

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, March 8, 2010.

Met at one minute 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.

Petitions.

Petitions were severally presented and referred, as follows:

By Mr. Berry, a petition (subject to Joint Rule 12) of Frederick E. Berry, Thomas M. McGee, Bruce E. Tarr, Mary E. Grant and other members of the General Court for legislation to reform the Commonwealth's retirement boards; and

By Mr. Buoniconti, a petition (subject to Joint Rule 12) of Stephen J. Buoniconti, for legislation to reduce health care cost trends;

Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of Committees.

By Ms. Candaras, for the committee on Children, Families and Persons with Disabilities, on petition, a Bill relative to increasing consumer access to licensed marriage and family therapists (Senate, No. 77);

By the same Senator, for the same committee, on Senate, Nos. 35, 64, 65 and 80, a Bill to establish a commission to study the needs of blind and visually impaired citizens of the Commonwealth (Senate, No. 2303);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 52), a Bill to assess the impact of the public welfare system on the health and well-being of children (Senate, No. 2304); and

By Ms. Jehlen, for the committee on Elder Affairs, on petition (accompanied by bill, Senate, No. 302), a Bill relative to medication technician (Senate, No. 2307);

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

By Mr. Joyce, for the committee on State Administration and Regulatory Oversight, on petition (accompanied by bill, Senate, No. 1424), a Bill relative to the Max Ulin rink (Senate, No. 2310);

Read and, under Senate Rule 1F, referred to the committee on Bonding, Capital Expenditures and State Assets.

By Ms. Candaras, for the committee on Children, Families and Persons with Disabilities, on petition, a Bill relative to safety in day care facilities (Senate, No. 32);

By the same Senator, for the same committee, on petition, a Bill relative to foster youth who remain in the care of the Department of Children and Families after they attain eighteen years of age (Senate, No. 40);

By the same Senator, for the same committee, on petition, a Bill requiring equal benefits for all new mothers (Senate, No. 57);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate No. 60), a Bill to provide an income tax exemption for families caring for their elderly relatives at home (Senate, No. 2306);

By Ms. Tucker, for the committee on Housing, on petition, a Bill relative to Community Preservation Act expenditures to provide housing for low and moderate income community residents (Senate, No. 634);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 624), a Bill relative to public

housing innovation program (Senate, No. 2308); and

By Mr. Joyce, for the committee on State Administration and Regulatory Oversight, on petition (accompanied by bill, Senate, No. 1409), a Bill to improve the collection and analysis of data relative to traffic stops (Senate, No. 2309);

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

By Ms. Buoniconti, for the committee on Financial Services, on petition, a Bill relative to credit union shares and deposits (Senate, No. 468);

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

PAPERS FROM THE HOUSE.

A Bill designating a certain bridge in the city of Fall River as the Louis Phillip Gagne Jr. Bridge (House, No. 4274,-- on petition),-- was read and, under Senate **Rule 26, referred to the committee on Ethics and Rules.**

Bills

Authorizing the use of revenues from the Groton Sewer Enterprise Fund (House, No. 4354,-- on petition) [Local approval received]; and

Amending the charter of the town of Groton (House, No. 4355,-- on petition) [Local approval received];

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

Notice was received from the Speaker of the House of Representatives announcing the following appointment:

That Representative Dykema of Holliston to the special water infrastructure finance commission established (under Section 145 of Chapter 27 of the Acts of 2009) to develop a comprehensive, long-range water infrastructure finance plan for the commonwealth and municipalities.

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 Senate Bill authorizing the town of Winchendon to continue the employment of Allen J. Lafrennie as fire chief (Senate, No. 2066),— **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.**

The House Bill providing the voters of the town of Bridgewater a choice of charters for a new form of government (House, No. 4547),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to the sale of taxi licenses in the town of Brookline (House, No. 3712),-- **was read a third time and passed to be engrossed, in concurrence.**

Report of a Committee.

By Mr. Panagiotakos, for the committee on Ways and Means, that the House Bill providing for the financial stability of the city of Lawrence (House, No. 4516, amended),-- ought to pass, with an amendment in subsection (a) of section 2 by inserting after the words "with the approval of" the following words:- "the secretary and"; in subsection (a) of section 4 by striking out clauses (8) and (9) and inserting in place thereof the following 3 clauses:- "(8) approve the annual or supplemental budgets of the city and the school committee; (9) report monthly to the secretary and house and senate committees on ways and means on the progress made towards reducing the city's capital and structural deficits; and (10) report quarterly to the secretary and house and senate committees on ways and means on expenditures made from the loan fund, including the amounts and purposes of expenditures for personnel costs, contracted personnel costs or consultant fees."; and by striking out section 6 and inserting in place thereof the following section:-

"SECTION 6.

(a) The fiscal overseer shall report in writing, including the underlying reasons, to the secretary if city cannot set a tax rate for fiscal year 2011 by January 31, 2011.

(b) The fiscal overseer shall report in writing to the secretary if the overseer concludes that the city: (i) is unable to achieve a balanced budget; (ii) faces a fiscal crisis that poses an imminent danger to the safety of the citizens of the city and their property; or (iii) will not achieve fiscal stability without the assistance of a finance control board.

(c) If the fiscal overseer believes, at any time, that a finance control board should be appointed, the fiscal overseer may report that belief to the secretary.

(d) If the fiscal overseer reports to the secretary under subsections (a), (b) or (c), the secretary shall immediately abolish the

overseer and appoint a finance control board.

(e) A finance control board appointed under this section shall have all of the powers and duties set forth in section 7.

(f) At any time after July 1, 2011 and while debt issued under this act is outstanding, if a finance control board has not been appointed and if the secretary, in the secretary's sole discretion, determines that the city has taken steps necessary to achieve long-term fiscal sustainability and no longer requires active state oversight, the secretary may abolish the overseer.

If the director notifies the secretary in writing that the city is unable to achieve a balanced budget or set a tax rate at any time after the removal of the overseer and while the debt issued under this act is still outstanding, then the secretary shall establish a finance control board under section 7."

The rules were suspended, on motion of Mr. Knapik, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill was then ordered to a third reading.

PAPER FROM THE HOUSE.

A Petition (accompanied by bill, House, No. 4550) of Lewis G. Evangelidis relative to creditable service for retirement purposes for certain persons employed in affiliation with the University of Massachusetts Medical School,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

Order Adopted.

On motion of Mr. Knapik,—

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 the same Senator, at seven minutes past eleven o'clock A.M., the Senate adjourned to meet on the following day at one o'clock P.M.