

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.

Thursday, November 8, 2007.

Met at two 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).

The Senator from Plymouth and Norfolk, Mr. Hedlund, led the Chair (Mr. Rosenberg), members, guests and employees in the recitation of the pledge of allegiance to the flag.

Communications.

The following communications were severally received and placed on file:

A communication was received from the Honorable Richard R. Tisei, Senate Minority Leader, announcing his appointment of Senator Bruce E. Tarr to serve as a member of the Electronic Health Records Task Force established (pursuant to Chapter 130 of the Acts of 2007) within the Office of Health and Human Services;

A communication from the Honorable Michael W. Morrissey under the provisions of Chapter 268A; and

A communication from the Board of Higher Education (under the provisions of Section 7 of Chapter 150E of the General Laws) submitting a copy of a request for an appropriation to fund a Collective Bargaining Agreement executed by and between the Board of Higher Education and the Massachusetts Teachers Association/NEA acting on behalf of the Massachusetts State College Association (MSCA) (received Tuesday, November 6, 2007).

Reports.

The following reports were severally read and placed on file:

A report of the Executive Office of Transportation (pursuant to line items 6000-0100 and 6010-0001 of the General Appropriation Act for Fiscal Year 2008 and Chapter 87 of the Acts of 2000 submitting various reports (received Friday, November 2, 2007);

A report of the Division of Unemployment Assistance (under the provisions of Section 14F of Chapter 151A of the General Laws) submitting information on the UI Trust Fund balance as of September 30, 2007, revised outlook for the private contributory account for 2007 through 2011 and tables that compare the Massachusetts Trust Fund as of June 30, 2007 to the balances of other States (received Friday, November 2, 2007);

A report of the Merrimack Valley Regional Transit Authority (under the provisions of Chapter 161B of the General Laws) submitting its annual report for fiscal year 2007 (received Wednesday, November 7, 2007); and

A report of the Human Resources Division (under the provisions of Section 25 of Chapter 31 of the General Laws) submitting a listing of Civil Service public safety police promotional lists that have been revoked by the Personnel Administrator as of November 1, 2007 (received Wednesday, November 7, 2007).

The following reports were severally read and sent to the House for its information:

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws)

relative to inspection of the I.C.E. Facility (received Monday, October 22, 2007);
A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of the Dartmouth Jail and House of Correction (received Monday, October 22, 2007); and
A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of the Dartmouth Women's Center (received Monday, October 22, 2007).

Petition.

Mr. Rosenberg presented a petition (accompanied by bill, Senate, No. 2400) of Stanley C. Rosenberg and Peter V. Kocot (with the approval of the mayor and city council) for legislation relative to the investment of trust funds for the city of Northampton [Local approval received],— **and the same was referred, under Senate Rule 20, to the committee on Municipalities and Regional Government.**
Sent to the House for concurrence.

Reports of Committees.

By Ms. Fargo, for the committee on Public Health, on petition, a Bill relative to safe work hours for physicians in training and protection of patients (Senate, No. 1247);
By the same Senator, for the same committee, on petition, a Bill relative to volunteer dentistry (Senate, No. 1323); and
By the same Senator, for the same committee, on petition, a Bill to establish a statewide environmental illness incidence registry (Senate, No. 2202);
Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Petrucci, for the committee on Municipalities and Regional Government, on petition, a Bill relative to the appointment of town managers (Senate, No. 1204);
Read and, under Senate Rule 26, referred to the committee on Ethics and Rules.

