of registration in midwifery (Senate, No. 1251).

**There being no objection, the rules were suspended, on motion of Mr. Hedlund, and the bill was read a second time and ordered to a third reading.**

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill providing improved management of state forests (Senate, No. 481),— ought to pass, with an amendment in section 1, by inserting after the word “forest”, in line 4, the following words:— “, not to exceed 35 per cent of the total forest products’ value,”.

**There being no objection, the rules were suspended, on motion of Mr. Tisei, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

**The bill (Senate, No. 481, amended) was then ordered to a third reading.**

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill relative to the Massachusetts Academy of Math and Science at WPI (Senate, No. 2334),— **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2515).**

**There being no objection, the rules were suspended, on motion of Mr. Hedlund, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

**The bill (Senate, No. 2515) was then ordered to a third reading.**

**PAPER FROM THE HOUSE.**

The Senate Bill providing updates to the gift certificate law (Senate, No. 2345, amended),— came from the House passed to be engrossed, in concurrence with amendments in section 1 (as printed) by striking out the following: “as appearing in the 2006 Official Edition” (as changed by the Senate committee on Bills in the Third Reading) and inserting in place thereof the words “as appearing”; and in section 3 (as printed) by striking out the figure; “\$10.00” (inserted by amendment by the Senate) and inserting in place thereof the following figure: “\$5.00” (as previously written in by the Senate committee on Bills in the Third Reading).

**The rules were suspended, on motion of Mr. Hedlund, and the House amendment was considered forthwith and adopted, in concurrence (as corrected BTR).**

*Order Adopted.*

On motion of Mr. Hedlund,—

*Ordered,* That when the Senate adjourns today, it adjourn to meet again tomorrow at one o’clock P.M.

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