

**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 27, 2009.*

Met according to adjournment (Mr. Timilty in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

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

#### *Distinguished Guests.*

There being no objection, the following guests were recognized as follows:

The Chair (Mr. Timilty) introduced, seated in the Senate Gallery, the Rotary Group Study Exchange Team from Russia. The purpose of their program is to promote peace and understanding worldwide through youth and adult exchanges and humanitarian projects. The group was accompanied by Dave Clifton, a member of Rotary International.

The Chair (Mr. Timilty) handed the gavel to Mr. Donnelly for the purpose of an introduction. Mr. Donnelly then introduced, in the seated in the rear of the Chamber, a delegation visiting from Nagaokakyo, Japan. This year marks the 25th anniversary of Nagaokakyo being the sister city to Arlington. The members of the group were Mayor Yutaka Oda, Chairman of the City Council, Mr. Hiroshi Yagi, Chairman of the Board of Education, Dr. Nobuko Asawa, Chief Administrator of the City Council, Mr. Toyohiko Yamanaka, Administrator of the Board of Education, Ms. Ayumi Yamanaka and Organizer, Rieko Tanaka.

The Chair (Mr. Timilty) introduced four residents of Foxborough; Maryanne Baker, Cathy Hickey, Grace Kiepinski and Debbie Byron. The group was taking a tour of the State House and job shadowing Senator Timilty for the day.

#### *Report of a Committee.*

Mr. Downing, for the committee on Revenue, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1379) of Susan C. Tucker, Bruce E. Tarr, Patricia D. Jehlen, James B. Eldridge and other members of the General Court for legislation to stabilize neighborhoods,-- and recommending that the same be referred to the committee on Housing.

**Under Senate Rule 36, the report was considered forthwith and accepted.  
Sent to the House for concurrence.**

#### *Resolutions.*

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:-  
Resolutions (filed by Mr. Kennedy) "honoring the legacy of the late Rocky Marciano on the occasion of the dedication of the United States Postal Service Rocky Marciano Building."

**PAPER FROM THE HOUSE**

*Emergency Preamble Adopted.*

An engrossed Bill establishing a sick leave bank for Michael P. Harrington, an employee of the Department of Conservation and Recreation (see House, No. 2579), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 3 to 0.

**The bill was signed by the Acting President (Mr. Timilty) and sent to the House for enactment.**

*Reports of Committees.*

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill relative to pandemic preparation and response in the Commonwealth (Senate, No. 2028),- ought to pass with an amendment striking Section 18 as printed and inserting in place thereof the following:-

“SECTION 18. Notwithstanding the provisions of any general or special law to the contrary, no health care provider, as defined in section 1 of chapter 111 of the General Laws, and no provider, as defined in section 1 of chapter 118G of the General Laws, shall be liable in a suit for damages or subject to administrative or licensing sanctions as a result of good-faith acts or omissions while engaged in the performance of duties as a volunteer participating in a preparedness program sanctioned by any state agency as defined in section 1 of chapter 6A of the General Laws or a local public health authority as defined in section 1 of said chapter 111, or as an employee in rendering emergency care, treatment, advice, or assistance during a public health emergency declared by the Governor under section 2A of chapter 17 of the General Laws, or during a state of emergency declared under chapter 639 of the Acts of 1950, as most recently amended by chapter 491 of the Acts of 1953. This section does not apply in the case of malfeasance, willful, wanton, or reckless actions by a provider occurring in the performance of the provider’s duties during said emergency.”

**The rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

**The bill (Senate, No. 2028, amended) was then ordered to a third reading.**

By Mr. Berry, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of James E. Timilty for legislation to establish a sick leave bank for Nancy Morrison, an employee of the Department of Correction.

**Senate Rule 36 was suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service.**

**Sent to the House for concurrence.**

*Order Adopted.*

On motion of Mr. Knapik,—

*Ordered,* That when the Senate adjourns today, it adjourn to meet on tomorrow at two o’clock P.M., in a full formal session.

On motion of the same Senator, at nineteen minutes past eleven o’clock A.M., the Senate adjourned to meet again tomorrow at two o’clock P.M.