By Mr. Petrucci, for the committee on Municipalities and Regional Government, on petition, a Bill authorizing the city of Quincy to establish a neighborhood stabilization fund (Senate, No. 2160) [Local approval received];
By the same Senator, for the same committee, on petition, a Bill approving the conveyance of property by the county of Nantucket (Senate, No. 2224) [Local approval received];
By the same Senator, for the same committee, on petition, a Bill authorizing the town of Rockland to establish a school building capital trust fund (Senate, No. 2264) [Local approval received];
By the same Senator, for the same committee, on petition, a Bill to amend the representative town meeting procedures in the town of Randolph (Senate, No. 2305) [Local approval received];
By the same Senator, for the same committee, on petition, a Bill authorizing the town of Templeton to exchange a parcel of conservation land for a larger parcel to be held for conservation purposes (Senate, No. 2318) [Local approval received];
By the same Senator, for the same committee, on petition, a Bill authorizing the town of Hopedale to acquire certain property for municipal purposes (Senate, No. 2321) [Local approval received];
By the same Senator, for the same committee, on petition, a Bill relative to property tax exemptions in the town of Swampscott (Senate, No. 2324) [Local approval received];
By the same Senator, for the same committee, on petition, a Bill relative to the membership of the conservation commission of the town of Carver (Senate, No. 2326) [Local approval received];
By the same Senator, for the same committee, on petition, a Bill establishing a special fund in the town of Brimfield (Senate, No. 2328, changed in line 6, by striking out the word "excluding" and inserting in place thereof the word "including"; and in line 13, by striking out the number "213" and inserting in place thereof the number "23") [Local approval received];
By the same Senator, for the same committee, authorizing the city of Lowell to pay a certain court judgment (Senate, No. 2329) [Local approval received];
By Mr. Galluccio, for the committee on Public Service, on petition, a Bill authorizing the certification and eligibility as firefighters in the city of Taunton (Senate, No. 2154) [Local approval received];
By the same Senator, for the same committee, on petition, a Bill relative to provision of health insurance to surviving spouses of long-term employees of the town of Wareham (Senate, No. 2157) [Local approval received];
By the same Senator, for the same committee, on petition, a Bill relative to the group insurance program of the town of Boxborough (Senate, No. 2297) [Local approval received];
By the same Senator, for the same committee, on petition, a Bill relative to Gary J. Lopes, Jr., an employee of the town of Wareham (Senate, No. 2333) [Local approval received]; and
By the same Senator, for the same committee, on petition, a Bill providing for the establishment of a strong fire chief in the town of Georgetown (Senate, No. 2343) [Local approval received];
Severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Committee Discharged.

Mr. Panagiotakos, for the committee on Ways and Means, reported, asking to be discharged from further consideration of the Senate Bill relative to the negotiation of taxes under a tax increment financing) (TIF) (Senate, No. 1788),— **and recommending that the same be referred to the Senate committee on Senate Ethics and Rules. Under Senate Rule 36; the report was considered forthwith and accepted.**

PAPERS FROM THE HOUSE.

A Bill establishing a sick leave bank for Sharon Easter, an employee of the Department of Correction (House, No. 4209, amended,— on petition),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Bills

Relative to investments of dental service corporations (House, No. 1042,— on petition);
Authorizing the Dennis Water District to convey certain land (House, No. 3741,— on petition); and
Relative to the Grafton and South Grafton water districts (House, No. 4241,— on petition);
Were severally read and, under Senate Rule 26, referred to the committee on Senate Ethics and Rules.

Bills

Authorizing the town of West Boylston to convey certain open space land (House, No. 4120,— on petition); [Local approval received];
Authorizing the town of Needham to construct and maintain a common sewer through land acquired for conservation purposes (House, No. 4121,— on petition) [Local approval received];
Relative to the town manager in the town of North Andover (House, No. 4138,— on petition); [Local approval received];
Authorizing the city of Fitchburg to convey a certain parcel of land in the city of Fitchburg for watershed purposes (House, No. 4216,— on petition) [Local approval received]; and
Exempting Kevin Farragher from the maximum age requirement for appointment as a firefighter in the town of North Andover (House, No. 4143,— on petition) [Local approval received];
Were severally 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 Mr. Brown) “on the eightieth anniversary of the Wayland Garden Club”;
Resolutions (filed by Mr. Galluccio) “recognizing the relief efforts provided by the American Red Cross to the citizens of the Dominican Republic suffering from the devastating effects of Hurricane Noel”;
Resolutions (filed by Ms. Murray and Mr. O’Leary) “congratulating the Honorable Joseph J. Reardon on the occasion of his retirement”;
Resolutions (filed by Mr. Pacheco) “congratulating Thomas J. Souza on the occasion of his retirement”; and
Resolutions (filed by Ms. Wilkerson) “congratulating Doctor J. Keith Motley on his inauguration as the eighth Chancellor of the University of Massachusetts at Boston.”

