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, August 5, 2010.

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

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

Petition.

Mr. Downing presented a petition (accompanied by bill, Senate No. 2601) of Benjamin B. Downing and Daniel E. Bosley (with the approval of the mayor and city council) for legislation to authorize the city of North Adams to continue the employment of Public Safety Commissioner E. John Morocco;
Referred, under Senate Rule 20, to the committee on Public Service.
Sent to the House for concurrence.

Reports of Committees.

By Ms. Buoniconti, for the committee on Financial Services, on Senate, Nos. 445, 448, 453, 463, 465, 466, 477, 481, 492, 496, 498, 499, 502, 503, 505, 506, 512, 516, 517, 518, 520, 524 and 525, an Order relative to authorizing the joint committee on Financial Services to make an investigation and study of certain current Senate documents relative to financial services (Senate, No. 2594);
By Mr. Eldridge, for the committee on Municipalities and Regional Government, on Senate, Nos. 760, 764, 766, 767, 769, 775, 776, 777, 779, 784, 785, 789, 790, 792, 794, 795, 2029, 2083 and 2105, an Order relative to authorizing the joint committee on Municipalities and Regional Government to make an investigation and study of certain current Senate documents relative to municipal government (Senate, No. 2598);
By Mr. Joyce, for the committee on State Administration and Regulatory Oversight, on Senate, Nos. 1392, 1408, 1418, 1422, 1423, 1425, 1426, 1427, 1429, 1430, 1439, 1449 and 1454, an Order relative to authorizing the joint committee on State Administration and Regulatory Oversight to make an investigation and study of certain current Senate documents relative to state administration (Senate, No. 2597); and
By Mr. Baddour for the committee on Transportation, on Senate, Nos. 1879, 1883, 1909, 1910, 1915 1922, 1928, 1930, 1931, 1942, 1961, 1983 and 2137, an Order relative to authorizing the joint committee on Transportation to make an investigation and study of certain current Senate documents relative to transportation (Senate, No. 2596);
Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

PAPERS FROM THE HOUSE

A message from His Excellency the Governor recommending legislation relative to extending simulcasting (House, No. 4965),--
was referred, in concurrence, to the committee on Economic Development and Emerging Technologies.

Bills
Relative to the post employment benefits trust fund of the town of Belmont (House, No. 4223,-- on petition) [Local approval received];
Relative to the recall of elected officials in the town of Belmont (House, No. 4414,-- on petition) [Local approval received];
Relative to converting four seasonal licenses for the sale of all alcoholic beverages to be drunk on the premises to four annual licenses for the sale of all alcoholic beverages to be drunk on the premises and three seasonal licenses for the sale of wines and malt beverages to be drunk on the premises to three annual licenses for the sale of wines and malt beverages to be drunk on the premises in the town of Seekonk (House, No. 4518,-- on petition) [Local approval received];
Further regulating tax titles in the town of East Bridgewater (House, No. 4678,-- on petition) [Local approval received];
Authorizing the city of Everett to create on inspectional services department in the city of Everett (House, No. 4697,-- on petition) [Local approval received];
Authorizing the town of Hingham to designate a check off box on its tax bills (House, No. 4714,- on petition) [Local approval received];
Authorizing the town of Sudbury to enter into or to extend wireless facility contracts of leases for periods in excess of twenty years (House, No. 4715,-- on petition) [Local approval received];
Authorizing the town of Westborough to remove a condition of a full liquor license (House, No. 4735,-- on petition) [Local approval received];
Authorizing the placement of a certain question on the ballot to be used at the November 2010 biennial state election in the town of Pepperell relative to the sale of alcoholic beverages (House, No. 4846,-- on petition) [Local approval received]; and
Relative to the appointment of retired police officers in the town of Whitman (House, No,. 4854,-- 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 considered forthwith and adopted, as follows:-
Resolutions (filed by Mr. Richard T. Moore) "honoring Ricky Jordan on becoming a National Officer of Skills USA."

PAPER FROM THE HOUSE
Emergency Preamble Adopted.

An engrossed Bill designating the city of Salem as the birthplace of the National Guard (see House, No. 1145, amended, changed), 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 4 to 0. The bill was signed by the Acting President (Mr. Tolman) and sent to the House for enactment.**

Matter Taken Out of the Orders of the Day.

There being no objection, the following matter was taken out of the Orders of the Day and considered forthwith:
The House Bill relative to the public health enterprise fund in the town of Stoughton (House, No. 4852),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Report of a Committee.

Mr. Berry, 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 House Bill requiring the posting of security for the seizure and impoundment of animals (House, No. 1969, changed).
There being no objection, the rules were suspended, on motion of Ms. Chang-Diaz, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

PAPERS FROM THE HOUSE
Engrossed Bills.

The following engrossed bills (the first 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 re-enacted and were signed by the Acting President (Mr. Tolman) and again laid before the Governor for his approbation, to wit:
Further regulating funeral processions (see Senate, No. 1884, amended); and
Relative to tuition retention at the University of Massachusetts at Amherst (see House, No. 4835, amended).

The following engrossed bills (the first two 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. Tolman) and laid before the Governor for his approbation, to wit:
Relative to the requirements for licensing as a real estate broker or salesman (see Senate, No. 121, amended);

Relative to flea market vendors (see Senate, No. 2282, amended);
Authorizing the city of North Adams to use reserve funds to reduce debt (see House, No. 4851); and
Relative to abandoned vessels (see House, No. 4953).

The following engrossed bills (both of which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted, two-thirds of the members present having voted in the affirmative, and were signed by the Acting President (Mr. Tolman) and laid before the Governor for his approbation, to wit:
Validating the actions taken at a certain town election in the town of Hopkinton (see House Bill, printed in House, No. 4893); and
Validating the acts and procedures of the special town election in the town of Wenham (see House Bill, printed in House, No. 4948).

Order Adopted.

On motion of Mr. Richard T. Moore,

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

On motion of Ms. Chang-Diaz, at seventeen minutes past eleven o'clock A.M., the Senate adjourned to meet again on Monday next at eleven o'clock A.M.