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## JOURNAL OF THE SENATE



### IN JOINT SESSION

Joint Session of the Two Houses to Consider Specific Amendments to the Constitution.

Wednesday, May 09, 2007.

At one minute past one o'clock P.M., the two Houses met in

### JOINT SESSION

and were called to order by the Honorable Therese Murray, President of the Senate, who made the following observations:

Pursuant to an order previously adopted, the two houses are in joint session for the purpose of considering various proposals for amendment to the Constitution. The matters that have been called for consideration are now seasonably laid before the Senate in conformity with the provisions of Articles XLVIII and LXXXI of the Constitution."

The following initiative proposal and legislative proposals for amendments to the Constitution were seasonably laid before the joint session for consideration:

Proposal for an Initiative amendment to the Constitution to define marriage (see Senate, No. 2220 of 2007), having received, in joint session, the affirmative votes of not less than one-fourth of all members elected [see House, No. 4617 of 2006], has been referred, in accordance with Article XLVIII of the Amendments to the Constitution, to the present General Court;

Proposal for a legislative amendment to the Constitution authorizing the General Court to provide for absentee voting by any voter (see Senate, No. 2221 of 2007), having received, in joint session, the affirmative votes of a majority of all members elected to the preceding General Court [see Senate, No. 9, amended of 2005], has been referred, in accordance with Article XLVIII of the Amendments to the Constitution, to the present General Court;

Proposal for a Legislative Amendment to the Constitution relative to changing Article XLVI of the Constitution of the Commonwealth (see Senate, No. 20), with reference to which the committee on Education has reported recommending that the amendment ought NOT to pass;

Proposal for a Legislative Amendment to the Constitution for a legislative amendment to the Constitution to increase the term of the General Court from two to four year (see Senate, No. 21), with reference to which the committee on Election Laws has reported recommending that the amendment ought NOT to pass (Senator Spilka and Representatives Atsalis of Barnstable and Rogeness of Longmeadow dissenting);

Proposal for a Legislative Amendment to the Constitution establishing an independent redistricting commission and criteria for redistricting for state House, Senate, and Councillor districts (see Senate, No. 22) with reference to which the committee on Election Laws has reported recommending that the amendment ought NOT to pass (Senators Augustus, Spilka and Brown and Representatives Eldridge of Acton, Rogeness of Longmeadow and Frost of Auburn dissenting);

Proposal for a Legislative Amendment to the Constitution relative to emergency appointments of elected officials (see Senate, No. 23), with reference to which the committee on Election Laws has reported recommending that the amendment ought to pass (Senator Creedon dissenting);

Proposal for a Legislative Amendment to the Constitution relative to Constitutional officers (see Senate, No. 25), with reference to which the committee on Election Laws has reported recommending that the amendment ought NOT to pass (Senator Brown and Representatives Rogeness of Longmeadow and Frost of Auburn dissenting);

Proposal for a Legislative Amendment to the Constitution amending the Constitution to preserve civil rights and equal protection (see Senate, No. 26), having been reported from the committee on the Judiciary ought NOT to pass (under Joint Rule

23) (the time within which the committee was required to report having expired);

Proposal for a Legislative Amendment to the Constitution relative to legislative action (see Senate, No. 27), having been reported from the committee on the Judiciary ought NOT to pass (under Joint Rule 23) (the time within which the committee was required to report having expired);

Proposal for a Legislative Amendment to the Constitution establishing an independent redistricting commission and criteria for redistricting for state House of Representatives, Senate, and Councilor districts (see House, No. 661), with reference to which the committee on Election Laws has reported recommending that the amendment ought NOT to pass (Senators Augustus, Spilka and Brown and Representatives Eldridge of Acton, Rogeness of Longmeadow and Frost of Auburn dissenting);

Proposal for a Legislative Amendment to the Constitution relative to a vacancy in the office of Governor or Lieutenant Governor (see House, No. 664) with reference to which the committee on Election Laws has reported recommending that the amendment ought to pass (Senator Creedon dissenting);

Proposal for a Legislative Amendment to the Constitution to change the length of term for Representatives and Senators from two years to four years (see House, No. 685), with reference to which the committee on Election Laws has reported recommending that the amendment ought NOT to pass (Senator Spilka and Representatives Atsalis of Barnstable and Rogeness of Longmeadow dissenting);

Proposal for a Legislative Amendment to the Constitution prohibiting eminent domain takings for the purpose of economic development (see House, No. 1497), with reference to which the committee on the Judiciary has reported recommending that the amendment ought to pass;

Proposal for a Legislative Amendment to the Constitution prohibiting eminent domain (see House, No. 1705) having been reported from the committee on the Judiciary ought NOT to pass (under Joint Rule 23) (the time within which the committee was required to report having expired);

Proposal for a Legislative Amendment to the Constitution relative to legislative action on initiative amendments (see House, No. 1727) having been reported from the committee on the Judiciary ought NOT to pass (under Joint Rule 23) (the time within which the committee was required to report having expired);

Proposal for a Legislative Amendment to the Constitution relative to eminent domain takings (see House, No. 1771), with reference to which the committee on the Judiciary has reported recommending that the amendment ought to pass;

Proposal for a Legislative Amendment to the Constitution relative to initiative petitions (see House, No. 1772) having been reported from the committee on the Judiciary ought NOT to pass (under Joint Rule 23) (the time within which the committee was required to report having expired);

Proposal for a Legislative Amendment to the Constitution relative to civil and legal rights (see House, No. 3878), having been reported from the committee on the Judiciary ought NOT to pass (under Joint Rule 23) (the time within which the committee was required to report having expired).

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Without action on the matters duly and constitutionally assigned for consideration, on motion of Ms. Menard, at two minutes past one o'clock P.M., the joint session was recessed until one o'clock P.M., on Thursday, June 14, 2007; and the Senate withdrew from the House Chamber under the escort of the Sergeant-at-Arms.