PAPERS FROM THE HOUSE.

Emergency Preamble Adopted.

An engrossed Bill relative to public safety at reproductive health care facilities (see Senate, No. 1353, 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.**

An engrossed Bill establishing a sick leave bank for Dorothy Lafratta, an employee of the Department of Transitional Assistance (see House, No. 4249), 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.**

Report of a Committee.

Mr. Downing, for the committee on Ethics and Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The Senate Bill establishing the nursing and allied health trust fund (Senate, No. 674).
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. Sent to the House for concurrence.

PAPERS FROM THE HOUSE.
Committee of Conference.

The House Bill relative to health care access (House, No. 4310),— came from the House with the endorsement that the House had NON-concurred in the Senate amendment In section 1, in proposed section 160 of chapter GA, striking out subsection (b) and inserting in place thereof the following subsection:

“(b) The council shall consist of 39 members and shall be comprised of: (i) 3 members of the house of representatives, 1 of whom shall be designated as co-chair by the speaker, and 3 members of the senate, 1 of whom shall be designated as co-chair by the president; (ii) the secretary of health and human services, who shall serve ex-officio, the commissioner of public health, who shall serve ex-officio, the director of multicultural health in the department of public health, who shall serve ex-officio, the director of Medicaid, who shall serve ex-officio, or their designees; (iii) 8 persons from communities disproportionately affected by health disparities, 4 of whom shall be appointed by the speaker of the house and 4 of whom shall be appointed by the senate president; and (iv) 21 persons to be appointed by the co-chairs, 2 of whom shall be experts in health disparities from foundations or academic institutions and 1 from each list of nominees to be submitted by each of the following organizations: the American Cancer Society, Massachusetts Division, Inc.; the American Heart Association, Massachusetts Affiliate, Inc.; Massachusetts General Hospital; Brigham and Women’s/Faulkner Hospitals, Inc.; Dana Farber Cancer Institute, Inc.; the Massachusetts League of Community Health Centers, Inc.; the Massachusetts Medical Society; the Massachusetts Hospital Association; the office of the Attorney General; the Boston public health commission, established in chapter 147 of the acts of 1995; the health department of the city of Springfield; the health department of the city of Worcester; the Massachusetts’ School Nurse Organization, Inc.; the Massachusetts Association of Public Health Nurses, Inc.; the Massachusetts Association of Health Plans, Inc.; Blue Cross Blue Shield of Massachusetts, Inc.; the Program to Eliminate Health Disparities at the Harvard School of Public Health; the Boston Medical Center Corporation; and the Massachusetts Public Health Association.”;

In section 3A, by striking out the words “would fail to qualify” and inserting in place thereof the words: “last qualified”;

By inserting after section 4 the following section:

“SECTION 4A. Subsection.(b) of section 21 of said chapter 62C, as so appearing, is hereby amended by adding the following clause:—

(23) the disclosure of information contained in a return filed pursuant to this chapter to the commonwealth health insurance connector authority solely to process appeals and conduct outreach to uninsured taxpayers or to the division of health care finance and policy solely to determine if a taxpayer who claimed a religious exemption used the Health Safety Net Trust Fund or to the executive office of health and human services solely to verify MassHealth coverage.”;

By inserting after section 6 the following section:

“SECTION 6A. Section 12 of chapter 62E of the General Laws, as so appearing, is hereby amended by inserting after the second paragraph the following paragraph:

Notwithstanding any general or special law to the contrary, the commissioner may disclose any information in this chapter to the commonwealth health insurance connector authority solely to processing appeals and conduct outreach to uninsured taxpayers or to the division of health care finance and policy solely to determine if a taxpayer who claimed a religious exemption used the Health Safety Net Trust Fund or to the executive office of health and human services solely to verify MassHealth coverage.”;

