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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Monday, December 1, 2008.

Met at four minutes past eleven o'clock A.M. (Mr. Petrucci in the Chair).

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

Resolutions.

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:—
Resolutions (filed by Ms. Candaras) "congratulating the Ludlow High School Lions on their 2008 Division I Boys Soccer State Championship."

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 authorizing the transportation board of the town of Brookline to regulate valet parking in the town of Brookline (House, No. 4492),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

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 Senate Bill relative to the pronouncement of death in a rest home (Senate, No. 1319).

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. Sent to the House for concurrence.

PAPER FROM THE HOUSE.

Engrossed Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor, returning with recommendation of amendment the engrossed Bill authorizing the establishment of the Nantucket Sewer Commission and Sewer Districts in the town of Nantucket (see House, No. 4213) [for message, see House, No. 5135],— came from the House with the endorsement that the House had adopted the amendment recommended by the Governor, in the form approved by the committee on Bills in the Third Reading as follows:—

In Section 10, by striking out the first sentence and inserting in place thereof the following sentence:— "Notwithstanding any provisions of law to the contrary, owners of land not within the sewer districts defined and established pursuant to section 1 of this act shall not be permitted to connect to the town's sewer system except as is set forth in this act; provided, however, that the sewer commission shall be required to provide sewer service to any developments securing approval under chapter 40B or

chapter 40R of the General Laws that request such service.”

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

The rules were suspended, on motion of Mr. Knapik.

The Governor’s amendment was then rejected.

Mr. O’Leary presented an amendment that the engrossed Bill be amended as follows:— “in section 11 by inserting after the word “restrooms”, in line 4, the following words:— “or other public service uses as defined by the municipality; provided however, that such uses may include, but shall not be limited to, affordable housing constructed pursuant to chapters 40B and 40R of the General Laws,”.

The amendment was adopted.

Sent to the House for concurrence in the amendment.

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.

Adjournment in Memory of Former Senate President Kevin B. Harrington.

The Senator from Hampden and Hampshire, Mr. Knapik, requested that when the Senate adjourns today, it adjourn in memory of former Senate President Kevin B. Harrington who died Thursday at Kaplan Family Hospice in Danvers of congestive heart failure. He was 79.

Mr. Harrington was a lifelong Salem resident who came from a politically active family. His uncle, Joseph, had been Salem’s mayor, served in the state Legislature, and was a judge. His cousin Michael was a congressman.

Mr. Harrington began his career as an educator and coach before turning to politics. A Democrat, he served on the Salem City Council in 1957 and then was elected state senator in 1955. He served as the Senate’s president from 1971 until 1978. When he resigned, he had served in the post longer than all but two of his predecessors.

Mr. Harrington leaves behind his wife, Kathleen, two sons; Kevin and Neil, three daughters; Ann M. of Salem, Maureen F. of Kittery Point, Maine, and Joan M. of Salem; a sister Rita L. of Peabody; and 11 grandchildren.

Accordingly, as a mark of respect to the memory of Kevin B. Harrington, at ten minutes past eleven o’clock A.M., on motion of Mr. Knapik, the Senate adjourned to meet again on Wednesday next at eleven o’clock A.M.