

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, November 3, 2008.

Met at two minutes past eleven o'clock A.M. (Ms. Spilka in the Chair).

The Chair (Ms. Spilka), members, guests and employees then recited the pledge of allegiance to the flag.

Communications.

The following communications were severally read and placed on file, to wit:

A communication from the Honorable Therese Murray, President of the Senate, announcing the removal of Senator Dianne Wilkerson as Senate Co-Chair to the Special Commission established (pursuant to Subsection 16O of Section 3 of Chapter 58 of the Acts of 2006) relative to health care disparities, and the appointment of Senator Susan C. Fargo as Senate Co-Chair to the commission; and

A communication from the Comptroller of the Commonwealth (under the provisions of Section 12(a) of Chapter 7A of the General Laws) submitting the Commonwealth's Statutory Basis Financial Report (SBFR) for fiscal year ended June 30, 2008 (received Friday, October 31, 2008).

Reports.

The following reports were severally read and placed on file:

A report of Project Bread (pursuant to line item 4400-1001 of the FY09 state budget, Chapter 182 of the Acts of 2008) submitting its annual Status Report on Hunger in Massachusetts 2008 (received Wednesday, October 29, 2008);

A report of the Dukes County Registry of Deeds (under the provisions of Section 4 of Chapter 4 of the Acts of 2003 and Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund (copies having been forwarded to the Senate Committees on Ways and Means and Post Audit and Oversight) (received Thursday, October 30, 2008); and

A report of the Department of Energy Resources (under the provisions of Section 105 of Chapter 169 of the Acts of 2008) submitting a feasibility on implementing subsections (c) and (e) of said section 105 (received Friday, October 31, 2008).

PAPERS FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation relative to validating the actions taken by the town of Webster open town meeting and establishing a charter for the town of Webster (House, No. 5133),— **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Notice was received from the House announcing the following appointments:

That the Speaker of the House of Representatives has appointed Representatives Donato of Medford (co-chair), Peisch of Wellesley and Kujawski of Webster to the Special Commission (under Section 97 of Chapter 173 of the Acts of 2008) to make an investigation and study of feasibility of innovative local revenue-generating measures in an effort to provide revenue relief to

municipalities; and

That the Speaker of the House of Representatives has appointed Representative Harkins of Needham to the Special Commission (under Section 112 of Chapter 182 of the Acts of 2008) to make an investigation and study of the manner in which municipalities and towns of the Commonwealth balance their fiscal year budgets.

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:—
Resolutions (filed by Mr. Augustus) “honoring the Grafton Land Trust on its fiftieth anniversary”;
Resolutions (filed by Messrs. Baddour, Downing, Hart, Moore, Tarr and Tisei and Ms. Tucker) “congratulating the Pioneer Institute on its twentieth anniversary”; and
Resolutions (filed by Mr. Morrissey) “congratulating Alice Wilkes Frame on the joyous occasion of her ninetieth birthday.”

Engrossed Bill Returned by Governor With Recommendation of Amendment.

The engrossed Bill relative to the granting of certain licenses for the sale of alcoholic beverages to be drunk on the premises in the town of Wenham (see Senate, No. 2824) (which on Monday, October 20, 2008, had been laid before the Governor for his approbation), was returned to the Senate Clerk by the Governor on Thursday, October 30, 2008 at twenty-five minutes past three o'clock P.M., with a message recommending an amendment.

**The message (Senate, No. 2885) was read and the Senate proceeded to reconsider the bill, in accordance with the provisions of Article LVI of the Amendments to the Constitution.
Pending action thereon, the bill was referred to the committee on Bills in the Third Reading, on motion of Mr. Tarr.**

Report of a Committee.

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 city of Worcester as the State Trooper Paul F. Barry Bridge Memorial Bridge (House, No. 4869).

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.

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5137) of John V. Fernandes relative to the sale of alcoholic beverages to persons under twenty-one years of age;

Under suspension of Joint Rule 12, to the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 5136) of John V. Fernandes for legislation to further regulate the renting or leasing of illegal residential premises;

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

Order.

The following House Order (approved by the committees on Rules of the two branches, acting concurrently) was considered forthwith and adopted in concurrence, as follows:

Ordered, That notwithstanding the provisions of Joint Rule 10, the committee on Municipalities and Regional Government shall be granted until Monday, November 24, 2008, within which to report on House, No. 5021.

Order Adopted.

On motion of Mr. Tarr,—

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 the same Senator, at ten minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Thursday at eleven o'clock A.M.