

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 19, 2010.

Met at two minutes past eleven o'clock A.M. (Mr. Timilty 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. Timilty), members, guests and employees then recited the pledge of allegiance to the flag.

Reports of Committees

By Mr. Petrucci, for the committee on Environment, Natural Resources and Agriculture, on Senate, Nos. 365, 367, 371, 373, 376, 378, 379, 381, 384, 389, 392, 393, 395, 399, 402, 403, 405, 409, 410, 412, 413, 421, 425, 438, 439 and 444, an Order relative to authorizing the joint committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain current Senate documents relative to various environmental issues (Senate, No. 2610); and

By Mr. McGee, for the committee on Labor and Workforce Development, on Senate, Nos. 668, 670, 671, 675, 676, 677, 679, 683, 684, 685, 687, 693, 696, 698, 699, 700, 702, 703, 704, 705, 711, 716, 720, 723, 730 and 2186, an Order relative to authorizing the joint committee on Labor and Workforce Development to make an investigation and study of certain current Senate documents relative to labor and workforce issues (Senate, No. 2611);

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Resolutions.

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

Resolutions (filed by Mr. Ross) "congratulating Sean Patrick Mateus McKeown of the town of Franklin upon his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Ross) "congratulating Reed Matthew Turgeon of the town of Franklin upon his elevation to the rank of Eagle Scout"; and

Resolutions (filed by Mr. Ross) "congratulating John Paul Vetrano of the town of Franklin upon his elevation to the rank of Eagle Scout."

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 forthwith:

The House Bill authorizing the town of Sudbury to enter into or to extend wireless facility contracts or leases for periods in excess of twenty years (House, No. 4715),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act authorizing the town of Sudbury to enter into and to extend wireless facility contracts or leases for periods in excess of twenty years".**

The House Bill relative to the charter of the city known as the town of Franklin (House, No. 4845) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time.**

Pending the question on passing the bill to be engrossed, Ms. Spilka presented an amendment in section 15, in proposed section 4-4-1, by striking out the word "council" and inserting in place thereof the following word:- "administrator";

By striking out section 22 and inserting in place thereof the following section:-

"SECTION 22. Said charter is hereby further amended by striking out section 6-7-1 and inserting in place thereof the following section:-

6-7-1 The town administrator shall submit to the town council and file copies with the finance committee a 5-year capital improvements program which shall include: (a) a clear summary of its contents; (b) a list of all capital improvements proposed to be undertaken during the next 6 fiscal years, together with supporting data; (c) cost estimates, methods of financing and recommended time schedules; and (d) the estimated annual cost of operating and maintaining any facility to be constructed or acquired." and

By striking out section 27 and inserting in place thereof the following section:-

"SECTION 27. The state secretary shall cause the following 2 questions to be placed on the official ballot to be used in the city known as the town of Franklin at the biennial state election to be held on November 2, 2010:

1. 'Shall sections 1 to 7, inclusive, sections 10 to 13, inclusive, and sections 15 to 25, inclusive, of an act passed by the General Court in the year 2010 entitled "An Act Relative to the Charter of the City known as the Town of Franklin", be accepted?"

2. 'Shall the Town Treasurer-Collector be appointed, as provided in Sections 8, 9, 14 and 26 of that act, rather than elected?'"

The amendment was adopted.

The bill, as amended, was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

The House Bill 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),-- **was read a second time.**

Pending the question on ordering the bill to a third reading, Mr. Panagiotakos presented an amendment striking out section 1 and inserting in place thereof the following section:

"SECTION 1. (a) Notwithstanding section 11 of chapter 138 of the General Laws, the state secretary shall cause to be placed on the official ballot to be used in the town of Pepperell at the biennial state election to be held in November in the year 2010 the following question:

Shall licenses be granted in this town for the sale of all alcoholic beverages (whiskey, rum, gin, malt beverages, wines and all other alcoholic beverages) to be drunk on the premises of restaurants?

Yes _____ No _____.

If a majority of the votes cast in answer to that question is in the affirmative, the town of Pepperell may grant licenses for the sale of all alcoholic beverages to be drunk on the premises of restaurants. The licenses shall be subject to said chapter 138.

(b) The town counsel of the town of Pepperell shall cause a summary of the question to be printed on the ballot along with the question as stated in subsection (a)."

The amendment was adopted.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence.

Reports of a Committee.

By Mr. Panagiotakos, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Colleen Robichaud, an employee of the Registry of Motor Vehicles (House, No. 4777),-- **ought to pass.**

There being no objection, the rules were suspended, on motion of Mr. Knapik, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

By Mr. Panagiotakos, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Christopher Lemoing, an employee of the Plymouth County Sheriff's Department (House, No. 4925),-- **ought to pass.**

There being no objection, the rules were suspended, on motion of Mr. Knapik, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

By Mr. Panagiotakos, for the committee on Ways and Means, that the House Bill relative to the security of vital records and verification of identity (House, No. 4910),-- **ought to pass.**

There being no objection, the rules were suspended, on motion of Mr. Knapik, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill releasing a restriction on a parcel in the town of Norwood (see House, No. 4836) (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 signed by the Acting President (Mr. Timilty) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Knapik,--

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 same Senator, at twenty-six minutes past eleven o'clock A.M., the Senate adjourned to meet again on Monday next at eleven o'clock A.M.