

**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, October 29, 2007.*

Met at two 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.

#### *Distinguished Guest.*

There being no objection, the Chair (Ms. Wilkerson) introduced Sabrena M. Williams. Sabrena is the Director of Diversity and Talent Acquisition at Stop & Shop.

#### *Petition.*

Mr. Berry presented a petition (subject to Joint Rule 12) of Frederick E. Berry, Mary E. Grant and John D. Keenan for legislation relative to membership on the Board of Education,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

#### *Reports of Committees.*

By Ms. Tucker, for the committee on Housing, that the Senate Bill relative to renewal communities and smart growth zoning (Senate, No. 156),— **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2370). Recommended, under Senate Rule 27, to the committee on Ways and Means.**

By Mr. Moore, for the committee on Health Care Financing, on petition, a Resolve to create a commission to determine the capital needs of community hospitals (Senate, No. 692) [Estimated cost — \$0];

By Ms. Tucker, for the committee on Housing, on petition, a Resolve relative to assessing the future need for elderly housing in the Commonwealth (Senate, No. 771); and

By Mr. Joyce, for the committee on Tourism, Arts and Cultural Development, on Senate, No. 2012 and House, No. 3396, a Resolve to create a cranberry heritage study commission (Senate, No. 2012);

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

By Mr. Moore, for the committee on Health Care Financing, on Senate, Nos. 655 and 668, a Bill to establish an equitable rate of payment for Medicaid home health services (Senate, No. 2369) [Estimated cost — More than \$100,000];

**Read and, under Senate Rule 27, referred to the committee on Ways and Means.**

By Mr. Moore, for the committee on Health Care Financing, on Senate, No. 688 and House, No. 1124, a Bill to create a community hospital capital reserve fund (Senate, No. 2368) [Estimated cost — \$0];

**Read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

## PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4325) of Linda Dean Campbell (with the approval of the mayor and city council) that the city of Methuen be authorized to lease a certain portion of the "Quinn Building", so-called, to the Municipal Employees Federal Credit Union,— **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

### Bills

Authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Worcester (House, No. 4189,— on House, No. 4063);

Relative to an easement on a certain parcel of land in the town of Marlborough (House, No. 4190,— on House, No. 4064);

Relative to a sick leave bank for Rhea Lindstet, an employee of the Department of Revenue (House, No. 4286,— on petition); and

Establishing a sick leave bank for Lynda Graham Meho, an employee of the Department of Public Health (House, No. 4304,— on petition);

**Were severally read and, under Senate Rule 27, referred to the committee on Ways and Means.**

### Bills

Relative to multiple office holding in the town of Burlington (House, No. 3946,— on petition) [Local approval received]; and Exempting the positions of police chief and fire chief in the town of North Andover from the civil service law (House, No. 4212,— 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 Mr. Brown) "honoring the service of veterans from the town of Millis and from across the United States of America";

Resolutions (filed by Mr. Hedlund) "congratulating the Massachusetts Society of Radiologic Technologists on its observance of National Radiologic Technology Week";

Resolutions (filed by Mr. O'Leary) "congratulations to the Lower Cape Cod Lighthouse Lions Club on the occasion of its charter";

Resolutions (filed by Ms. Resor, Messrs. Antonioni, Augustus, Baddour, Berry and Brewer, Ms. Chandler, Ms. Creem, Ms. Fargo, Mr. Galluccio, Ms. Menard, Mr. Montigny, Ms. Spilka, Messrs. Timilty and Tisei and Ms. Tucker) "honoring Jane Doe, Inc. on its observance of October 2007 as Domestic Violence Awareness Month"; and

Resolutions (filed by Mr. Tolman) "honoring John J. Meehan, Jr., National President of the Ancient Order of Hibernians in America, for work and devotion to the order and the country."

### *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 Senate Bill relative to special police in Fall River (Senate, No. 2251),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act authorizing the appointment of special police officers in the city of Fall River". Sent to the House for concurrence.**

The House Bill authorizing the town of Nantucket to grant an easement over town owned property (House, No. 4265) (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.**

The House Bill authorizing the town of Nantucket to use, convey or otherwise dispose of certain land in the town of Nantucket for municipal purposes (House, No. 4266) (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 Senate Bill to authorize the human resources division to undertake a study of the state's job classification system (Senate, No. 1858),— **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2386).**

**There being no objection, the rules were suspended, on motion of Mr. Tisei, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

**The bill (Senate, No. 2386) was then ordered to a third reading.**

By Mr. Panagiotakos, for the committee on Ways and Means, that the House Bill providing that certain physical conditions shall be presumed to have been suffered in the line of duty (House, No. 2578),— **ought to pass.**

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

By Mr. Downing, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Anthony W. Petrucci for legislation to name a portion of the Bremen Street Park in East Boston.

**Senate Rule 36 was suspended, on motion of Mr. Tisei, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Bonding, Capital Expenditures and State Assets.**

**Sent to the House for concurrence.**

*Matter Taken Out of the Orders of the Day — Objection.*

The Chair (Ms. Wilkerson) requested that the following matter be taken out of the Orders of the Day:

The Senate Bill relative to bilingual ballots in municipal elections in the city of Worcester (Senate, No. 2362),— **but objection was made thereto by Mr. Tisei.**

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

##### *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 (Ms. Wilkerson) and laid before the Governor for his approbation, to wit:

Relative to certain members of the Cambridge retirement system (see House, No. 4024);

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 (see House, No. 4079); and

Establishing a sick leave bank for Michael Antonucci, an employee of the Department of Correction (see House, No. 4224, amended).

##### *Order Adopted.*

On motion of Mr. Tisei,—

*Ordered*, That when the Senate adjourns today, it adjourn to meet again tomorrow at one o'clock P.M., in a full formal session.

On motion of the same Senator, at twenty-two minutes past eleven o'clock A.M., the Senate adjourned to meet on the following day at one o'clock P.M.