By inserting after section 15 the following section

“SECTION 15A. Said eighth paragraph of said section 23 of said chapter 118E, as so appearing, is hereby further amended by inserting after the first sentence the following sentence:— Upon request from the department of revenue, the division shall make information received from holders of health insurance information available to said department to determine whether a person’ is covered by insurance as required by chapter 111M.”;

In section 26A, by striking out the words “would fail to qualify” and inserting in place thereof the following words:— “last qualified”;

In section 26B, by striking out the words “would fail to qualify” and inserting in place thereof the following words:— “last qualified”;

By striking out sections 26C to 26E, inclusive, and inserting in place thereof the following 6 sections:

“SECTION 26C. Chapter 176A of the General Laws is hereby amended striking out section 82, inserted by section 53 of chapter 58 of the acts of 2006.

SECTION 26D. Said chapter 176A is hereby further amended inserting after section 8AA the following section:—

Section BBB. Any subscription certificate under a group nonprofit hospital service agreement, except certificates which provide stand-alone dental services, supplemental coverage to Medicare or other governmental programs, that is delivered, issued or renewed in the commonwealth, shall provide, as benefits to all group members having a principal place of employment within the commonwealth, coverage to persons under 26 years of age or for 2 years after the end of the calendar year in which such persons last qualified as dependents under 26 U.S.C. 106, whichever occurs first.

SECTION 26E. Chapter 176B of the General Laws is hereby amended striking out section 4Z, inserted by section 56 of chapter 58 of the acts of 2000.

SECTION 26F. Said chapter 176 is hereby further amended inserting after section 4AA the following section:

Section 4BB. Any subscription certificate under an individual or group medical service agreement, except certificates that provide stand-alone dental services, that is delivered or issued or renewed in this commonwealth, shall provide, as benefits to all individual subscribers and members within the commonwealth and to all group members having a principal place of employment within the commonwealth, coverage to persons under 26 years of age or for 2 years after the end of the calendar year in which

such persons last qualified as dependents under 26 U.S.C. 106, whichever occurs first.

SECTION 26G. Chapter 176G of the General Laws is hereby amended striking out section 4R, inserted by section 58 of chapter 58 of the acts of 2006.

SECTION 26H. Said chapter 176G is hereby further amended inserting after section 4S the following section:—

Section 4T. A health maintenance contract, excluding contracts for stand-alone dental services, shall provide coverage to persons under 26 years of age or for 2 years after the end of the calendar year in which such persons last qualified as dependents under 26 U.S.C. 106, whichever occurs first.”;

By striking out section 28A;

By striking out section 29, and inserting in place thereof the following section:—

“SECTION 29. Chapter 58 of acts of 2006 is hereby amended by striking out section 136 and inserting in place thereof the following section:

Section 136. The website established under Section 16L of Chapter 6A of the General Laws shall be operational and shall include links to other websites that display comparative cost and quality information no later than September 1, 2007. The website shall include comparative cost information by facility, clinician or physician group practice, such as cost information for obstetrical services, physician office visits, high-volume elective surgical procedures, high-volume diagnostic tests, and high-volume therapeutic procedures, no later than March 1, 2008. Cost information shall include data such as the average payment made on behalf of insured patients for each service or category of service received by each facility, clinician or physician practice. Payment data as collected from the individual insurers shall not be deemed public record except as displayed on the website and/or as otherwise dictated by regulations duly promulgated by the Council.”)

On motion of Mr. Hedlund the Senate insisted on its amendment and appointment a committee of conference; and Senators Moore, Panagiotakos and Tarr were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

Engrossed Bill.

An engrossed Bill designating a certain bridge in the town of Southampton as the Southampton Veterans Memorial Bridge (see Senate, No. 2066) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and was signed by the Acting President (Mr. Rosenberg) and laid before the Governor for his approbation.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4351) of David Paul Linsky and others that the Division of Capital Asset Management and Maintenance be authorized to lease to the town of Natick a portion of property of the National Guard Armory located in said town;

Under suspension of Joint Rule 12, to the committee on Bond-ing, Capital Expenditures and State Assets.

