

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 28, 2008.

Met according to adjournment at eleven o'clock A.M. (Mr. Petrucci 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. Petrucci), members, guests and employees then recited the pledge of allegiance to the flag.

Communication.

A communication from the Honorable Richard R. Tisei, Senate Minority Leader, announcing the appointment of Senator Robert L. Hedlund to the Special Commission established (pursuant to Section 108 of Chapter 182 of the Acts of 2008) to make an investigation and study of auto body rates,— **was placed on file.**

Reports.

A report of the Special Commission on Other Non-Pension Employee Benefits (under the provisions of Section 82 of Chapter 61 of the Acts of 2007, as amended by Section 15 of Chapter 228 of the Acts of 2007) submitting its report "Reporting and Funding OPEB Liabilities, July 2008 (received Tuesday, August 5, 2008),— **was placed on file.**

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 Western Massachusetts Correctional Alcohol Center (received Tuesday, August 5, 2008),— **was read and sent to the House for its information.**

Reports of a Committee.

By Mr. Galluccio, for the committee on Public Service, on Senate, Nos. 2661 and 2826, an Order relative to authorizing the joint committee on Public Service to make an investigation and study of certain current Senate documents relative to public service (Senate, No. 2876); and

By the same Senator, for the same committee, on Senate, Nos. 2827, 2829, 2832, 2833 and 2835, an Order relative to authorizing the joint committee on Public Service to make an investigation and study of certain current Senate documents relative to public service (Senate, No. 2877);

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

By Mr. Galluccio, for the committee on Public Service, on petition, a Bill relative to death benefits to surviving spouses of firefighters and other emergency personnel (Senate, No. 2828);

By the same Senator, for the same committee, on petition, a Bill establishing a sick leave bank for Michelle Curnew, an employee of the Department of Mental Retardation (Senate, No. 2830, changed at the end thereof by inserting the following:—"Sick leave bank days may not be used for absences unrelated to the illness or disability that necessitated the adoption of this act.");

By the same Senator, for the same committee, on petition, a Bill further regulating the appointment of police officers (Senate, No. 2831); and

By the same Senator, for the same committee, on petition, a Bill establishing a sick leave bank for Lealdon Langley, an employee of the Department of Environmental Protection (Senate, No. 2834, changed at the end thereof by inserting the following:— “Sick leave bank days may not be used for absences unrelated to the illness or disability that necessitated the adoption of this act.”); **Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Paper from the House.

A Resolve providing for an investigation and study by a special commission relative to suicide prevention (House, No. 5084,— on House, No. 2165),— **was 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 Mr. Baddour) “recognizing Girl Scouts of Eastern Massachusetts Troop 60868 of Salisbury on the occasion of their Second Annual September 11th Memorial Spaghetti Supper”; Resolutions (filed by Mr. Brown) “congratulating ‘Conquer Chiari’ of Wrentham for their efforts in organizing the Walk Across America”; Resolutions (filed by Ms. Fargo) “celebrating fortieth anniversary of The Paul Center”; Resolutions (filed by Mr. Morrissey) “recognizing the dedication of the Arthur R. Merritt Training Center for Elevator Constructors”; and Resolutions (filed by Mr. O’Leary) “honoring Ben Pearson for his years of service to the United States Federal Government.”

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 House Bill designating a certain bridge in the town of Falmouth as the Raleigh D. Costa Memorial Bridge (House, No. 4435).

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 concurrence.

By Mr. Panagiotakos, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Gary Tuck, an employee of the Department of Revenue (House, No. 4754),— ought to pass, with an amendment inserting at the end thereof the following sentence:— “Sick leave bank days may not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the department.”

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, 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.

Papers from the House.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5087) of John A. Lepper that inaccurate quotes relative to the cost of premiums shall constitute unfair or deceptive acts in the insurance business;

Under suspension of Joint Rule 12, to the committee on Financial Services.

Joint petition (accompanied by bill, House, No. 5086) of James H. Fagan and Marc R. Pacheco (with the approval of the mayor and city council) for legislation to authorize Dwayne P. Burgo to take a civil service examination for the position of police officer in the city of Taunton, notwithstanding the maximum age requirements;

Engrossed Bill.

An engrossed Bill relative to polling places in the city of Boston (see House, No. 4983) (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. Petruccelli) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Tarr,—

Ordered. That when the Senate adjourns today, it adjourn to meet again on Tuesday 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 PFC Paul Edward Conlon, Jr.

The Senator from Cape and Islands, Mr. O'Leary, requested that when the Senate adjourns today, it adjourn in memory of Private First Class Paul Edward Conlon, Jr., of Mashpee.

21 year old Private First Class Conlon was a 2005 Mashpee High School graduate who received a scholarship for writing from Franklin Pierce College but opted to serve his country instead. Paul was deployed to Afghanistan in February of 2008, where he was injured during combat but continued to fight, saving the lives of many soldiers and refusing surgery to stay with his unit. His military awards include two Purple Hearts and a Bronze Star of Valor.

Paul is survived by his mother Maria, his father John and his brother Daniel.

Accordingly, as a mark of respect to the memory of PFC Paul Edward Conlon, Jr., at nineteen minutes past eleven o'clock A.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Tuesday next at eleven o'clock A.M.