

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 IN JOINT SESSION .

Thursday, January 6, 2011.

At three minutes before twelve o'clock noon, the two branches met in

CONVENTION

in the Chamber of the House of Representatives, for the purpose of administering the oath of office to the Governor-elect, the Lieutenant Governor-elect and the several Councillors-elect, and were called to order by the Honorable Therese Murray, President of the Senate.

Order Adopted.

On motion of Mr. Berry,--

Ordered, That a committee be appointed to consist of members of the Senate and the House of Representatives to wait upon the Governor-elect, the Lieutenant-Governor-elect and the several Councilors-elect and inform them that the two branches of the General Court are now in convention for the purpose of administering oaths required to qualify them for the discharge of the duties of their offices.

Senators Rosenberg of Hampshire and Franklin, Spilka of Middlesex and Norfolk, Keenan of Norfolk and Plymouth, DiDomenico of Middlesex, Suffolk and Essex and Ross of Norfolk, Bristol and Middlesex were appointed the committee on the part of the Senate; Representatives Naughton of Clinton, Stanley of Waltham, Dwyer of Woburn, Brownsberger of Belmont, Koutoujian of Waltham, Barrows of Mansfield, and Frost of Auburn were appointed the committee on the part of the House.

Subsequently, Mr. Rosenberg, for the said committee, reported that the Governor-elect, Lieutenant Governor-elect and the Councilors-elect were duly notified.

At sixteen minutes past twelve o'clock noon, the Governor-elect, the Lieutenant-Governor-elect, the Councilors-elect, Martha P. Coakley, Attorney General, A. Joseph DeNucci, Auditor of the Commonwealth, Steven Grossman, Treasurer and Receiver-General-elect and Suzanne M. Bump, Auditor-elect of the Commonwealth entered the Chamber, under the escort of the Sergeant-at-Arms.

Pledge of Allegiance.

The President then introduced four members of our Armed Forces: Rachel Caesar, Willie Van Ledbetter, and Maria Oltjenbruns of the United States Army and Christopher Brown of the United States Air Force, who led the Convention in the pledge of allegiance to the flag.

The National Anthem was performed by Ms. Melanie Campbell.

The invocation was offered by the Reverend Dr. Evan C. Hines of the Eliot Congregational Church of Roxbury, as follows:

I welcome you to participate in this prayer with me through the words 'We ask Lord, that you hear our prayer'.

Let us pray.

Our Lord, Our God, Our redeemer, Our Creator, Our source of all things good...We ask Lord, that you hear our prayer!

For the Commonwealth of the State of Massachusetts...We ask Lord, that you hear our prayer!

For every elected official sworn into public office...We ask Lord, that you hear our prayer!

For Our Governor, the honorable Deval L. Patrick...We ask Lord, that you hear our prayer!

For His strength, for his health, for wisdom, understanding, tenacity and resilience...We ask Lord, that you hear our prayer!

For the lovely First Lady Diane Patrick...We ask Lord, that you hear our prayer!

For their families. For the Lieutenant Governor, for the governor's cabinet, for the decisions, for the programs, for the budget, for the plans, for the challenges, the victories, and for the people of the commonwealth of the state of Massachusetts...

We ask Lord, that you hear our prayer!

...We ask Lord, that you hear our prayer.

In Jesus Name.

Amen

Before the President of the Senate, and in the presence of the two Houses of Assembly, the oaths and affirmations of office were then administered to, and subscribed by Charles Oliver Cipollini of Fall River, Kelly A. Timilty of Dedham, Marilyn M. Petitto-Devaney of Watertown, Christopher A. Iannella, Jr., of Boston, Mary-Ellen Manning of Salem, Terrence W. Kennedy of Lynnfield and Jennie L. Caissie of Oxford, as Councillors, at twenty-seven minutes past twelve o'clock noon.

