

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, October 26, 2009.

Met at three minutes past eleven o'clock A.M. (Ms. Spilka in the Chair).

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

Petition.

By Mr. Rosenberg, a petition (subject to Joint Rule 12) of Stanley C. Rosenberg, Stephen Kulik, Richard R. Tisei, Bradley H. Jones and other members of the General Court for a legislative amendment to the Constitution to provide for the filling of Congressional vacancies;
Under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of a Committee.

By Ms. Creem, for the committee on the Judiciary, on petition, a Bill relative to the modernization of optometric patient care (Senate, No. 1756);
Referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Ms. Creem, for the committee on the Judiciary, on petition, a Bill relative to the committee for public counsel services (Senate, No. 1605);

By the same Senator, for the same committee, on petition, a Bill relative to drug mandatory

minimum sentences (Senate, No. 1651); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1611), a Bill to prevent harassment (Senate, No. 2185);

Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Ms. Creem, for the committee on the Judiciary, on petition, a Bill relative to parental choice of terminology in certain domestic relations matters (Senate, No. 1662);

Read and, under Senate Rule 26, referred to the committee on Ethics and Rules.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4294) of Brad Hill and Bruce E. Tarr (by vote of the town) for legislation to increase the size of the board of selectmen in the town of Hamilton,—**was referred, in concurrence, to the committee on Municipalities and Regional Government.**

A Bill authorizing the town of Montague to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4240,— 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 severally considered forthwith and adopted, as follows:—

Resolutions (filed by Messrs. Joyce, Baddour, Berry, Brewer, Brown and Buoniconti, Ms. Candaras, Ms. Chandler, Ms. Chang-Diaz, Ms. Creem, Messrs. Donnelly, Downing and Eldridge, Ms. Fargo, Ms. Flanagan, Messrs. Galluccio, Hart and Hedlund, Ms. Jehlen, Messrs. Kennedy, Knapik and McGee, Ms. Menard, Messrs. Montigny, Michael O. Moore, Richard T. Moore and Morrissey, Ms. Murray, Messrs. O’Leary, Pacheco, Panagiotakos and Rosenberg, Ms. Spilka, Messrs. Tarr, Timilty, Tisei and Tolman, Ms. Tucker and Ms. Walsh) “congratulating Gerard J. Joyce on the occasion of the ninetieth anniversary of his birth”;

Resolutions (filed by Mr. Knapik) “honoring the Volleyball Hall of Fame on the occasion of its twenty-fourth enshrinement celebration”;

Resolutions (filed by Mr. Montigny, Ms. Menard and Mr. Pacheco) “honoring the Honorable Armand Fernandes, Jr. in retirement as Justice of the Bristol County Probate and Family Court”; and

Resolutions (filed by Messrs. Morrissey and Joyce) “celebrating Temple B’Nai Shalom’s fiftieth anniversary.”

Reports of Committees.

From: <http://www.mass.gov/legis/journal/186/sj102609.htm>

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Richard Donati, an employee of the Department of the Corrections (Senate, No. 2157),— **ought to pass, with an amendment inserting after the second sentence the following sentence:— “Sick leave bank days shall not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the department.”**

There being no objection, the rules were suspended, on motion of Mr. Hedlund, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2157, amended) was then 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 establishing a sick leave bank for Richard Donati, an employee of the Department of Correction”.

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 Mary Markley, an employee on the Trial Court (House, No. 4233),— **ought to pass.**

There being no objection, the rules were suspended, on motion of Mr. Hedlund, 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. Berry, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Steven C. Panagiotakos, Kevin J. Murphy and David M. Nangle for legislation to require the use of helmets by certain children during winter sports.

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

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 for legislation to designate a portion of Route 18 as Kennedy Boulevard.

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

Severally sent to the House for concurrence.

Order Adopted.

On motion of Mr. Hedlund,—

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

From: <http://www.mass.gov/legis/journal/186/sj102609.htm>

On motion of the same Senator, at eight minutes past eleven o'clock A.M., the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.