

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.

Tuesday, March 23, 2010.

Met according to adjournment at eleven o'clock A.M. (Mr. Rosenberg in the Chair) (having been appointed by the President, under the provisions of Senate 4, to perform the duties of the Chair).

Distinguished Guests.

There being no objection, the Chair (Mr. Rosenberg) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced the Gloucester High School Football Team who was being recognized for winning the 2009 Division 1A Super Bowl Championship. They were accompanied by the Gloucester High School Cheerleading Team who won the 2009 Fall MSSAA Division II State Cheerleading Championship. The cheerleading team is currently second in New England and will be attending the Nationals during Easter Week. The Senate applauded their accomplishments and they withdrew from the Chamber. They were also guests of Representative Ferrante.

Petitions.

Petitions were severally presented and referred, as follows:

By Mr. Morrissey, a petition (accompanied by bill, Senate, No. 2336) of Michael W. Morrissey, Bruce J. Ayers, Ronald Mariano and A. Stephen Tobin (with the approval of the mayor and city council) for legislation to ban texting while driving in the city of Quincy [Local approval received];

**Under Senate Rule 20, to the committee on Transportation.
Sent to the House for concurrence.**

By Mr. McGee, a petition of Thomas M. McGee and Lori Ehrlich for legislation to establish a sick leave bank for John Phelan, an employee of the Massachusetts Department of Transportation;

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

PAPERS FROM THE HOUSE.

A Bill establishing a sick leave bank for Thomas Troy, an employee of the Department of Correction (House, No. 4530,-- on petition), -- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Resolutions.

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

Resolutions (filed by Ms. Creem) "honoring Margaret 'Peg' Doherty Hannigan on her ninetieth birthday";

Resolutions (filed by Mr. Timilty) "commending the City of Attleboro's Complete Count Committee"; and

Resolutions (filed by Ms. Walsh) "congratulating Chief James S. Driscoll on his retirement from the Dedham Fire Department."

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

Reports of Committees.

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Sean O'Brien, an employee of the Department of Transitional Assistance (Senate, No. 2288),-- **ought to pass.**
There being no objection, the rules were suspended, on motion of Mr. Tarr, 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.

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill relative to assuring that motorcyclists between the ages of 16 and 18 are provided with adequate education relative to the proper safety and operation of a motorcycle (Senate, No. 1894),-- **ought to pass, with an amendment substituting a new draft entitled: "An Act requiring adequate education relative to the proper safety and operation of a motorcycle for minors"** (Senate, No. 2344).
There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.
The bill (Senate, No. 2344) was then ordered to a third reading.

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill promoting economic development throughout the Commonwealth (Senate, No. 2331),-- **ought to pass, with an amendment substituting a new draft entitled "An Act relative to economic development reorganization"** (Senate, No. 2345).

Order Adopted.

Mr. Panagiotakos offered the following order:--

Ordered, That, notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill promoting economic development throughout the Commonwealth (Senate, No. 2331), having been reported by the committee on Ways and Means with a recommended new draft (Senate, No. 2345), shall be placed in the Orders of the Day for Thursday, April 1, 2010.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M. on Friday, March 26, 2010. All such amendments shall be second-reading amendments, but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill, as amended, is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

The bill (Senate, No. 2331) was then placed in the Orders of the Day for Thursday, April 1, 2010, for a second reading with the recommended Ways and Means new draft (Senate, No. 2345) pending.

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 Frederick E. Berry for legislation to establish a sick leave bank for John Gengreau, an employee of the Department of Revenue.

The rules were suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service.
Sent to the House for concurrence.

PAPERS FROM THE HOUSE

The Senate Bill relative to bullying in schools (Senate, No. 2323, amended),-- **came from the House passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4571.**

On motion of Mr. Tarr, the Senate insisted on its amendment and asked for a committee of conference on the disagreeing votes of the two branches; and

Senators O'Leary, Eldridge and Knapik were appointed to the committee on the part of the Senate.

The bill was returned to the House endorsed accordingly.

Engrossed Bills.

The following engrossed bills (all 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:

Establishing the position of town clerk in the town of Charlemont (see Senate No, 2130, amended);
Authorizing the town of Greenfield to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see Senate, No. 2258); and
Authorizing the town of Greenfield to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see Senate, No. 2259).

Order Adopted.

On motion of Mr. Tarr,--

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

On motion of the same Senator, at three minutes before twelve o'clock noon, the Senate adjourned to meet again on Thursday next at one o'clock P.M.