

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.

Thursday, August 20, 2009.

Met at three minutes past eleven o'clock A.M. (Mr. Tolman 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. Tolman), members, guests and employees then recited the pledge of allegiance to the flag.

PAPER FROM THE HOUSE.

A Bill authorizing certain persons to be appointed as firefighters and policemen in the town of Arlington, notwithstanding the maximum age requirement (House, No. 2433,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Resolutions.

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:— Resolutions (filed by Mr. Morrissey) “congratulating Rita M. Howes on the occasion of her eightieth birthday.”

PAPERS FROM THE HOUSE.

Emergency Preambles Adopted.

An engrossed Bill establishing a sick leave bank for Michele Merenda, an employee of the Department of Transitional Assistance (see House, No. 1149), 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 2 to 0.**

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

An engrossed Bill establishing a sick leave bank for Keith Bianchini, an employee of the Department of Correction (see House, No. 2365), 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 2 to 0.**
The bill was signed by the Acting President (Mr. Tolman) and sent to the House for enactment.

Reports of Committees.

By Mr. Kennedy, for the committee on Election Laws, on petition, a Bill relative to elections in the city of Lowell in the current year (Senate, No. 2116) [Local approval received].

The bill was read.

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time, ordered

to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act relative to the preliminary election in the city of Lowell in 2009”. Sent to the House for concurrence.

By Mr. Panagiotakos, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Dolores Tower, an employee of the Department of Developmental Services (House, No. 1160),— **ought to pass. There being no objection, the rules were suspended, on motion of Mr. Tarr, 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 Crystal Pollack, an employee of the Department of Developmental Services (House, No. 1161),— **ought to pass. There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Matter Taken Out of the Orders of the Day.

There being no objection, the following matter was taken out of the Orders of the Day and considered as follows: The House Bill authorizing the town of Nahant to issue bond anticipation notes (House, No. 1133),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Reports of Committees.

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 Richard T. Moore, Michael O. Moore, Stephen M. Brewer and Susan C. Tucker for legislation relative to an affordable health plan.
Senate Rule 36 was suspended, on motion of Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Health Care Financing.

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 Steven A. Baddour, Martha Coakley, Attorney General, Stephen M. Brewer, James E. Vallee and other members of the General Court for legislation to combat economic crime.
Senate Rule 36 was suspended, on motion of Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary.

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 Mark C. Montigny, Stephen R. Canessa, Robert M. Koczera, John F. Quinn and Antonio F. D. Cabral for legislation to authorize the Commissioner of the Division of Capital Asset Management and Maintenance to convey a parcel of land in the city of New Bedford.
Senate Rule 36 was suspended, on motion of Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

Engrossed Bills.

The following engrossed bills (the first five of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the Acting President (Mr. Tolman) and laid before the Governor for his approbation, to wit:
Relative to oral health in the Commonwealth (see Senate, No. 536);
Designating Disability History Month (see Senate, No. 1469);
Relative to the use of certain bond proceeds in the town of Rutland (see Senate, No. 2033);
Relative to the Leino Park Water District (see Senate, No. 2068);
Relative to the Recreation Revolving Fund in the town of Rutland (see Senate, No. 2077);
Establishing an enterprise fund for the Brook School Apartments in the town of Weston (see House, No. 1124);
Establishing a sick leave bank for Michele Merenda, an employee of the Department of Transitional Assistance (see House, No. 1149);
Establishing a sick leave bank for Keith Bianchini, an employee of the Department of Correction (see House, No. 2365);
Designating a certain area in the city of Worcester as a place of Peace Healing Garden (see House, No. 2988); and
Relative to the Dukes County Land Bank (see House, No. 4043).

Recess.

There being no objection, at ten minutes before twelve o'clock noon, the Chair (Mr. Tolman) declared a recess subject to the call of the Chair; and, at nineteen minutes before one o'clock P.M., the Senate reassembled, Mr. Tolman in the Chair.

PAPERS FROM THE HOUSE.

A Bill eliminating preliminary elections in the city of Revere in 2009 (House, No. 1114,— on petition) [Local approval received],— **was read.**

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act eliminating the preliminary election in the city of Revere in 2009”.

Engrossed Bills.

The following engrossed bills (the first two of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the Acting President (Mr. Tolman) and laid before the Governor for his approbation, to wit:

Authorizing the town of Bellingham to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see Senate, No. 152);

Relative to the preliminary elections in the city of Lowell in 2009 (see Senate, No. 2116); and

Eliminating the preliminary election in the city of Revere in 2009 (see House, No. 1114).

Order Adopted.

On motion of Mr. Tarr,—

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.

Adjournment in Memory of Freda Gould Rebersky.

The Senator from Middlesex and Norfolk, Ms. Creem, requested that when the Senate adjourns today, it adjourn in memory of former Newton resident Freda Gould Rebersky.

Ms. Rebersky studied with Dr. Bruno Bettelheim at the University of Chicago, and received a doctorate from Radcliffe College in human development. She was the first woman to become a tenured professor of psychology at Boston University, and created and ran the doctoral program in developmental psychology for many years at Boston University. She led the faculty union for a dozen years and volunteered with many non-profits including Community Change Inc. and Boston Mobilization. Her life was dedicated to improving the lives of individuals and her community at large. Ms. Rebersky died of heart failure on July 20 in Des Moines, Iowa where she had moved from Newton to be with family. She will be missed by friends and family in Massachusetts and beyond.

Accordingly, as a mark of respect to the memory of Freda Gould Rebersky, at six minutes past one o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.