

**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.

*Wednesday, December 3, 2008.*

Met at two 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.

#### *Reports.*

The following reports were severally read and placed on file:

A report of the Senate Committee on Ethics and Rules (pursuant to Senate Rule 12A) summarizing its activities for 2008;

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 Hunger Prevention Plan (received Monday, December 1, 2008); and

A report of the Norfolk 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 a plan for expenditure from the County Registers Technological Fund (copies having been forwarded as required to the Senate Committees on Ways and Means and Post Audit and Oversight) (received Tuesday, December 2, 2008).

#### *Report of a Committee.*

By Mr. Montigny, for the committee on Bonding, Capital Expenditures and State Assets, on petition, a Bill designating a certain flagpole at Lawrence Heritage State Park as the Mary L. Girouard Flagpole (Senate, No. 2889);

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

### PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Joint petition (accompanied by bill House, No. 5154) of Harriette L. Chandler and Robert A. Antonioni (by vote of the town) that the town of Clinton be authorized to issue additional licenses for the sale of alcoholic beverages to be drunk on the premises;

**To the committee on Consumer Protection and Professional Licensure.**

Joint petition (accompanied by bill House, No. 5155) of Paul K. Frost and Edward M. Augustus, Jr. (by vote of the town) for legislation to make certain changes in the charter of the town of Auburn; and

Joint petition (accompanied by bill, House, No. 5156) of Geoffrey D. Hall and Pamela P. Resor (by vote of the town) that the town of Littleton be authorized to issue pension obligation bonds and notes;

**Severally to the committee on Municipalities and Regional Government.**

Petition (accompanied by bill, House, No. 5157) of John V. Fernandes (by vote of the town) for legislation to authorize Anthony F. Dinis to take the civil service test for the position of police officer in the town of Milford, notwithstanding the maximum age requirements;

**To the committee on Public Service.**

#### *Resolutions.*

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:—  
Resolutions (filed by Ms. Menard) “recognizing the growing partnership between the Commonwealth and the city of Nanjing, China.”

*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 recall in the town of Middlefield (Senate, No. 2871),— was read a second time.

Mr. Downing presented an amendment in section 2, by inserting after the fourth sentence the following sentence:— “On the date the affidavit is filed, the clerk shall determine and inform the first named voter on the affidavit the number of signatures needed to achieve the 25 per cent of registered voters.”; in said section 2, by striking out the sixth sentence and inserting in place thereof the following 2 sentences: “The recall petition shall be returned and filed with the clerk by 12:00 p.m. on the Saturday that follows a 30-day period from the date the affidavit is filed. The recall petition shall have been signed by at least 25 per cent of the registered voters of the town.”; and, in said section 2, by striking out the eighth sentence.

**The amendment was adopted.**

**The bill (Senate, No. 2871, amended) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.**

The House Bill relative to vacancies on the Beacon Hill Architectural Commission (House, No. 3269) (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 a Committee.*

By Mr. Panagiotakos, for the committee on Ways and Means, that the House Bill authorizing the conveyance of certain Commonwealth property to the town of Sherborn (House, No. 5043),— **ought to pass.**

**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.**

By Mr. Panagiotakos, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for John Vitale, an employee of the land court (House, No. 5101),—ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2892; and by striking out the emergency preamble and inserting in place thereof the following emergency preamble:—

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the trial court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience”.

**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, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendments, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act establishing a sick leave bank for John Vitale an employee of the trial court.”

**Sent to the House for concurrence in the amendments.**

**PAPER FROM THE HOUSE.**

A joint petition (accompanied by bill, House, No. 5158) of Pamela P. Resor and James B. Eldridge for legislation to authorize the Department of Correction to establish a sick leave bank for Sharon Peeler-La Fountain, an employee of said department,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

*Order Adopted.*

On motion of Mr. Tisei,—

*Ordered,* That when the Senate adjourns today, it adjourn to meet again tomorrow at four o’clock P.M., and that the Clerk be directed to dispense with the printing of a calendar.

*Adjournment in Memory of Former Senate Majority Leader Walter J. Boverini.*

The Senator from Essex and Middlesex, Mr. McGee, requested that when the Senate adjourns today, it adjourn in memory of former Senate Majority Leader Walter J. Boverini who passed away this Saturday.

Walter Boverini was a life-long Lynn resident, born in “the brickyard” on the corner of Blossom and Alley streets on June 5, 1924 to Luisa and Attilio Boverini, both Italian immigrants. He attended Lynn Classical High School, graduating in 1941. After

high school, he was drafted to serve in the United States Army's 8th Air Corps in World War II, where he had a distinguished military career. During the war, Walter Boverini flew 35 combat missions over Europe, and was awarded the Air Medal with four oak leaf clusters as well as the distinguished Flying Cross.

Walter Boverini served as Senator for the First Essex district for 22 years, and was appointed Majority Whip in 1979 and Senate Majority Leader in 1985. He held that post until his retirement from politics in 1994.

In addition to his wife Christine and daughters Luisa and Maria he leaves a brother, Stelio, and sister, Linda, both of Lynn. He was the beloved brother of the late Manlio Boverini, Delia Boverini, and Ennio Boverini. He also leaves a son-in-law, Dr. Jeffrey Heit, and grandson Ethan Walter Heit, of Philadelphia. He leaves several beloved nieces and nephews.

Accordingly, as a mark of respect to the memory of former Senate Majority Leader Walter J. Boverini, at eleven minutes past eleven o'clock A.M., on motion of Mr. Tisei, the Senate adjourned to meet again tomorrow at four o'clock P.M.