

**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.

*Tuesday, May 13, 2008.*

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

#### *Distinguished Guests.*

There being no objection, the Chair (Mr. Timilty) introduced guests of Representative William Greene, Jr. A senior class from Billerica Memorial High School was seated in the Senate Gallery, accompanied by teacher, Matt Carey. The Senate applauded their accomplishments and wished them luck in future endeavors.

#### *Communication.*

A communication from the Department of Public Health relative to a plan of correction submitted pursuant to inspection of the Massachusetts Alcohol and Substance Abuse Center (received Monday, May 12, 2008),— **was read and sent to the House for its information.**

#### *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, May 5, 2008); and  
A report of the Department of Public Health (pursuant to Section 2 of Chapter 111 of the General Laws) submitting the 2003 Annual Report, Vital Statistics of Massachusetts (received Friday, May 9, 2008).

#### *Petitions.*

Petitions were presented and referred, as follows:—

By Mr. Tarr, a petition (subject to Joint Rule 12) of Bruce E. Tarr and Bradford Hill for legislation relative to the maximum age requirement for police officers in the town of Manchester-by-the-Sea; and

By the same Senator, a petition (subject to Joint Rule 12) of Bruce E. Tarr and Bradford Hill for legislation to authorize the transfer of land in Hamilton and Manchester-by-the-Sea;

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

#### *Reports of Committees.*

By Mr. Montigny, for the committee on Bonding, Capital Expenditures and State Assets, on petition (accompanied by bill, Senate, No. 31), a Bill designating certain land in the town of Monson from agricultural, conservation and public recreation purposes (Senate, No. 2695);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 2361), a Bill relative to the leasing of a certain parcel of land in the town of Gardner (Senate, No. 2696); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 2470), a Bill providing for the full faith and credit of the Commonwealth to certain evidences of indebtedness issued by regional transit authorities (Senate, No. 2697);

By Mr. Galluccio, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for Mark Stanton, an employee of the Department of Public Health (Senate, No. 2677); and

By the same Senator, for the same committee, on petition, a Bill to establish a sick leave bank for Lois Tobin an employee of the Department of Mental Retardation (Senate, No. 2678);

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

#### **PAPERS FROM THE HOUSE.**

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to the granting of an easement by the town of Sharon (House, No. 4738),— **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

A petition (accompanied by bill, House, No. 4737) of Bradley H. Jones, Jr., and others (by vote of the town) that the town of Reading be authorized to place a question on the annual town election ballot relative to seating capacity for restaurant liquor licenses,— **was referred, in concurrence, to the committee on Election Laws.**

#### **Bills**

Establishing a sick leave bank for Manuel M. Affonso Jr., an employee of the Department of Correction (House, No. 4717,— on petition) ; and

Establishing a sick leave bank for Carol A. Wall, an employee of the Department of Mental Retardation (House, No. 4912,— on petition);

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

#### *Reports*

Of the committee on House Steering, Policy and Scheduling, asking to be discharged from further consideration

Of the House Bill relative to the disclosure of information held by the Disabled Persons Protection Commission pursuant to General Laws chapter 19C (House, No. 937),— and recommending that the same be recommitted to the committee on Children, Families and Persons with Disabilities.

Of the House Bill relative to the licensure of exercise physiologists (House, No. 2252),— **and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure.**

**Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence, insomuch as relates to the reference to the joint committees.**

#### *Resolutions.*

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

Resolutions (filed by Mr. Joyce) “commending John James Creavin on his outstanding dedication to the Commonwealth, and his community, friends and family”; and

Resolutions (filed by Mr. Moore) “recognizing the Myasthenia Gravis Foundation on its observance of Myasthenia Gravis Awareness Month.”

#### **PAPERS FROM THE HOUSE.**

##### *Order — Amended.*

The Senate Order relative to granting the joint, committee on Bonding, Capital Expenditures and State Assets shall be granted until Wednesday, May 21, 2008, within which to report on Senate documents numbered 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 44, 47, 48, 49, 50, 51, 57, 58, 470, 504, 514, 522, 727, 2020, 2153, 2176, 2219, 2361, 2392, 2411, 2420, 2439, 2470, 2474, 2550 and 2589 and House documents numbered 620, 734, 785, 4664, 4669, 4670 and 4671, relative to bonding, capital expenditures and state assets,— **came from the House with an amendment inserting before the figure “620” the figure “159”.**

**The rules were suspended, on motion of Mr. Tarr, and the Senate concurred in the House amendment.**

##### *Engrossed Bill.*

An engrossed Bill establishing a sick leave bank for Marie Silva, an employee of the Department of Mental Retardation (see House, No. 4567) (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 and was signed by the Acting President (Mr. Timilty) and laid before the Governor for his approbation.

*Reports of a Committee.*

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill relative to the teaching of American Sign Language (Senate, No. 374),— ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2698). **There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**  
**The bill (Senate, No. 2698) was then ordered to a third reading.**

By Mr. Panagiotakos, for the committee on Ways and means, that the Senate Bill further regulating the rights of adopted children (Senate, No. 1234), ought to pass.  
**There being no objection, the rules were suspended, on motion of Mr. Tarr, 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 relative to bicyclist safety (Senate, No. 2573),— **ought to pass.**  
**There being no objection, the rules were suspended, on motion of Mr. Tarr, 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 authorizing the commissioner of Capital Asset Management and Maintenance to grant easements to the city of Somerville and to convey certain land to FR Sturtevant Street, LLC (Senate, No. 2687),— **ought to pass.**  
**There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and ordered to a third reading.**

*Order Adopted.*

On motion of Mr. Tarr,—

*Ordered,* That when the Senate adjourns today, it adjourn to meet again tomorrow 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 eight minutes past eleven o'clock A.M., the Senate adjourned to meet on the following day at eleven o'clock A.M.