

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, April 13, 2009.

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

The Senator from Hampden and Hampshire, Mr. Knapik, led the Chair (Mr. Rosenberg), members, guests and employees in the recitation of the pledge of allegiance to the flag.

Petitions.

Petitions were presented and referred, as follows:

By Mr. Kennedy, a petition (accompanied by bill, Senate, No. 2029) of Thomas P. Kennedy and Geraldine Creedon (with the approval of the mayor and city council) for legislation relative to the city of Brockton's calculation of its local contribution to net school spending [Local approval received];

Under Senate Rule 20, to the committee on Municipalities and regional Government.

By the same Senator, a petition (accompanied by bill, Senate, No. 2030) of Thomas P. Kennedy and Geraldine Creedon (with the approval of the mayor and city council) for legislation relative retiree and employee health care premiums in the city of Brockton [Local approval received];

**Under Senate Rule 20, to the committee on Public Service.
Severally sent to the House for concurrence.**

Petitions were presented and referred, as follows:

By Mr. Brewer, a petition (subject to Joint Rule 12) of Steven M. Brewer for legislation to extend creditable service for teachers who participate in certain programs;

By the same Senator, a petition (subject to Joint Rule 12) of Steven M. Brewer and Christopher J. Donelan for legislation to exempt part-time call firefighters in the town of Athol from the civil service law;

By Mr. Brown, a petition (subject to Joint Rule 12) of Scott P. Brown, Elizabeth Poirier and Theodore C. Speliotis for legislation relative to unemployment compensation;

By the same Senator, a petition (subject to Joint Rule 12) of Scott P. Brown and Elizabeth Poirier for legislation to prohibit the use of certain electronic monitoring devices;

By Mr. Eldridge, a petition (subject to Joint Rule 12) of James B. Eldridge, Jennifer L. Flanagan, Jennifer M. Callahan, James Arciero and Jennifer Benson for legislation to establish a state emergency response fund;

By the same Senator, a petition (subject to Joint Rule 12) of James B. Eldridge, Viriato Manuel deMacedo, David P. Linsky and Susan C. Tucker for legislation relative to voting equipment;

By Ms. Flanagan, a petition (subject to Joint Rule 12) of Jennifer L. Flanagan and Lewis G. Evangelidis for legislation relative to the Leino Water District;

By Mr. Hart, a petition (subject to Joint Rule 12) of John A. Hart, Jr. and Thomas M. Menino for legislation relative to reserve firemen;

By the same Senator, a petition (subject to Joint Rule 12) of John A. Hart, Jr. and Coleman Herman for legislation relative to the

resale of tickets;

By Mr. Joyce, a petition (subject to Joint Rule 12) of Brian A. Joyce and William C. Galvin for legislation to establish a sick leave bank for Terry Howard, and employee of the Department of Public Health;

By Mr. Michael O. Moore, a petition (subject to Joint Rule 12) of Michael O. Moore for legislation to study and ensure trench safety;

By the same Senator, a petition (subject to Joint Rule 12) of Michael O. Moore and Harriette L. Chandler for legislation to provide for the placement of certain abatement information on the property tax bill;

By the same Senator, a petition (subject to Joint Rule 12) of Michael O. Moore, Harriette L. Chandler and John J. Binienda for legislation relative to the enforcement of illegal dumping violations in the City of Worcester;

By Mr. Pacheco, a petition (subject to Joint Rule 7B) of Marc R. Pacheco and Susan Williams Gifford for legislation relative to the Wareham fire district;

By Mr. Panagiotakos, a petition (subject to Joint Rule 12) of Steven C. Panagiotakos, Kevin J. Murphy and David M. Nangle for legislation to require the use of helmets by certain children during winter sports;

By Ms. Spilka, a petition (subject to Joint Rule 12) of Karen E. Spilka for legislation to further regulate the development of underused state owned real property and the disposition of state owned surplus real property;

By the same Senator, a petition (subject to Joint Rule 12) of Karen E. Spilka for legislation to establish a sick leave bank for Daniel C. McNamara, an employee of the Division of Capital Asset Management;

By Mr. Timilty, a petition (subject to Joint Rule 12) of James E. Timilty for legislation to establish a distinctive license plate supporting public schools;

Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Report of a Committee

Mr. Joyce, for the committee on State Administration and Regulatory Oversight, on the messages from His Excellency the Governor (accompanied by bills, Senate, No. 7 and House, No. 103) a Bill transferring county sheriffs to the Commonwealth (Senate, No. 2031);

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

PAPERS FROM THE HOUSE

A Bill establishing a sick leave bank for Christine Burns Clark, an employee of the Department of Public Health (House, No. 2524-- on petition), -- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Notice was received from the House announcing the following appointment:

That the Minority Leader of the House of Representatives has appointed Representative Gifford of Wareham to serve on the special commission established (under Chapter 9 of the Resolves of 2008) to make an investigation and study relative to designating 1,000 great places in the Commonwealth.

Communication.

The Clerk read the following communication:

COMMONWEALTH OF MASSACHUSETTS
SENATE MAJORITY LEADER
STATE HOUSE, BOSTON 02133-1053

April 9, 2009

Mr. William Welch, *Clerk*
Massachusetts State Senate
State House, Room 335
Boston, MA 02133

Dear Mr. Clerk:

On April 8, 2009, I was unable to attend the formal session. As such, I missed one roll call vote. If I were present when the roll call was taken, I would have voted **YEA** on concurrence with a House amendment to:

Senate Bill No. 2022 – Relative to an appeal process of insurance premium surcharges under managed competition

I respectfully request that a copy of this letter be printed in the Senate Journal as part of the official record for April 8, 2009.
Thank you for your attention to this matter.

Sincerely,
State Senator Susan C. Fargo
Third Middlesex District

On motion of Mr. Timilty, the above communication was ordered printed in the Journal of the Senate.

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.

On motion of the same Senator, at five minutes past eleven o'clock A.M., the Senate adjourned to meet again on Wednesday next at eleven o'clock A.M.