Joint petition (accompanied by bill, House, No. 4352) of Cheryl A. Coakley-Rivera and Karen E. Spilka for legislation to authorize the Department of Social Services to maintain certain information for the protection of children in compliance with the federal “Adam Walsh and Safety Act”; and

Joint petition (accompanied by bill, House, No. 4353) of Cheryl A. Coakley-Rivera and Karen E. Spilka relative to compliance by the Commonwealth with federal regulations for child and family services and the placement of foster children;

Severally, under suspension of Joint Rule 12, to the committee on Children, Families and Persons with Disabilities.

Petition (accompanied by bill, House, No. 4354) of James E. Vallee for legislation to designate a certain ice rink in the town of Franklin as the Staff Sergeant Robert Pirelli Veterans Memorial Rink;

Under suspension of Joint Rule 12, to the committee on Environment, Natural Resources and Agriculture.

Petition (accompanied by bill, House, No. 4355) of Steven J. D’Amico and others (by vote of the town) relative to an exchange of land for water supply purposes in the town of Swansea;

Under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.

Joint petition (accompanied by bill, House, No. 4356) of Frank T. Smizik and Pamela P. Resor for legislation to regulate the tax imposed on the sale of certain pesticides in the Commonwealth;

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

Petition (accompanied by bill, House, No. 4357) of Jeffrey Davis Perry relative to the issuance of motor vehicle registration plates to veterans;

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

There being no objection, at eight minutes past eleven o’clock A.M., the Chair (Mr. Rosenberg) declared a recess subject to the call of the Chair; and, at sixteen minutes before twelve o’clock noon, the Senate reassembled, Mr. Rosenberg in the Chair.

PAPERS FROM THE HOUSE.

Emergency Preamble Adopted.

An engrossed Bill relative to property tax classification in cities and towns (see House, No. 3119, changed and 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 DXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 3 to 0. The bill was signed by the Acting President (Mr. Rosenberg) and sent to the House for enactment.**

Engrossed Bills.

The following engrossed bills (the first three of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the Acting President (Mr. Rosenberg) and laid before the Governor for his approbation, to wit:
Relative to public safety at reproductive health care facilities (see Senate, No. 1353, amended);
Exempting Brian J. Donoghue from the maximum age requirements for appointment as a firefighter in the town of Norwood (see Senate, No. 2257);
Relative to the financing of a contract termination charge incurred by the town of Norwood (see Senate, No. 2277); and
Establishing a sick leave bank for Dorothy Lafratta, an employee of the Department of Transitional Assistance (see House, No. 4249).

Committee of Conference.

The House Bill protecting and preserving home ownership (House, No. 4306, amended),— came from the House with the endorsement that the House had NON-concurred in the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2382), and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Mariano of Quincy, Torrisi of North Andover and Gifford of Wareham had been appointed the committee on the part of the House.

On motion of Mr. Hedlund, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Tucker, Buoniconti and Brown were appointed on the part of the Senate. The bill was returned to the House endorsed accordingly.

Petition.

On motion of Mr. Tisei, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Mr. Buoniconti (by request), (accompanied by bill) of Thomas Mitchell for legislation relative to nonconforming structures,— **and the same was referred to the committee on Housing. Sent to the House for concurrence.**

Report of a Committee.

Mr. Downing, for the committee on Ethics and Rules, reported that the following matter be placed in the Orders of the Day for the next session:
The Senate Bill balancing the physician license renewal cycle (Senate, No. 1298).
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. Sent to the House for concurrence.

Report of a Committee.

By Mr. Augustus, for the committee on Bills in the Third Reading, to whom was referred the amendment recommended by the Governor to the engrossed Bill relative to volunteers at state parks (see Senate, No. 786) [for message, see Senate, No. 2311],— reported, that the amendment recommended by the Governor be considered in the following form:

SECTION 1. The general hereby court finds that volunteer activities and events serve an important public purpose and assist in the enhancement, preservation and improvement of the park system and that a program is required to help foster and assist in the stewardship of department of conservation and recreation properties through encouraging volunteer activities and partnerships with nonprofit organizations.

