

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 24, 2007.

Met at four minutes past eleven o'clock A.M. (Ms. Wilkerson 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 (Ms. Wilkerson), members, guests and employees then recited the pledge of allegiance to the flag.

Report.

A report of the Executive Office of Health and Human Services (under the provisions of Section 4 of Chapter 547 of the Acts of 1991) submitting a report on the activities of the Belchertown Carousel Trust Fund for Fiscal Year 2007 (copies having been forwarded as requested to the Senate Committee on Ways and Means and the Joint Committee on State Administration and Regulatory Oversight) (received Tuesday, September 18, 2007),— **was placed on file.**

Petitions.

Mr. McGee presented a petition (accompanied by bill, Senate, No. 2341) of Thomas M. McGee, Robert F. Pennell, Steven M. Walsh, Douglas W. Petersen and other members of the General Court (with the approval of the mayor and city council) for legislation to authorize the city of Lynn to impose liens on properties for nonpayment of municipal fines or penalties [Local approval received],— **and the same was referred, under Senate Rule 20, to the committee on Municipalities and Regional Government.**

Sent to the House for concurrence.

Ms. Tucker (by request) presented a petition (subject to Joint Rule 12) of Kevin Wreghitt for legislation relative to the home care accountability and supplemental act,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Reports of a Committee.

By Mr. Petrucci, for the committee on Municipalities and Regional Government, on petition, a Bill authorizing the board of selectmen of Easton to lease a certain parcel of land (Senate, No. 2272) [Local approval received];

By the same Senator, for the same committee, on petition, a Bill relative to the financing of a contract termination charge by the town of Norwood (Senate, No. 2277) [Local approval received];

By the same Senator, for the same committee, on petition, a Bill authorizing the Mashpee Water District to enter into a certain agreement with the town of Sandwich (Senate, No. 2282, changed in section 1 by inserting in line 1, before the word "Notwithstanding" the following words "Chapter 136 of the Acts of 1987 is amended by adding thereto a new section 20 that reads as follows:") [Local approval received];

By the same Senator, for the same committee, on petition, a Bill establishing a community events fund for the town of Wareham

(Senate, No. 2287) [Local approval received];

By the same Senator, for the same committee, on Senate, No. 2291 and House, No. 4136, a Bill to create the recreational fields fund in Tyngsborough (Senate, No. 2291) [Local approval received on Senate, No. 2291 and House, No. 4136]; and

By the same Senator, for the same committee, on petition, a Bill establishing the North Carver Water District (Senate, No. 2308) [Local approval received];

Severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

PAPERS FROM THE HOUSE.

Bills

Authorizing the town of Burlington to issue eight additional licenses for the sale of all alcoholic beverages to be drunk on the premises, and two additional licenses for the sale of wine and malt beverages to be drunk on the premises (House, No. 4048,— on House No. 2532) [Local approval received on House, No. 2532]; and

Authorizing the city of Cambridge to pay full salary and benefits to city employees who are assigned and present in a theater of combat operations such as Iraq or Afghanistan (House, No. 4079,— on petition) [Local approval received];

Were 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. Creem and Ms. Wilkerson) “congratulating Sharon Pucker Rivo on her selection as recipient of the Zvi R. Cohen Award”; and

Resolutions (filed by Ms. Spilka and Mr. Brown) “congratulating the Greater Framingham Community Church on the occasion of the thirty-fifth anniversary of its founding.”

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 elections in the town of Merrimac (House, No. 3947),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

PAPERS FROM THE HOUSE.

A Bill authorizing the town of Auburn to establish an Auburn High School gymnasium health and recreation trust fund (printed as Senate, No. 2263,— 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 paused to be engrossed, in concurrence.

A Bill authorizing the town of Foxborough to grant 12 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4147,— on House, No. 4069) [Local approval received on House, No. 4069],— **was read.**

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

House Orders.

The following House Orders (severally approved by the committees on Rules of the two branches, acting concurrently) were considered forthwith, as follows, to wit:

Ordered, That the committee on Labor and Workforce Development and the committee on Children, Families and Persons with Disabilities be authorized to sit jointly for the purposes of conducting a public hearing on Senate Bills 98, 114 and 1071 and House Bills 1779, 1821 and 3798, relative to family leave.

The order was adopted, in concurrence.

Ordered, That the committee on Veterans and Federal Affairs and the committee on Higher Education, be authorized to sit jointly for the purpose of conducting a public hearing on Senate Bill 2260 and House Bills 3732 and 3714, relative to veterans higher education benefits.

The order was adopted, in concurrence.

Report of Committees.

By Ms. Menard, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Cynthia S. Creem, Frank I. Smizik, Benjamin Swan, Stanley C. Rosenberg and other members of the General Court for legislation to repeal mandatory minimum drug sentences.

Senate Rule 36 was suspended, on motion of Mr. Knapik, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the House for concurrence.

Communication.

The Clerk read the following communication:

OFFICE OF THE MAJORITY WHIP
MASSACHUSETTS SENATE
STATE HOUSE, ROOM 215, BOSTON 02133

September 20, 2007.

William F. Welch, Clerk
Massachusetts State Senate
State House
Boston, MA 02133

Dear Mr. Clerk:

On Thursday, September 20, 2007, a scheduling conflict precluded me from voting on the first roll call of the formal session. Had I been present, I would have voted in the affirmative to override Governor Patrick's objections in line item 4000-0600.

I respectfully request that this be reflected in the Senate Journal.

I thank you for your assistance in this matter. Please do not hesitate to contact if you have any further questions.

Sincerely,
JOAN M. MENARD,
State Senator,
First Bristol and Plymouth District.

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

PAPERS FROM THE HOUSE.

Engrossed Bills.

The following engrossed bills (both 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 (Ms. Wilkerson) and laid before the Governor for his approbation, to wit:

Placing certain members of the fire department of the town of Wrentham under the civil service law (see House, No. 4078); and Establishing a sick leave bank for Robert Bozarjian, an employee of the Department of Education (see House, No. 4235).

Order Adopted.

On motion of Mr. Knapik,—

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