

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, April 8, 2009.

Met according to adjournment (Mr. Rosenberg in the Chair).

Distinguished Guests.

There being no objection, the President handed the gavel to Mr. McGee for the purpose of an introduction. Mr. McGee then introduced Alexander Singer, a student at Saugus High School. Alexander was invited to spend the day with Senator McGee as part of the Town of Saugus Shadow Day. The Senate welcomed him with applause and he withdrew from the Chamber.

There being no objection, the President handed the gavel to Mr. Joyce for the purpose of an introduction. Mr. Joyce then introduced the Milton High School Division 2 Boys Basketball Championship team. The team had an astounding victory with an 81-44 win over Hoosac Valley to win the Division 2 State Championship last month. The members of the team are: Cody Clark, Marshall Kennedy, Coleman Durgin, Captain Marcus McDermott, Tom Ranton, Captain Gabe Blanchette, Captain Tim Potts, Tom Carten, Joe Renehan, Owen Flanagan, Nasara Hassan, Daniel Santos, Ben St. Gerard and Emanuel Hutcherson. The team was accompanied by Head Coach Sean LoPresti, Milton High School Principal John Drotter and Superintendent Mary Gormley.

Committee Discharged.

Mr. Berry, for the committee on Ethics and Rules, reported, asking to be discharged from further consideration of the Senate Bill relative to pandemic and disaster preparation and response in the Commonwealth (Senate, No. 2028),— **and recommending that the same be referred to the Senate committee on Ways and Means. Under Senate Rule 36, the report was considered forthwith and accepted.**

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4050) of Robert J. Nyman and Michael W. Morrissey (by vote of the town) that the town of Rockland be authorized to set a supplementary tax assessment in said town,— **was referred, in concurrence, to the committee on Revenue.**

A Bill establishing a sick leave bank for Paulette Wojtowicz (House, No. 2604— on petition),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Recess.

There being no objection, at one minute past one o'clock P.M., the Chair (Mr. Rosenberg) declared a recess subject to the call of the Chair; and, at seventeen minutes before two o'clock P.M., the Senate reassembled, the President in the Chair.

The President, members, guests and employees recited the pledge of allegiance to the flag.

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:—
Resolutions (filed by Mr. Pacheco) “congratulating Sean Mahoney upon his elevation to the rank of Eagle Scout”;
Resolutions (filed by Mr. Pacheco) “congratulating Dan Somerville upon his elevation to the rank of Eagle Scout”; and
Resolutions (filed by Mr. Timilty) “congratulating Walpole High School on its one hundredth anniversary.”

PAPERS FROM THE HOUSE.

The Senate Bill relative to an appeals process of insurance (Senate, No. 2022, amended),— **came from the House passed to be engrossed, in concurrence with an amendment in section 2 striking out the sentence contained in lines 15 to 18, inclusive and inserting in place thereof the following sentence: “If the board finds that the insurer’s application to the safe driver insurance plan, merits rating plan or determination of fault was not in accordance with those standards and provisions, it shall order the insurer to make the appropriate premium adjustment and the insurer shall notify the merit rating board and any other data collection agency the insurer reported the surcharge or at fault accident to, to remove the insured’s corresponding surcharge points and at fault determination.”.**

The rules were suspended, on motion of Mr. Buoniconti, and the House amendment was considered forthwith, and adopted.

Mr. Tisei doubted the vote and asked for a call of the yeas and nays; and a sufficient number having arisen, the yeas and nays were ordered.

The question on concurring in the House amendment was determined by a call of the yeas and nays, at thirteen minutes before two o’clock P.M., on motion of Mr. Tisei, as follows, to wit (*yeas 37 — nays 0*) [**Yeas and Nays No. 30**]:

YEAS.

Baddour, Steven A. Creem, Cynthia Stone
Brewer, Stephen M. Donnelly, Kenneth J.
Brown, Scott P. Benjamin B..
Buoniconti, Stephen J. Eldridge, James B..
Candaras, Gale D. Flanagan, Jennifer L.
Chandler, Harriette L. Galluccio, Anthony D.
Chang-Diaz, Sonia Hart, John A., Jr.
Hedlund, Robert L. Pacheco, Marc R.
Jehlen, Patricia D. Panagiotakos, Steven C.
Joyce, Brian A. Petruccelli, Anthony
Kennedy, Thomas P. Rosenberg, Stanley C.
Knapik, Michael R. Spilka, Karen E.
McGee, Thomas M.. Tarr, Bruce E.
Menard, Joan M. Timilty, James E.
Montigny, Mark C.. Tisei, Richard R.
Moore, Michael O. Tolman, Steven A.
Moore, Richard T. Tucker, Susan C.
Morrissey, Michael W. Walsh, Marian — 37.
O’Leary, Robert A.

NAYS — 0.

ABSENT OR NOT VOTING.

Berry, Frederick E. Fargo, Susan C. — 2.

The yeas and nays having been completed at ten minutes before two o’clock P.M., the House amendment was adopted, in concurrence. (as corrected BTR).

A Bill relative to the charter in the town of Auburn (House, No. 4049,— on petition) [Local approval received],— **was read. There being no objection, the rules were suspended, on motion of Mr. Michael O. Moore, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Engrossed Bill.

An engrossed Bill authorizing the city of Beverly to grant 2 additional licenses for the sale of certain alcoholic beverages to be drunk on the premises (see House, No. 3795) (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 signed by the President and laid before the Governor for his approbation.

Engrossed Resolve.

An engrossed Resolve reviving and continuing the special commission relative to municipal relief (see Senate, No. 2027) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed and signed by the President and laid before the Governor for his approbation.

Orders of the Day.

The Orders of the Day were considered, as follows:

The engrossed Bill extending the Commonwealth's authority to guarantee obligations of the Massachusetts Turnpike Authority (see House Bill, printed in House, No. 100, amended) (which originated in the House),— was considered, the main question being on passing the bill to be enacted.

Pending the question on the motion, previously moved by Mr. Montigny, to lay the matter on the table, and pending the main question on passing the bill to be enacted, on motion of Mr. Montigny, the further consideration thereof was postponed until the next session.

Order Adopted.

On motion of Mr. Tisei,—

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

On motion of Ms. Menard, at two o'clock P.M., the Senate adjourned to meet again tomorrow at eleven o'clock A.M.