

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, October 25, 2007.

Met at three minutes past eleven o'clock A.M. (Mr. Rosenberg in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

The Senator from Hampden and Hampshire, Mr. Knapik, led the Chair (Mr. Rosenberg), members, guests and employees in the recitation of the pledge of allegiance to the flag.

Petition.

Ms. Wilkerson presented a petition (subject to Joint Rule 12) of MASSPIRG, by Deirdre Cummings, Dianne Wilkerson, Antonio F. Cabral and other members of the General Court for legislation to provide for further consumer protection in auto insurance,—
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 Ms. Jehlen, for the committee on Elder Affairs, on petition, a Bill relative to permanently institutionalize persons long term care insurance (Senate, No. 402);

By the same Senator, for the same committee, on petition, a Bill establishing the Massachusetts prescription drug fair pricing program (Senate, No. 411);

By the same Senator, for the same committee, on petition, a Bill restoring the Medicare Part D safety net prescription drug coverage for seniors and the disabled (Senate, No. 413);

By the same Senator, for the same committee, on petition, a Bill relative to the safe administration of medications and legible prescriptions (Senate, No. 419);

By the same Senator, for the same committee, on Senate, No. 425 and House, No. 616, a Bill relative to dementia special care units in long-term care facilities (Senate, No. 425) ;

By the same Senator, for the same committee, on petition, a Bill establishing interagency agreements to provide home- and community-based services (Senate, No. 429); and

By the same Senator, for the same committee, on petition, a Bill to support residential care facilities for frail elders and persons with disabilities (Senate, No. 430);

Severally referred, under Senate Rule 1E, to the committee on Health Care Financing.

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4321) of Christopher G. Fallon (with the approval of the mayor and board of aldermen) for legislation to make certain adjustments in the pension payable to Joseph Anello, a retired fire fighter of the city of Malden; and

Petition (accompanied by bill, House, No. 4323) of Peter V. Kocot and Stanley C. Rosenberg (with the approval of the mayor and city council) that the city of Northampton be authorized to grant certain creditable service to Duane Robinson for retirement

purposes;

Severally to the committee on Public Service.

A report of the committee on Mental Health and Substance Abuse, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1287) of Thomas M. Stanley and others relative to the consolidation of certain mental health facilities for the purpose of creating surplus land, and recommending that the same be referred to the committee on Children, Families and Persons with Disabilities,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:—

Resolutions (filed by Mr. Brown) “honoring the fiftieth anniversary of the Needham Council on Aging”;

Resolutions (filed by Mr. Pacheco) “congratulating Christ the King Ukrainian Church of Boston on its one hundredth Jubilee”;

and

Resolutions (filed by Mr. Panagiotakos) “congratulating Father Leonard Faris on the occasion of his elevation to Archimandrite.”

PAPERS FROM THE HOUSE.

Emergency Preamble Adopted.

An engrossed Bill authorizing the conveyances of certain easements in the towns of Lynnfield, Saugus and Wakefield to the Tennessee Gas Pipeline Company (see Senate, No. 2211, amended), 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 5 to 0.**

The bill was signed by the Acting President (Mr. Rosenberg) and sent to the House for enactment.

An engrossed Bill establishing a sick leave bank for Deborah Gosselin, an employee of the Department of Social Services (see House, No. 4272, amended), 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 5 to 0.**

The bill was signed by the Acting President (Mr. Rosenberg) and sent to the House for enactment.

Matters Taken Out of the Orders of the Day.

There being no objection, the following matters were taken out of the Orders of the Day and considered as follows:

The House Bill relative to certain members of the Cambridge retirement system (House, No. 4024),— **was read a third time and passed to be engrossed, in concurrence.**

The House Bill authorizing the city of Cambridge to pay full salary and benefits to city employees who are assigned to and present in a theater of combat operations such as Iraq or Afghanistan (House, No. 4079) (its title having been changed by the committee on Bills in the Third Reading),— **was read a third time and passed to be engrossed, in concurrence.**

Reports of Committees.

By Mr. Panagiotakos, for the committee on Ways and Means, that the House Bill protecting and preserving home ownership (House, No. 4306, amended),— ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2382.

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

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 providing for the registration of naturopathic doctors (Senate, No. 1321).

There being no objection, the rules were suspended, on motion of Mr. Moore and the bill was read a second time.

Pending the question on ordering the bill to a third reading, on motion of Mr. Knapik, the bill was referred to the Senate committee on Ways and Means.

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 to establish standards for long term care insurance (Senate, No. 2367).

There being no objection, the rules were suspended, on motion of Mr. Moore, and the bill was read a second time.

Pending the question on ordering the bill to a third reading, on motion of the same Senator, the bill was referred to the Senate committee on Ways and Means.

PAPERS FROM THE HOUSE.

Engrossed Bills.

The following engrossed bills (the first of which originated in the Senate), 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. Rosenberg) and laid before the Governor for his approbation, to wit:

Establishing a sick leave bank for Lori Silva, an employee of the Trial Court (see senate, No. 2351); and

Exempting the positions of fire chief and deputy fire chief in the town of Hudson from the civil service law (see House, No. 3957).

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Michael Antonucci, an employee of the Department of Correction (see House, No. 4224, amended), 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 4 to 0.**

The bill was signed by the Acting President (Mr. Rosenberg) and sent to the House for enactment.

Engrossed Bill.

An engrossed Bill establishing a sick leave bank for Deborah Gosselin, an employee of the Department of Social Services (see House, No. 4272, 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 enacted and was signed by the Acting President (Mr. Rosenberg) and laid before the Governor for his approbation.

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.

Moment of Silence.

At the request of the Chair (Mr. Rosenberg), the members, guests and employees stood in a moment of silence and reflection to the memory of Army PFC Kenneth J. Iwasinski.

Adjournment in Memory of United States Army PFC Kenneth J. Iwasinski.

The Senator from Hampshire and Franklin, Mr. Rosenberg, the Senator from Hampden, Mr. Buoniconti, the Senator from Hampden and Hampshire, Mr. Knapik, the Senator from Worcester, Hampden, Hampshire and Franklin, Mr. Brewer, and the Senator from Hampden and Hampshire, Ms. Candaras, requested that when the Senate adjourns today, it do so in memory of Army Private First Class Kenneth J. Iwasinski of Belchertown.

PFC Kenneth J. Iwasinski, a member of the 2nd Battalion, 12th Infantry Regiment, 2nd Brigade Combat Team, 2nd Infantry Division, based in Fort Carson, Colorado, was killed in southern Baghdad on October 14th when an improvised bomb exploded near his vehicle during combat operations. He was 22 years old.

He is survived by his father, Dominick Iwasinski of Belcher-town, his mother, Tracy (Nagy) Taylor of Chicopee, his step-parents, Tawnia Iwasinski and Matthew Taylor, his younger sister, Amanda Taylor, his step-brother, Donny Prouty, and step-sister Laura Prouty.

Family and friends say it was a sense of honor and patriotism that compelled Kenneth to join the Army in 2006. He will be remembered as a brave soldier, a devoted son, and an idolized big brother. His father described Kenneth as “a young man with a gentle soul and poet’s heart.”

Accordingly, as a mark of respect to the memory of Kenneth J. Iwasinski, at twenty-seven minutes past eleven o'clock A.M., on motion of Mr. Moore, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.