Before the President of the Senate, and in the presence of the two Houses of Assembly, the oaths and affirmations of office were then administered to, and subscribed by, His Excellency Deval L. Patrick, as Governor, at twenty-six minutes before one o'clock P.M., and a proclamation was made by the Secretary of the Commonwealth.

Before the President of the Senate and the Speaker of the House of Representatives, and in the presence of the two Houses of Assembly, the oaths and affirmation of office were then administered to, and subscribed by His Honor Timothy P. Murray, as Lieutenant-Governor, at twenty-two minutes before one o'clock P.M., and a proclamation was made by the Secretary of the Commonwealth.

His Honor the Lieutenant Governor Timothy P. Murray then addressed the convention, as follows (see Senate, No. 2):

**LIEUTENANT-GOVERNOR TIMOTHY P. MURRAY
INAUGURAL ADDRESS**

On Inauguration Day, four years ago, I stood before you and recalled the words of John Adams when I asked us to go forward and "cheerfully engage" the opportunities and challenges that confronted us, knowing that our task was both difficult and worthy.

There can be little doubt that our task was difficult....more difficult than any of us could have imagined.

And now, as we embark on a new term and begin the next chapter in the enduring story of our Commonwealth, we continue to face many difficult decisions.

So if we can agree that the task ahead is difficult, the open question for us today is this: Is our task worthy?

Or to put it another way, what is the appropriate role of state government in our lives? And how should we frame our actions to reflect the ideals of our history?

These are not trivial questions.

Some will argue that government is the root of all of our problems. But I learned, long ago, that they are wrong. Our free and elected state government is and must be an expression of our worthy aspirations.

To illustrate this point, let me take you back to 1991, when Massachusetts was dealing with many of the same challenges we face today....though not as severe.

At that time, I was going to law school at night and working full-time during the day as a housing advocate at a non-profit agency in Framingham. My job was, primarily, to assist single women and their children who were either homeless or on the verge of being homeless. Some were already in shelters, others were living with friends or family, and our agency had a contract with the state to help find them stable and affordable housing.

Soon after I started the job, I began working with a woman who had three young children and was at risk of eviction from her apartment because she owed back rent. Her estranged husband was a Vietnam veteran who had struggled with what he'd been through in that war and he'd been in and out of their lives for some time.

She worked as much as she could around her children's school schedule to earn enough to meet her monthly expenses, but it was tough with three young children at home.

We met almost weekly, for nearly two years, and one way or another we managed to keep her and her children in that apartment.

Her landlord was a decent man, and more than once he agreed to wait a few more weeks for the back rent owed, as she struggled to work as many hours as she could.

And I worked with her to navigate the tangled and often disconnected array of human service programs, both public and private, to find any help that was available for her.

Through it all, I was struck by her strength and her determination...but most of all, by her attitude. She was in a very tough situation. She'd had some bad breaks in life, but she always seemed hopeful, never bitter—though, I'm sure she had difficult moments because of all that she was dealing with.

Well, a couple of years passed, and I left that housing job to work as a law clerk.

Another advocate took over this family's case, and we all moved on. Then, sometime in 2005, when I was Mayor of Worcester, I got an email from this woman. She wanted to know if I was the same Tim Murray who had worked as a housing advocate in Framingham back in the early 1990s. I responded to her yes, and we spoke. We met for coffee and we've stayed in touch over the years.

Without compromising her privacy, I asked her permission to tell you her story today, because it's relevant to the question of the worthiness of our task. And the rest of her story is the proof positive. You see, a while after I left the housing agency, she was approved for a housing voucher. That meant the constant threat of homelessness was over. Having stable housing marked a turning point for her, and her children.

She continued to work as many hours as possible and then enrolled in a community college. After completing the program, she went on to Framingham State College and earned a degree, which helped her secure a full-time job. She no longer needed the housing voucher, and a few years later, she bought her own home—which, by the way, was in a 40-b affordable housing neighborhood.

Today, she's still working hard, and she's put her all three of her children through college, two of whom went to our state's public universities. And she's proud to report they are all doing well.