SECTION 2. Chapter 21 of the General Laws is hereby amended by inserting after section 17D the following section:—

Section 17G. (a) For the purposes of this section, “nonprofit organization” and “volunteer” shall have the same meaning as used in 42 U.S.C. 14505.

(b) The department of conservation and recreation may cosponsor and participate in an event or activity on department property with a nonprofit organization at which the nonprofit organization may be allowed to charge, or solicit or receive donations of, funds at the event or activity, if the event or activity furthers a public purpose of the department and the funds are used and expended by the nonprofit organization or department only for supporting or improving a facility or program of the department. The nonprofit organization shall report to the department and provide an appropriate annual accounting of the funds and expenditures therefrom,

(c) To encourage and further public participation in stewardship to educate, promote, clean, maintain or improve facilities of the department of conservation and recreation, the department may enter into agreements with nonprofit organizations regarding volunteers participating in the stewardship on department property.

(d) The department shall establish guidelines, requirements and standards, which it shall post on its website for public review, for: (1) authorizing and registering volunteers to provide stewardship services; (2) delegating direction, control, safety and supervision of the volunteers to the nonprofit organization; and (3) developing accounting and reporting procedures as required in subsection (b). Volunteers, while acting within the scope of volunteer responsibilities for the department or the nonprofit organization under delegated authority from the department, shall be public employees within the meaning of chapter 258, but indemnification shall not be authorized under section 9 of said chapter 258. In a civil action involving a volunteer who is a public employee pursuant to this section, the department may assert a defense or limitation on liability that the volunteer could have asserted, as a volunteer, under federal or state law.

The report was accepted.

The Chair (Mr. Rosenberg) stated that under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

On motion on Mr. Tisei, the Senate then rejected the Governor's amendment.

Mr. Antonioni presented an amendment to the engrossed bill by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2402.

The amendment was adopted.

Sent to the House for its action.

Recess.

There being no objection, at five minutes before twelve o'clock noon, the Chair (Mr. Rosenberg) declared a recess subject to the call of the Chair; and, at seventeen minutes before two o'clock P.M., the Senate reassembled, Mr. Rosenberg in the Chair.

PAPERS FROM THE HOUSE.

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Rhea Lindstet, an employee of the Department of Revenue (see House, No. 4286), 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.

The Senate Bill relative to the annual observance of Leopoldville Disaster Remembrance Day (Senate, No. 1873),— came from the House passed to be engrossed, in concurrence with an amendment by inserting after the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the annual observance of Leopoldville Disaster Remembrance Day, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The rules were suspended, on motion of Mr. Hedlund, and the House amendment was considered forthwith and adopted, in concurrence.

Engrossed Bill.

An engrossed Bill relative to property tax classification in cities and towns (see House, No. 3119, changed and amended) (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 was signed by the Acting President (Mr. Rosenberg) and laid before the Governor for his approbation.

Resolutions.

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:—
Resolutions (filed by Mr. Brewer) “recognizing and supporting the troops and their mission.”

PAPERS FROM THE HOUSE.

Engrossed Bill.

An engrossed Bill establishing a sick leave bank for Rhea Lindstet, an employee of the Department of Revenue (see House, No. 4285) (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 was signed by the Acting President (Mr. Rosenberg) and laid before the Governor for his approbation.

A Bill making an appropriation for the fiscal year 2008 to provide supplemental funding for a low income home energy assistance program (printed in House, No. 4332,— being a message from His Excellency the Governor),— **was read.**

Mr. Petruccelli moved to suspend the rules so the matter could be taken up forthwith; but objection was made thereto by Mr. Hedlund.

Under Senate Rule 27, the bill was referred to the committee on Ways and Means.

Order Adopted.

On motion of Mr. Hedlund,—

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

On motion of the same Senator, at eight minutes past two o'clock P.M., the Senate adjourned to meet on the following Tuesday at one o'clock P.M.