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Massachusetts Senate Journal, June 25, 2009
Thursday, June 25, 2009

Massachusetts Senate

2009 Regular Session

UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.

JOURNAL OF THE SENATE.

Thursday, June 25, 2009.

Met according to adjournment at one o'clock P.M. (Mr. Rosenberg in the Chair).

Distinguished Guests.

There being no objection, the President handed the gavel to Mr. Brown for the purpose of two introductions. Mr. Brown then introduced, in the rear of the Chamber, his nephew, Josh Heath. Josh is a member of the United States Coast Guard and is currently stationed on the USS Escanaba. The Senate applauded his heroic efforts and he withdrew from the Chamber.

Mr. Brown then introduced Jack Mill from Medway, who recently graduated from high school with honors and will be attending Framingham State College in the Fall. He is accompanied by Charlene Tingley and Mary Jane White.

There being no objection, the President handed the gavel to Mr. O'Leary for the purpose of an introduction. Mr. O'Leary and Ms. Murray then introduced, in the rear of the Chamber, artists working with the Cape Cod Museum's Art School to Careers Art Internship Program. The ARTWORKS program partners junior and senior high school students with successful working artists and allows them to work alongside the artists for eight weeks learning about the various aspects of being a professional artist. The Senate applauded their accomplishments and they withdrew from the Chamber.

Reports of Committees.

By Ms. Tucker, for the committee on Housing, on Senate, Nos. 617, 618, 655 and 666, a Bill preserving **publicly assisted affordable housing** (Senate, No. 2097) [Local approval received on Senate, Nos. 618 and 666];

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

By Mr. Eldridge, for the committee on Municipalities and Regional Government, on

petition, a Bill relative to the Leino Water District (Senate, No. 2068);

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

By Mr. Eldridge, for the committee on Municipalities and Regional Government, on petition, a Bill relative to paying down the debt for school projects in the town of Rutland (Senate, No. 2033) [Local approval received];

By the same Senator, for the same committee, on petition, a Bill relative to the Recreation Revolving Fund in the town of Rutland (Senate, No. 2077) [Local approval received];

Severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Recess.

There being no objection, at one minute past one o'clock P.M., the Chair (Mr. Rosenberg) declared a recess subject to the call of the Chair; and, at six minutes past three 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 severally considered forthwith and adopted, as follows:-

Resolutions (filed by Mr. Brewer) "honoring Mr. John R. Bacon for his commitment to public service and local government leadership";

Resolutions (filed by Mr. Hart) "congratulating Annie L. Shaughnessy Butler on the occasion of her one hundredth birthday";

Resolutions (filed by Mr. Joyce) "honoring Eldon F. Moreira and Madeline M. Mulcahy on the occasion of their fiftieth wedding anniversary";

Resolutions (filed by Mr. Kennedy) "recognizing June 2009 as National Scoliosis Awareness Month"; and

Resolutions (filed by Mr. O'Leary) "congratulating the Wellfleet Harbor Actors Theater, known as *WHAT*, on the occasion of its twenty-fifth anniversary celebration."

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 to improve the laws relating

to campaign finance, ethics and lobbying. (House, No. 3856) (amended by the Senate by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2052) (House, No. 4133), -- came from the House, and was read.

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

After remarks, the question on acceptance of the report of the committee of conference, in concurrence, was determined by a call of the yeas and nays, at ten minutes before four o'clock P.M., on motion of Mr. Joyce, as follows, to wit (yeas 40- nays 0) **[Yeas and Nays No. 86]**

Insert Roll Call "86"

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

A petition of James B. Eldridge, Harriette L. Chandler, Carolyn Dykema, Harold P. Naughton, Jr. and other members of the General Court for legislation to establish a special commission on the reuse of Westborough State Hospital,-- came from the House with endorsement that the House concurred in the suspension of Joint Rule 12; and had NON-concurred in the reference to the committee on Municipalities and Regional Government. The petition bore the further endorsement that the matter had been referred to the committee on State Administration and Regulatory Oversight.

On motion of Mr. Michael O. Moore, the Senate receded from its reference to the committee on Municipalities and Regional Government and concurred in the reference to the committees on State Administration and Regulatory Oversight.

Recess.

There being no objection, at thirteen minute past four o'clock P.M., the President declared a recess subject to the call of the Chair; and, at ten minutes before five o'clock P.M., the Senate reassembled, the President in the Chair.

Papers From the House.

Engrossed Bill.

An engrossed Bill to improve the laws relating to campaign finance, ethics and lobbying (see House, No. 4133) (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.**

Recess.

There being no objection, at eight minutes before five o'clock P.M., the President declared a recess subject to the call of the Chair; and, at five minutes past five o'clock P.M., the Senate reassembled, Mr. Brewer in the Chair (having been appointed, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

Papers From The House.

The House Bill making appropriations for the fiscal year 2009 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4125, amended),-- came from the House with the endorsement that the House had concurred in the Senate amendment *with a further amendment* striking out all after the enacting clause and inserting in place thereof the text of House document numbered 4137.

The rules were suspended, on motion of Mr. Panagiotakos, and the House further amendment was considered forthwith and adopted, in concurrence (as corrected BTR).

Emergency Preamble Adopted; Engrossed Bill Enacted.

An engrossed Bill making appropriations for the fiscal year 2009 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4125, 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 2 to 0.

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

Subsequently, the bill, which originated in the House, came from the House with the endorsement that it had been enacted in that branch.

The Senate then passed the bill to be enacted; and it was signed by the Acting President (Mr. Brewer) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Tisei ,--

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 Chair (Mr. Brewer), the members, guest and employees stood in a moment of silence and reflection to the memory of Anne Marie Quinlivan.

Adjournment in Memory of Anne Marie Quinlivan

The Senator from Plymouth and Barnstable, Ms. Murray, requested that when the Senate adjourns today, it adjourn in memory of Anne Marie Quinlivan.

Ms. Quinlivan, of Milton and Dennisport, died suddenly on June 20, 2009. Beloved daughter of Timothy F. Quinlivan of Milton and the late Anna F. (Clifford). Cherished sister of Maura E. Waszkiewicz and her late husband, Richard J. Loving aunt of Kerri W. Dellisanti & Richard J. Waszkiewicz and great aunt of Luca & Kai Dellisanti.

Ms. Quinlivan served thirty years with the State Ethics Commission, joining the Commission as only its second employee in the 1970s. Over the ensuing decades, she filled multiple roles, including serving as its Chief Financial Officer. Ms. Quinlivan will be missed by her family, friends and colleagues

Accordingly, as a mark of respect to the memory of Anne Marie Quinlivan, at sixteen minutes before seven o'clock P.M., on motion of Mr. Tisei, the Senate adjourned to meet again Monday next at eleven o'clock A.M.

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