Now, this family is not famous. We don't read about them on the front page, or see them on the six o'clock news. This woman doesn't feel entitled to anything more than the freedom to live her life, raise her family, and contribute to the community around her. And she's the first to admit that without that temporary help from the government, and without other acts of support and kindness from her community and private citizens, she would not be where she is today.

Her story demonstrates, that in some shape, manner or form, the work we do here impacts every member of the Massachusetts family, somehow, or in some way.

To me, this is why our work is worthy.

This is what it means to be a Commonwealth.

Over the past four years, working with Governor Patrick, I've had the great privilege to lead our administration in several areas that focus on fundamental issues, like housing and homelessness. And whether it is making sure everyone in Massachusetts has a

roof over their heads...or a safe and reliable transportation network...or safe communities and good schools for their children...what we strive to do is make government work better.

It may not be glamorous, but it's the every-day blocking and tackling that makes government more efficient and effective. And in this spirit, we've completed many important reforms around transportation, education, pensions and other matters over the past four years.

And we know that the additional work that lies ahead will require new models and paradigms for how we deliver services. We will reach out to work with municipal leaders and employees to control health insurance costs in an expeditious and fair manner...we will establish a transportation infrastructure bank to continue our work in modernizing the state's transportation system...in these and other initiatives, we have hard work to do, and I know that if we work together, we can achieve success.

Nearly 50 years ago...in this chamber, President Elect Kennedy quoted Pericles when he said of this Commonwealth: 'we do not imitate, for we are a model to others'. So today, I say, let us be a model of action and thoughtfulness in tackling the challenges ahead... never losing sight of the fact that we truly are a Commonwealth.

The preamble to our state Constitution reminds us that, we live in "a social compact by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed....for the common good."

That means creating an environment for economic opportunity, while helping those among us who need it most so that ultimately every citizen contributes and benefits.

Throughout our history, in the boom times and in the difficult times, the people of Massachusetts have risen to this challenge. They have found a way to innovate, adapt and get the job done. And the compassion of the people of Massachusetts is expressed through the framework of their free and elected government, to provide for the common good.

In this way, we maintain the fabric of our communities and preserve the ideals of our Commonwealth for the next generation.

This is a worthy goal...it is our shared goal.

It is what I believe in; it is what Governor Patrick believes in...

And today I ask the people of Massachusetts for their support, their good ideas, and to join us as we set upon this worthy task.

Thank you.

His Excellency the Governor Deval L. Patrick, thereupon submitted his address upon the general concerns of the Commonwealth, as follows (see Senate, No. 1):

GOVERNOR DEVAL L. PATRICK INAUGURAL ADDRESS

Lt. Governor Murray, Fellow Constitutional Officers and Members of the Governor's Council; Madam President, Mr. Speaker and Members of the Legislature; Mr. Chief Justice and Members of the Judiciary; Mayor Menino and the Many Other Mayors and Local Officials present; Reverend Clergy; Distinguished Guests and Friends; and above all The People of the Commonwealth:

Four years ago, I challenged you to take a chance on your own aspirations -- on hope for an economy based on innovation and opportunity, on hope for better schools and universal health care, on hope for better politics.

Four years ago, hope was in short supply. Young people and jobs were leaving our state. Roads and bridges were crumbling. Health care reform had passed, but not yet been implemented. Stem cell research was restricted. Our clean energy potential was undermined by refusal to join the Regional Greenhouse Gas Initiative or to support Cape Wind. And we had had too many years of leadership more interested in having the job than doing the job.

Together we set out on a journey to change that. Along the way, the global economy collapsed. Thousands of people lost jobs, lost savings, lost homes. Many, maybe some of you, lost confidence. People all over the Commonwealth began to wonder whether the American Dream itself was up for grabs.

Times like these are more than a test of policy. They are a test of character.

