

**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, August 2, 2007.*

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

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

#### *Reports of Committees.*

By Mr. Downing, for the committee on Public Service, on petition, a Bill relative to eligibility for state group health insurance (Senate, No. 1587);

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

By Mr. Timilty, for the committee on Public Safety and Homeland Security, on petition, a Bill regarding uniform police identifications cards (Senate, No. 1346, changed in lines 6 and 7, by striking out after the word "bearing" the following words:—"The officer's photograph and identity" and inserting in place thereof the following words:—"at a minimum, on the front of the card, the officer's photograph, name and rank, the name of the police department employing the officer, and the seal of the officer's police department");

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1362), a Bill relative to amending the enclosure for public and semipublic outdoor inground swimming pools (Senate, No. 2307);

By Mr. Downing, for the committee on Public Service, on petition, a Bill relative to unionized employees (Senate, No. 1443);

By the same Senator, for the same committee, on petition, a Bill establishing a sick leave bank for Deborah King, an employee of the Department of Mental Retardation (Senate, No. 1644);

By Mr. Morrissey, for the committee on Telecommunications, Utilities and Energy, on petition, a Bill to promote inclusion into the renewable energy trust fund (Senate, No. 1955); and

By the same Senator, for the same committee, on petition, a Bill to protect electricity consumers and the appropriation process from solicitation or acceptance of utility tariff-based funding for government activities (Senate, No. 1956);

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

By Mr. Morrissey, for the committee on Telecommunications, Utilities and Energy, on petition, a Bill relative to technical corrections to Chapter 139 of the Acts of 2005 (Senate, No. 1964);

**Read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

By Mr. Downing, for the committee on Public Service, on petition, a Bill authorizing the appointment of Edward M. Grace as a police officer or firefighter in the city of Boston notwithstanding the maximum requirement (Senate, No. 1442);

By the same Senator, for the same committee, on petition, a Bill regulating certain insurance benefits for elected officials of the town of Easton (Senate, No. 1525) [Local approval received]; and

By Mr. Morrissey, for the committee on Telecommunications, Utilities and Energy, on petition, a Bill relative to the city of Westfield regarding the Westfield Municipal Light Board (Senate, No. 2159) [Local approval received];

**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 severally considered forthwith and adopted, as follows:—  
Resolutions (filed by Ms. Chandler and Mr. Augustus) “commanding Dwight Woodworth, Jr. for his dedication to the disabled and their rights in the community”; and  
Resolutions (filed by Ms. Walsh) “congratulating Brendan Lundy on the occasion of his Court of Honor.”

*Communication.*

The Clerk read the following communication:

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

*August 1, 2007.*

William Welch, Clerk  
Massachusetts State Senate  
State House, Room 334  
Boston, MA 02133

Dear Mr. Clerk:

Due to a previously scheduled medical appointment, I was unable to vote on several matters before the Senate during the July 31, 2007 session. Had I been present, I would have voted in favor of the following bills:

- S. 2306, An Act Relative to the Licensing Requirements for Certain Tidelands
- S. 2018, An Act Relative to Child Passenger Safety
- S. 2209 An Act Making Provisions for the Management and Operation of the Wallace Civic Center and Planetarium in the City of Fitchburg
- H. 4165, An Act to Transfer the Care and Custody of a Portion of a School Conservation Land from the Conservation Commission to the Council on Aging
- H. 3754, An Act Relative to Playground land in the Town of Provincetown

I respectfully request that a copy of this letter be printed in the Senate Journal as part of the official record for July 31, 2007. Thank you in advance for your attention to this important matter.

*Sincerely,*  
FREDERICK E. BERRY,  
*Majority Leader.*

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

*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 regional school budget process (House, No. 586, changed),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

*Report of a Committee.*

By Mr. Timilty, for the committee on Public Safety and Home-land Security, on petition, a Bill relative to the enhancement of public safety (Senate, No. 1413).

**There being no objection the rules were suspended, on motion of Mr. Tarr.**

**On further motion of the same Senator, the bill was referred to the Joint Committee on the Judiciary.**  
**Sent to the House for concurrence.**

*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 relative to the disability retirement of Neil Sullivan, a firefighter for the city of Melrose (Senate, No. 2241),— **was read a third time.**  
Pending the question on passing the bill to be engrossed, Mr. Tisei moved that the bill be amended in section 3, by striking out

the last sentence and inserting in place thereof the following sentence:— In the event that both Neil Sullivan and his wife Jessica, die, the payments provided for by this act shall be payable, in equal shares, to each child under the age of 18 years; provided, however, that payments shall continue for the benefit of a child 18 years or older who is physically or mentally incapacitated for work on a permanent basis, or for the benefit of a child under age 22 who is a full time student.

**This amendment was adopted.**

**The bill (Senate, No. 2241, amended) was then passed to be engrossed.**

**Sent to the House for concurrence.**

*Order Adopted.*

On motion of Mr. Brown,—

*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 Mr. Tarr, at twenty-five minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Monday at eleven o'clock A.M.