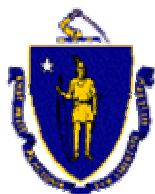


NOTICE: - While reasonable efforts have been made to assure the accuracy of the data herein, this is **NOT** the official version of Senate Journal. It is published to provide information in a timely manner, but has **not** been proofread against the events of the session for this day. All information 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.

Wednesday, November 4, 2009.

Met at three minutes past eleven o'clock A.M. (Mr. Rosenberg in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

A group of students from Taunton Catholic Middle School, seated in the gallery, led the Chair (Mr. Rosenberg), members, guests and employees in the recitation of the pledge of allegiance to the flag.

Distinguished Guests.

There being no objection, the President handed the gavel to Ms. Walsh for the purpose of an introduction. Ms. Walsh then introduced, in the rear of the Chamber, the Westwood-Dedham Council on Aging. This group is dedicated to serving seniors and assisting their families and friends with aging issues. They were led by their tour guide, Ray Molinaro. The Senate welcomed them with applause and they withdrew from the Chamber.

Report of a Committee.

By Ms. Fargo, for the committee on Public Health, on Senate, Nos. 810 and 811, a Bill to eliminate racial and ethnic health disparities in the Commonwealth (Senate, No. 810);

Referred, under Joint Rule 1E, to the committee on Health Care Financing.

PAPERS FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4306) of Ellen Story and Stanley C. Rosenberg (by vote of the town) that resident aliens eighteen years or older residing in the town of Amherst be eligible to vote

in local elections;

To the committee on Election Laws.

Petition (accompanied by bill, House, No. 4304) of Bradford Hill and Bruce E. Tarr (by vote of the town) authorizing the town of Manchester-by-the-Sea to convey certain land; and

Petition (accompanied by bill, House, No. 4305) of Karyn E. Polito (by vote of the town) relative to determining precinct preservation in the town of Shrewsbury;

Severally to the committee on Municipalities and Regional Government.

A Bill establishing a sick leave bank for Michael Jordan, an employee of the Trial Court (House, No. 4250,— on petition),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill designating a portion of Route 140 as the Korean War Veterans' Memorial Roadway (House, No. 4215,— on petition), — **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

Resolutions.

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:—

Resolutions (filed by Ms. Tucker) “congratulating Thomas J. Connelly, Jr. on 30 years of outstanding service to the Massachusetts Chapter of the National Association of Housing and Redevelopment Officials.”

Matters Taken Out of the Orders of the Day.

There being no objection, the following matters were taken out of the Orders of the Day, and considered as follows:

The House Bill relative to the development of certain town land in the town of Chatham (House, No. 3823),— **was read a third time and passed to be engrossed, in concurrence.**

The House Bill authorizing the Board of Assessors of the town of Newbury to grant a real estate tax abatement (House, No. 4200),— **was read a third time and passed to be engrossed, in concurrence.**

Reports of Committees.

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill establishing the interstate compact for juveniles (Senate No. 53),— **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2189).**

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. 2189) was then ordered to a third reading.

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill clarifying the requirements for licensing as a real estate broker or salesperson (Senate, No. 121),— **ought to pass, with an amendment striking out section 1; and by adding the following section:**

“SECTION 2. This act shall take effect on January 1, 2011.”

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. 121, amended) was then ordered to a third reading.

Mr. Panagiotakos, for the committee on Ways and Means, reported, in part, on House, No. 4298, a “Bill

preserving publically-assisted affordable housing” (Senate, No. 2190).

The bill was read. There being no objection, the rules were suspended, on motion of Mr. Hedlund, and the bill was read a second time and ordered to a third reading.

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 Robert A. O’Leary for legislation to establish the Massachusetts Center for Hurricane Research.

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 Environment, Natural Resources and Agriculture. Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No. 4311) of Gloria L. Fox for legislation to establish a sick leave bank for Jeanette Ross, an employee of the Trial Court;

Under suspension of Joint Rule 12, to the committee on the Judiciary.

Petition (accompanied by bill, House, No. 4312) Aaron Michlewitz for legislation to authorize the lease of a certain parcel of land to the Rose Fitzgerald Kennedy Greenway;

Under suspension of Joint Rule 12, to the committee on Transportation.

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Terry Howard, an employee of the Department of Public Health (see Senate, No. 2131, 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. Rosenberg) and sent to the House for enactment.

Engrossed Bill.

An engrossed Bill designating the Vietnam Veterans Memorial Skating Rink in the city of North Adams as the Peter W. Foote Vietnam Veterans Memorial Skating Rink (see House, No. 3550) (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 Acting President (Mr. Rosenberg) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Hedlund,—

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow at one o’clock P.M., in a full formal session.

On motion of Ms. Walsh, at twenty-one minutes past eleven o’clock A.M., the Senate adjourned to meet again tomorrow at one o’clock P.M.