So, when the going got tough, we didn't look for scapegoats or run for cover. We didn't lose our temper or our way. Growing up in rough times and rough circumstances taught me not to just curl up and wait for better times. No, what I learned was that optimism and effort, hope and hard work, is the only way to climb out of a hole.

So, just like families across the Commonwealth, we took a fresh look at our plan, stiffened our resolve, and made choices.

We chose to invest in education, in health care, and in job creation, because we all know that educating our kids, being able to count on good health care, and having a job is the path to a better future.

And that's why today Massachusetts leads the Nation in student achievement and health care coverage for our residents.

That's why we are creating jobs faster than most other states, why our unemployment rate is well below the national average, why we're coming out of recession faster than the rest of the country, and why CNBC has moved our state up to the fifth best place in America to do business.

That's why we won the national Race to the Top competition and why we will be home to America's first offshore wind farm.

That's also why the CORI system finally got fixed. And why veterans serving in Iraq, Afghanistan, and around the world know that we will look after their families when they are away and help them when they come home.

That's why today for the first time in 20 years young people and families are moving into the Commonwealth faster than they are moving out.

None of this is happening by accident. It's happening because of the choices we made, the investments you, the Legislature and the people of the Commonwealth, have supported. This and more is happening because we didn't just sit around and wait for better times. We are building a better future for all of us -- by making better choices.

Not everyone supports every choice we've made. Some of those choices have made even some of our political allies uncomfortable. But this job and these times demand more than making each other comfortable. The times demand that we face the hard choices before us with candor and courage, and that we act -- because doing so today will make us stronger tomorrow.

And we need to keep an eye on tomorrow.

I read a newspaper article some while ago that compared the so-called Greatest Generation to my generation, the Baby Boom Generation. The article described the Greatest Generation as the generation that fought and won the Second World War and then rebuilt Europe; the generation that then came home and built great public institutions and universities and the federal highway system; that created the social safety net we so worry about today; that launched the modern civil rights movement.

Then the article described my generation as the "grasshopper generation," because we have been feeding off of that all our lives.

Look around you. The University of Massachusetts and MIT, the Mass Pike, the park or rink in your neighborhood, the T, the good school in the distinguished old building down the block, the world class hospital, Tanglewood, Logan Airport, the police and fire stations and the people who serve in them -- none of it sprang fully formed from thin air. Each is the result of our parents, grandparents, and great-grandparents asking themselves what they must do in their time to leave things better for the generation to come, and then sacrificing for it. They saw their stake not just in themselves, but in their neighbors; not just in their times but in tomorrow. They bore their generational responsibility. Now, so must we.

We must demand more of ourselves than rhetoric that divides us and leadership that kicks every tough decision down the road. We must demand more not just of our public leaders, but also of our private ones -- and of ourselves as individual citizens. Generational responsibility belongs to all of us. Every one of us owes a debt to the future payable only by making the kinds of choices today that build a better, stronger Commonwealth for tomorrow.

And so the work of the second term looms before us. That means jobs to create, schools to strengthen, health care costs to reduce, and urban violence to end. Working together we have made progress on many of these fronts. But this is no time to be satisfied.

We can't be satisfied until every single resident who seeks work can find it. That means we must invest in education, in the innovation industries that are expanding opportunity around the Commonwealth, in the small businesses that are the backbone of our economy, and in the infrastructure that supports it all.

We must reduce the costs of doing business here, and make it easier for companies to hire people by removing unwarranted barriers, be they outdated regulations, escalating health insurance premiums, or limits on capital access for small businesses.

And as more and more Massachusetts companies compete nationally and internationally for sales, jobs, investors, and talent, we must answer their call, by helping to promote the attractions of doing business and creating jobs right here in the Commonwealth. Expect me to lead more trade missions here in the States and abroad, to lobby hard for our interests in Washington and elsewhere, to be your jobs advocate. We have the tools to compete. We have the talent, the tradition of invention, the venture capital, the ideas. And so we will compete -- for every job, in every industry, in every corner of the Commonwealth, and the world.

