

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 9, 2007.

Met at seven minutes 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.

Petition.

A petition (accompanied by bill, Senate, No. 2315) of Michael R. Knapik and Michael F. Kane for legislation relative to restricting the authority of the Holyoke Power and Electric Company and the Holyoke Water Power Company (having been deposited in the Office of the Clerk of the Senate prior to five o'clock in the afternoon of Wednesday, January 10, 2007, and having been transmitted to the Secretary of the Commonwealth under the provisions of Section 5 of Chapter 3 of the General Laws, and returned by him with memoranda relative thereto),— **was referred, to the committee on Telecommunications, Utilities and Energy.**
Sent to the House for concurrence.

Reports of Committees.

Mr. Montigny, for the committee on Bonding, Capital Expenditures and State Assets, that the Senate Bill relative to authorizing the Commissioner of Capital Asset Management and Maintenance, on behalf of the Department of Conservation and Recreation, and the towns of Saugus and Wakefield to grant easements to Tennessee Gas Pipeline Company (Senate, No. 2211),— **ought to pass;**

Referred, under Senate Rule 27, to the committee on Ways and Means.

By Mr. Montigny, for the committee on Bonding, Capital Expenditures and State Assets, on petition, a Bill relative to the identification of burial grounds and cemeteries on certain state-owned land (Senate, No. 28);

By the same Senator, for the same committee, on petition, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Danvers located along Maple Street (Senate, No. 29);

By the same Senator, for the same committee, on petition; a Bill relating to certain state owned land in the city of New Bedford (Senate, No. 43);

By the same Senator, for the same committee, on petition, a Bill allowing for the continued use of state owned property for fishing, boating and tourism purposes on the Congamond Lakes in Southwick (Senate, No. 2248) [Local approval received]; and
By Mr. Downing, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for Rosemary Rozak, an employee of the Department of Revenue (Senate, No. 2302);

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

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:—
Resolutions (filed by Ms. Candaras and Mr. Buoniconti) "congratulating Solutia, Inc. of Springfield on its selection by the

Massachusetts Alliance for International Business to receive the Global Award”; Resolutions (filed by Mr. Hedlund) “commemorating the Hingham Police Department’s one hundredth-year celebration”; and Resolutions (filed by Mr. Pacheco) “congratulating Caitlin Anderson on receiving the Gold Award of the Girl Scouts of America.”

Petition.

On motion of Mr. Tarr, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Mr. Brewer, (accompanied by bill) of Stephen M. Brewer, Robert A. Antonioni, Anne M. Gobi, Robert L. Rice and other members of the General Court for legislation relative to the leasing of a certain parcel of land in the town of Gardner,— **and the same was referred to the committee on higher Education. Sent to the House for concurrence.**

Engrossed Bills Returned by Governor With Recommendation of Amendment.

The engrossed Bill further regulating sewer connections in the town of Charlton (see Senate, No. 1152, amended) (which on Tuesday, July 31, 2007, had been laid before the Governor for his approbation), was returned to the Senate Clerk by the Governor on Saturday, August 9, 2008 at twenty-two minutes before eleven o’clock A.M., with a message recommending an amendment.

The message (Senate, No. 2316) was read and the Senate proceeded to reconsider the bill, in accordance with the provisions of Article LVII 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. Tarr.

The engrossed bill further regulating water supply connections in the town of Charlton (see Senate, No. 1153) (which on Tuesday, July 31, 2007, had been laid before the Governor for his approbation), was returned to the Senate Clerk by the Governor on Thursday, August 9, 2007 at twenty-two minutes before eleven o’clock A.M., with a message recommending an amendment.

The message (Senate, No. 2317) 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. Tarr.

Report of a Committee.

By Mr. Panagiotakos, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Savina J. Whitney, an employee of the Department of Social Services (House, No. 4192),— **ought to pass.**

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in con-currence.

Order Adopted.

On motion of Mr. Tarr,—

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 Supreme Judicial Court Justice Francis P. O’Connor.

The Senator from Worcester, Mr. Augustus, presented a request that when the Senate adjourns today, it do so in memory of Francis P. O’Connor.

Francis P. O’Connor, a retired justice of the Massachusetts Supreme Judicial Court who earned a reputation as a conservative on a liberal court, died last Friday at an assisted living facility after a long battle with Alzheimer’s disease. He was 79.

Justice O’Connor was appointed to the state’s highest court in 1981 by Governor Edward King and served for 16 years, earning a reputation for his precise decisions and the respectful tone he extended to all who appeared before him.

Justice O’Connor served in the Army for two years and graduated from the College of the Holy Cross in 1950. He graduated from Boston College Law School in 1953.

He was a law clerk for Chief Justice Raymond Wilkins from 1953 to 1954, making him the first former Supreme Judicial Court clerk and the first graduate of Boston College Law to sit on the high court.

He was in private practice until 1976, when Governor Michael Dukakis appointed him to the state Superior Court, where he served for 5 years.

Justice O’Connor was raised in Belmont but had lived in Shrewsbury since 1962. He was an active member of St. Mary’s Parish

and served the Roman Catholic Diocese of Worcester in several capacities.

He was an avid camper, spending many summers in the woods of Vermont, New Hampshire and Maine with his family, and an enthusiastic tennis player, hosting family and friends on his backyard court, which he dubbed the Sudden Debt Tennis Club.

Accordingly, as a mark of respect to the memory of Francis P. O'Connor, at twelve minutes past eleven o'clock A.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.