

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, March 8, 2007.

Met at one minute past eleven o'clock A.M. (Mr. Havern in the Chair).

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

Communication.

A communication from the Committee on Mental Health and Substance Abuse (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2007-2008 legislative session (received Wednesday, March 7, 2007),— **was placed on file.**

Reports.

The following reports were severally read and placed on file:

A report of the Massachusetts Bay Transportation Authority (under the provisions of Section 11 of Chapter 161A of the General Laws) relative to its efforts to maximize non-transportation revenue (received Monday, March 5, 2007); and

A report of the Human Resources Division (under the provisions of Section 25 of Chapter 31 of the General Laws) submitting a listing of Civil Service public safety fire promotional lists that have been revoked by the Personnel Administrator as of March 1, 2007 (received Tuesday, March 6, 2007);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 Berkshire County Jail and House of Correction (received Monday, March 5, 2007),— **was read and sent to the House for its information.**

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 3939) of Stephen L. DiNatale (with the approval of the mayor and city council) relative to the fines for illegal dumping in the city of Fitchburg,— **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Resolutions.

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

Resolutions (filed by Mr. Brewer) “in recognition of Barney Cummings for his endless dedication to the community and the town of Athol”;

Resolutions (filed by Messrs. Brewer and Travaglini, Ms. Murray, Messrs. Augustus, Barrios, Berry and Brown, Ms. Candaras,

Mr. Downing, Ms. Fargo, Ms. Jehlen, Messrs. Joyce, McGee, Montigny, Moore, O'Leary and Pacheco, Ms. Resor, Mr. Rosenberg, Ms. Spilka, Messrs. Tarr, Timilty and Tisei, Ms. Tucker and Ms. Walsh) "memorializing George W. Bush, President of the United States, and the United States Congress to recommend more funding to the Department of Veterans Affairs in the fiscal year '08 federal budget"; Resolutions (filed by Mr. Havern) on the occasion of the eightieth birthday of Bernard M. Gordon"; and Resolutions (filed by Ms. Wilkerson) "commending Charles M. Horsley."

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 the Swansea Water District (House, No. 2031),— **was read a second time.**

Pending the question on ordering the bill to a third reading, Ms. Menard presented an amendment adding the following 2 sections:

"SECTION 2. The vote of the Swansea Water District taken pursuant to Article 15 at the May 8, 2006 annual district meeting authorizing a borrowing of \$11,600,000 pursuant to chapter 137 of the acts of 1949, as amended, is hereby ratified, validated and confirmed.

SECTION 3. This act shall become effective upon its passage."

The amendment was adopted.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

PAPER FROM THE HOUSE.

Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor, returning with recommendation of amendment the engrossed Bill that the town of Wellesley be authorized to place on the ballot a certain question relative to the raising of local taxes for the purpose of funding the group insurance liability fund of said town (see House, No. 2015) [for message, see House, No. 2036],— came from the House with an amendment in the form approved by the committee on Bills in the Third Reading as follows:—

In section 2 by adding the following sentence:

"Adjustments to the town's limit on property taxes shall be computed as though the town has passed capital outlay exclusions under paragraph (i½) of section 21C of chapter 59 of the General Laws."

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 and the Governor's amendment was considered forthwith and adopted, in concurrence.

Sent to the House for re-enactment.

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.

Adjournment in Memory of Paul Katz of Brookline.

The Senator from Middlesex and Norfolk, Ms. Creem, presented a request that when the Senate adjourns today, it do so in memory of Paul Katz of Brookline.

Mr. Katz died Monday, February 26, 2007. He was a World War II veteran, professional photographer and educator. Mr. Katz was dedicated to public service throughout his life. The Brookline resident served in the Army Air Corps during WWII and was later transferred to the 4th Armored Division. He maintained his connection to his military past, serving as the president of the 4th Armored Division and treasurer of the Veterans of Foreign Wars. A longtime Town Meeting member, and 21-year trustee of the public library. Mr. Katz was a man who clearly cared about learning and about his community. He will be missed by his family and friends in Brookline.

Accordingly, as a mark of respect to the memory of Paul Katz, at six minutes past eleven o'clock A.M. on motion of Mr. Tisei, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.