We can't be satisfied until a great school is within reach of every young person in the Commonwealth. That means we must find the ways to invest in public schools, from early education to public universities, because young people get their chance now and don't have the option to sit out their education until the recession is over.

And it is critical that we use the tools we have in the landmark Achievement Gap Act, which the Legislature passed and I signed only last year, to support the imagination and creativity of great teachers, principals, parent groups, and business partners, to reach the poor children and children with special needs and children who speak English as a second language – the children on whose preparation and optimism our future economy and quality of life depend.

We will close the achievement gap in Massachusetts and continue to show leadership in public education. Being first in the Nation is a good start. But being first in the world is where we are headed.

We can't be satisfied until health care is as affordable as it is accessible. That means creating incentives for all providers to work together to deliver better care at lower cost, improving transparency in the charges for services, reforming the medical malpractice system, and getting excessive paperwork out of the way of the relationship between doctor and patient. It means a new emphasis on wellness and prevention.

And it means that we must change the way we pay for health care. So, we will file legislation in the coming weeks to address health care cost, including significant payment reform and simplification. This will be a challenge. There will be great debate and resistance to change. But working families, small and large businesses alike, and governments, too, need a solution – and they need it now.

Some steps we can take immediately without waiting for new laws. At my direction, MassHealth, the Health Care Connector and the Group Insurance Commission will implement pilot programs to demonstrate new, more cost-effective ways to buy health care. To get different results, we need to start trying different things. And we need to start now.

We will work on these and other plans with our partners in the health care industry and in Washington, as well as with patient advocates. Everyone -- insurers, hospitals, physicians, nurses, and other medical professionals, and especially patients -- needs to be a part of this solution. But let me be clear: The time for talk is over. The time for action has arrived.

We can't be satisfied until children stop killing other children, until we have developed and implemented a comprehensive strategy for preventing youth violence, one that ends the despair felt by too many young people and the fear felt by everybody else. It's time to move beyond ideas and programs that may once have worked but don't today, and stale alliances to individual budget line items.

I don't have all the answers, and that frustrates me deeply. But I know the answers are out there. So, we will engage the full spectrum of people who work with young people – educators and law enforcement, street workers and clergy, human services providers and business leaders, victim advocates, and survivors, whoever is willing to help support and love a young person on to a positive future. The cycle of violence and poverty in any community is a threat to every community. It threatens our fundamental belief in opportunity for all and it must stop.

More jobs. Stronger schools for all our children. Affordable health care. Safer neighborhoods. That's the work of our second term. We cannot be satisfied – and I will not be satisfied -- until we have done all we can in each of these areas. Only in this way will we bear our responsibility to leave this place better than we found it for our sake and for a generation yet to come.

That is my commitment and the commitment of my administration to the people of Massachusetts.

That also means continuing to improve the way our government serves people. We have a pension system that needs further reform, cities and towns that need more tools to cut their costs, a re-entry system (both in probation and parole) that needs to regain the public's confidence, sentencing laws that need coherence, a tax code that needs simplicity and fairness.

None of this is simple. All of it is challenging. Fortunately, we also have a legislature that has shown its willingness to take tough votes, public employee unions willing to work with us in respectful partnership, appointees who understand that the public's interest comes first, an attentive and engaged electorate, and a governor who has shown you I will stand up to anybody to bear our generational responsibility. We have what we need to do what's right. Now is the time to fix what's broken.

To meet these responsibilities, I challenge us all to turn to each other, not on each other. Let us bring our passion not to scoring political points but to finding real solutions. Let us bear our generational responsibility together.

Because there are real needs in real people's lives at stake.

Nothing we say or do here today will long be remembered. What will be remembered, what will last, is the light we let shine in our neighbor's lives and in our Commonwealth. And in some fundamental way, that is all about service and sacrifice.

The service and sacrifice of the soldiers or police officers or fire fighters who put themselves in harm's way abroad and at home for the rest of us.

