

**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.

*Monday, September 8, 2008.*

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

#### *Committees Discharged.*

Mr. Downing, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration of the Senate Order relative to authorizing the joint committee on Education to make an investigation and study of a certain current document relative to the town of Winchendon (Senate, No. 2878),— **and recommending that the same be referred to the Senate committee on Ethics and Rules.**

**Under Senate Rule 36, the report was considered forthwith and accepted.**

#### **Paper from the House.**

A Bill authorizing the town of Belmont to place a certain question relative to the granting of a club license for the sale of alcoholic beverages in the town of Belmont (House, No. 4757,— on petition) [Local approval received],— **was 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 considered forthwith and adopted, as follows:—  
Resolutions (filed by Mr. Joyce) “celebrating the 100th anniversary of Saint Michael Parish of Avon, Massachusetts.”

#### *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 Senate Bill authorizing the Mashpee Water District to hold elections for Board of Water Commissioners concurrent with the elections for the town of Mashpee (Senate, No. 2738).

**There being no objection, the rules were suspended, on motion of Mr. Knapik, and the bill was read a second time, ordered to a third reading and read a third time.**

Mr. Augustus for the committee on Bills in the Third Reading, reported, that the bill be amended by substituting a new draft entitled “An Act authorizing the Mashpee Water District to hold elections for the board of water commissioners concurrently with the Mashpee town elections” (Senate, No. 2879).

**The amendment was adopted.**

**The bill (Senate, No. 2879) was then passed to be engrossed.  
Sent to the House for concurrence.**

The following report was laid before the Senate, the time within which the said committee was required to report having expired:—

Of the committee on Transportation, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 2806) of Benjamin B. Downing and William S. Pignatelli (by vote of the town) for legislation relative to speed limits in the town of Otis.

**On motion of Mr. Knapik, the petition was recommitted to the Joint Committee on Transportation.**

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

A Bill authorizing certain persons to take the civil service examination for appointment as a firefighter in the town of Arlington notwithstanding the maximum age requirement (House, No. 4871,— on petition) [Local approval received],— **was read.**

**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, its title having been changed by the committee on Bills in the Third Reading as follows: “An Act authorizing certain persons to take the civil service examination for appointment as firefighters in the town of Arlington notwithstanding the maximum age requirement”.**

A Bill authorizing certain person to take the civil service examination for appointment as a police officer in the town of Arlington notwithstanding the maximum age requirement (House, No. 4872,— on petition) [Local approval received],— **was read.**

**There being no objection, the rules were suspended, on motion of Mr. Knapik, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading as follows: “An Act authorizing certain persons to take the civil service examination for appointment as police officers in the town of Arlington notwithstanding the maximum age requirement”.**

A Bill authorizing the town of Arlington to issue pension obligation bonds or notes (House, No. 4876,— on petition) [Local approval received],— **was read.**

**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.**

A Bill relative to all alcoholic beverages licenses in the town of Arlington (House, No. 4936,— on petition) [Local approval received],— **was read.**

**There being no objection, the rules were suspended, on motion of Mr. Knapik, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading as follows: “An Act providing for a ballot question in the town of Arlington relative to the sale of all alcoholic beverages in certain restaurants”.**

#### *Engrossed Bills.*

The following engrossed bills (all of which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the Acting President (Mr. McGee) and laid before the Governor for his approbation, to wit:

Relative to the placement of twins in schools (see House, No. 469);

Relative to animal fighting or cruelty (see House, No. 1527);

Relative to biomedical research (see House, No. 4812); and

Relative to an intermunicipal agreement and betterment assessments in the town of Lunenburg (see House, No. 5033).

An engrossed Bill relative to sudden, unexplained child deaths (see House, No. 1678, amended) (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 re-enacted and was signed by the Acting President (Mr. McGee) and again laid before the Governor for his approbation.

#### *Engrossed Resolve.*

An engrossed Resolve providing for an investigation and study by the Commissioner of Development Services on a self-determination model for persons with disabilities (see Senate, No. 2781) (which originated in the Senate), 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. McGee) and laid before the Governor for his approbation.

#### *Emergency Preamble Adopted.*

An engrossed Bill relative to certain health insurance options for municipal retirees (see House, No. 4516), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,— **was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to**

**the Constitution, the preamble was adopted in concurrence, by a vote of 3 to 0.  
The bill was signed by the Acting President (Mr. McGee) and sent to the House for enactment.**

*Order Adopted.*

On motion of Mr. Knapik,—

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