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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Friday, June 19, 2009.

Met at sixteen minutes past three o'clock P.M. (Ms. Menard in the Chair).

Committee Discharged.

Mr. McGee, for the committee on Public Service, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1038) of Harriette L. Chandler, John W. Scibak, Patricia D. Jehlen, Susan C. Tucker and other members of the General Court for legislation to include dental benefits in all commonwealth care plans,-- and recommending that the same be referred to the committee on Health Care Financing.

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

Paper from the House.

A Bill validating a certain election in the town of Orange (printed in House, No. 4058,-- **being a message from His Excellency the Governor**),- **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

Recess.

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

The President, 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 Mr. Hedlund) "honoring Eric Bloom and Donald 'Buck Dharma' Roeser of the band Blue Oyster Cult."

*Papers From The House
Committee of Conference Report.*

A report of the committee of conference of the disagreeing votes of the two branches, with reference to the Senate amendments to the House Bill making appropriations for the fiscal year 2010 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements. (House, No. 4101) (*amended by the Senate* by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2060), reported, in part, a "Bill making appropriations for the

fiscal year 2010 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements” (House, No. 4129), -- **came from the House, and was read.**

The rules were suspended, on motion of Mr. Berry, and the report was considered forthwith.

After debate, the question on acceptance of the report of the committee of conference was determined by a call of the yeas and nays, at eleven minutes past five o'clock P.M., on motion of Mr. Panagiotakos, as follows, to wit (*yeas 31- nays 8*) [**Yeas and Nays No. 84**]

Insert Roll Call [“A”]

The yeas and nays having been completed at sixteen minutes past five o'clock P.M., the report was accepted, in concurrence.

Emergency Preambles Adopted.

An engrossed Bill making appropriations for the fiscal year 2010 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4129), 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 9 to 0.

The bill was signed by the President and sent to the House for enactment.

An engrossed Bill establishing a sick leave bank for Cassandra Markland, an employee of the Office of Medicaid (see House, No. 3942, amended), 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 7 to 0.

The bill was signed by the President and sent to the House for enactment.

Engrossed Bill.

An engrossed Bill designating a certain bridge in the town of Barre as the Howard W. Dahart Memorial Bridge (see Senate, No. 2034) (which originated in the Senate), **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 Bill—State Credit.

An engrossed Bill making appropriations for the fiscal year 2010 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House No. 4129) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was put upon its final passage; and, it being a bill that provided for the gift, loan or pledge of the credit of the Commonwealth, in accordance with the provisions of Section I of Article LXII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at four minutes before six o'clock P.M., as follows to wit (*yeas 31 - nays 8*) [**Yeas and Nays No. 85**]:

INSERT ROLL CALL [“B”]

The yeas and nays having been completed at one minute past six o'clock P.M., the bill was passed to be enacted, two thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

Engrossed Bill.

An engrossed Bill establishing a sick leave bank for Cassandra Markland, an employee of the Office of Medicaid (see House, No. 3942, amended) (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.**

Order Adopted.

On motion of Ms. Walsh,—

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

Moment of Silence.

At the request of the President, the members, guests and employees stood in a moment of silence and reflection to the memory of Sergeant First Class Kevin A. Dupont of Templeton.

Adjournment in Memory of Sergeant First Class Kevin A. Dupont

The Senator from Worcester, Hampden, Hampshire and Franklin, Mr. Brewer, the Senator from Hampden and Hampshire, Mr. Knapik, and the Senator from Hampden, Mr. Buoniconti, requested that when the Senate adjourns today, it adjourn in memory of Sergeant First Class Kevin A. Dupont.

Sergeant First Class Kevin A. Dupont of Templeton passed away on June 17th at the Brooke Army Medical Center in San Antonio, Texas, of wounds suffered while deployed in Kandau, Afghanistan, when an improvised explosive device detonated near his vehicle. Mr. Dupont is survived by his wife, Lisa, his parents, Gwendolyn and Herbert Dupont of Chicopee; and two brothers and two sisters. Sgt. First Class Dupont was assigned to the 79th Troop Command in Rehoboth and he will be remembered for his bravery and service to his country.

Accordingly, as a mark of respect to the memory of Sergeant First Class Kevin A. Dupont, at three minutes past six o'clock P.M., on motion of Mr. Buoniconti, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.