The service and sacrifice of the teachers who come in early and stay well past the class day to help a child master her reading.

The service and sacrifice of the immigrant who works three jobs to provide the signature American opportunity he once lay awake dreaming of in a distant homeland.

The service and sacrifice of our parents and grandparents, of our aunts and uncles and cousins and the old ladies in my old neighborhood, and neighborhoods all across the Commonwealth, who chose through some gesture, great or small, to make a better way for each one of us.

What is at stake is the American Dream. It is worth fighting for, worth serving and sacrificing for. I say that not just as your Governor, but also as someone who has lived it. Make no mistake: for that reason, I will give everything I have to move this agenda forward.

On Saturday, through something we call Project 351, we will gather 8th graders from every single city and town in the Commonwealth for a day of service. They are remarkable young people, who are already contributing to making a better community.

They are young people like Angelidi Monegro from Lawrence, who serves as a companion to children with severe disabilities and volunteers at the local food pantry.

Kids like Stephen Vercollone of Pembroke, who as one of 11 children, led a school drive to create holiday packages for our troops in Afghanistan, where his older brother is currently stationed.

The point of Project 351 is to lift up their examples, to encourage the substance and the spirit of their work, and the parents, teachers and communities that inspire them, and to send them back to their communities as a beacon and a challenge for the rest of us. Service for them is not just about what they do, but also about who they are. Surely, if these 8th graders can find a way to serve, a way to bear their generational responsibility, the rest of us can also.

In that same spirit of service and sacrifice, we embark on the journey of this second administration, humbled by the public trust, invigorated by the task, confident in our plans, committed to our responsibility to build a better Commonwealth, and certain that with optimism and effort, and the grace of God, our best days lie ahead.

Thank you, God bless you all, and God bless the Commonwealth of Massachusetts

A proclamation was issued by William F. Galvin, Secretary of the Commonwealth attesting to the election and swearing-in of the Governor, Lieutenant-Governor and the several Councillors.

The benediction was given by Reverend Dr. Sarai Rivera of the Christian Community Church of Worcester, as follows:

A benediction is a spoken blessing. It is what we as a people truly need, as we start off not only this New Year, but also this new term in this administration in our state. Today I am certain that what will carry this administration along with us as constituents is a spoken blessing from God.

Today I would like to leave you with a spoken blessing of hope, resilience and unity! By the power of our creator I declare a blessing of Shalom over our state that we as a people of this state will hold true to the understanding that we are responsible for one another- yes we are our brother's keeper. That things like equality, food, shelter, health care, education and opportunity is not for a select few but a God given right for all regardless of status, race, class or gender.

May we learn to work together, regardless of differences in political, social and religious views, to truly make a difference in our state today and for generations to come. Let this be a generation and administration that future generations can look back and be proud of, not only by what was accomplished, but how we as a people worked together in unity to achieve great things.

Bless the leadership of this state--may you be true leaders who refuse to be conformist and instead choose to dedicate their lives and work towards justice. May you always rise above the narrow confines of individualistic thinking to the broader concerns of all humanity; and may you be the type of leadership that will mobilize us as a people to be willing to get out of our comfort zones, with resilience towards challenges, and a disposition to follow our convictions with actions.

Governor, Lieutenant Governor, people of the state of Massachusetts may we continue to be steadfast immovable, always abounding in good works, knowing that our labor is not in vain, let us stand fast in faith, be brave and strong. Let all that you do be done with love.

Grace, Love and Shalom to all - Amen

His Excellency the Governor, His Honor the Lieutenant Governor, the Constitutional Officers and the Honorable Executive Council then withdrew from the Joint Session, under the escort of the Sergeant-at-Arms.

On motion of Mr. Tolman, at twenty-three minutes past one o'clock P.M., the Convention of the Two Branches was dissolved; and the Senate withdrew from the Joint Session, under the escort of the Sergeant-at-Arms.