

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, May 9, 2007.

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

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

Petitions.

Petitions were presented and referred as follows:

By Ms. Walsh, a petition (accompanied by bill, Senate, No. 2228) of Marian Walsh (by vote of the town) for legislation to authorize the town of Dedham to grant an additional license for the sale of all alcoholic beverages [**Local approval received**];

Under Senate Rule 20, to the committee on Consumer Protection and Professional Licensure.

By the same Senator, a petition (accompanied by bill, Senate, No. 2231) of Marian Walsh (by vote of the town) for legislation to provide for the imposition of a financing fee upon the transfer of occupancy of any room or rooms in any hotel, motel, or other lodging establishment in the town of Dedham [**Local approval received**];

Under Senate Rule 20, to the committee on Revenue.

By the same Senator, a petition (accompanied by bill, Senate, No. 2229) of Marian Walsh (by vote of the town) for legislation to prohibit truck traffic on a portion of Cedar Street in the town of Dedham [**Local approval received**]; and

By the same Senator, a petition (accompanied by bill, Senate, No. 2230) of Marian Walsh (by vote of the town) for legislation to prohibit truck traffic on a portion of East Street in the town of Dedham [**Local approval received**];

Severally, under Senate Rule 20, to the committee on Transportation

Committee Discharged.

Ms. Spilka, for the committee on Children, Families and Persons with Disabilities, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 78) of Susan C. Fargo, David P. Linsky, Edward M. Augustus, Jr., Lida E. Harkins and other members of the General Court for legislation relative to the public health benefits of breastfeeding,— **and recommending that the same be referred to the committee on Public Health.**

Under Senate Rule 36, the report was considered forthwith and accepted.
Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4013) of Denis E. Guyer (by vote of the town) for legislation to provide for the recall of elected public officials of the town of Colrain;

To the committee on Election Laws.

Petition (accompanied by bill, House, No. 4014) of Garrett J. Bradley and Robert L. Hedlund (by vote of the town) that the town of Cohasset be authorized to provide water services to certain cities, towns and water companies; and

Petition (accompanied by bill, House, No. 4015) of Sarah K. Peake (by vote of the town) that the town of Provincetown be authorized to grant a certain easement on Rear Bradford Street in said town;

Severally to the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 4016) of Brian P. Wallace (with the approval of the mayor and city council) relative to the appointment of police officers in the city of Boston, notwithstanding the maximum age requirements;

To the committee on Public Service.

A communication from the City Council of the city of Worcester transmitting a copy of Resolutions urging the expansion of legalized gaming in the Commonwealth (having been sent by the House to the Senate for its information),— **was returned to the House to be placed on file.**

Reports

Of the committee on Public Safety and Homeland Security, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2230) of John F. Quinn to study the safety of political sign holders on public roadways,— **and recommending that the same be referred to the committee on Election Laws.**

Of the committee on State Administration and Regulatory Oversight, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3770) of David L. Flynn and others relative to further regulating the development of underused state-owned real property and the disposition of state-owned surplus real property,— **and recommending that the same be referred to the committee on Bonding, Capital Expenditures and State Assets.**

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.

Notice was received from the House that the House has called for consideration in the Joint Session the following matters:

Proposal for a legislative amendment to the Constitution relative to changing Article XLVI (46) of the Constitution (Senate, No. 20),— **with reference to which the committee on the Education has reported, in accordance with Joint Rule 23, that the amendment ought NOT to pass;**

25), with reference to which the committee on Election Laws has reported, recommending that the amendment ought NOT to pass (Senator Brown and Representatives Rogeness of Longmeadow and Frost of Auburn dissenting).

There being no objection, the order was considered forthwith and adopted.

Ms. Creem offered the following order:

Ordered, That, the Senate hereby calls for a joint session of the two Houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, to consider the following proposals:

Proposal for a legislative amendment to the Constitution amending the Constitution to preserve civil rights and equal protection (see Senate, No. 26), with reference to which the committee on the Judiciary has reported that the amendment ought NOT to pass (under Joint Rule 23), the time within which the said committee was required to report having expired; and

Proposal for a legislative amendment to the Constitution relative to civil rights and legal rights (see House, No. 3878), with reference to which the committee on the Judiciary has reported that the amendment ought NOT to pass (under Joint Rule 23), the time within which the said committee was required to report having expired.

There being no objection, the order was considered forthwith and adopted.

Reports of a Committee.

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill further regulating the placement of certain children (Senate, No. 75),— **ought to pass.**

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

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill establishing the public libraries fund (Senate, No. 1997),— **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2232).**

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

The bill (Senate, No. 2232) was then ordered to a third reading.

Order Adopted.

On motion of Mr. Timilty,—

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 Mr. Brown, at thirteen minutes past eleven o'clock A.M., the Senate adjourned to meet on the following day at one o'clock P.M.

Proposal for a legislative amendment to the Constitution relative to legislative action (Senate, No. 27),— **with reference to which the committee on the Judiciary has reported, in accordance with Joint Rule 23, that the amendment ought NOT to pass, the time within which the said committee was required to report having expired;**

Proposal for a legislative amendment to the Constitution to change the length of term for Representatives and Senators from two years to four years (House, No. 685),— **with reference to which the committee on Election Laws has reported that the amendment ought NOT to pass.**

Proposal for a legislative amendment to the Constitution prohibiting eminent domain (House, No. 1705),— **with reference to which the committee on the Judiciary has reported, in accordance with Joint Rule 23, that the amendment ought NOT to pass, the time within which the said committee was required to report having expired.**

Proposal for a legislative amendment to the Constitution relative to legislative action on Initiative amendments (House, No. 1727),— **with reference to which the committee on the Judiciary has reported, in accordance with Joint Rule 23, that the amendment ought NOT to pass, the time within which the said committee was required to report having expired.**

Proposal for a legislative amendment to the Constitution relative to eminent domain takings (House, No. 1771),— **with reference to which the committee on the Judiciary has reported that the amendment ought to pass; and**

Proposal for a legislative amendment to the Constitution relative to initiative petitions (House, No. 1772),— **with reference to which the committee on the Judiciary has reported, in accordance with Joint Rule 23, that the amendment ought NOT to pass, the time within which the said committee was required to report having expired.**

Resolutions.

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

Resolutions (filed by Messrs. Montigny, Antonioni, Augustus, Baddour, Barrios, Berry, Brewer, Brown, Buoniconti, Ms. Candaras, Ms. Chandler, Mr. Creedon, Ms. Creem, Mr. Downing, Ms. Fargo, Messrs. Hart, Havern, Hedlund, Ms. Jehlen, Messrs. Joyce, Knapik, McGee, Ms. Menard, Messrs. Moore, Morrissey, Ms. Murray, Messrs. O'Leary, Pacheco, Panagiotakos, Ms. Resor, Mr. Rosenberg, Ms. Spilka, Messrs. Tarr, Timilty, Tisei, Tolman, Ms. Tucker, Ms. Walsh and Ms. Wilkerson) "recognizing May 14 to 18, 2007, as Multiple Sclerosis Week"; and

Resolutions (filed by Mr. Pacheco) "congratulating Kyle Joseph Rapoza upon his elevation to the rank of Eagle Scout."

Orders Adopted.

Mr. Tisei offered the following order:

Ordered, That, the Senate hereby calls for a joint session of the two Houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, to consider the following proposal:

Proposal for a legislative amendment to the Constitution relative to Constitutional officers (see Senate No.