

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, November 25, 2009.

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

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

Petitions.

Petitions were severally presented and referred, as follows:

By Mr. Kennedy, a petition (subject to Joint Rule 12) of Thomas P. Kennedy, for legislation to extend the deadline for mailing quarterly tax bills;

By Ms. Menard, a petition (subject to Joint Rule 12) of Joan M. Menard and Patricia A. Haddad for legislation to establish a sick leave bank for Catherine Ann Ouellette, an employee of the Trial Court;

By Mr. Morrissey, a petition (subject to Joint Rule 12) of Michael W. Morrissey for legislation to establish a sick leave bank for John Riordan;

By the same Senator, a petition (subject to Joint Rule 12) of Michael W. Morrissey for legislation relative to assault and battery attempting to disarm a police officer; and

By the same Senator, a petition (subject to Joint Rule 12) of Michael W. Morrissey and Barry R. Finegold for legislation relative to water company infrastructure projects;

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

Reports of Committees.

By Ms. Flanagan, for the committee on Mental Health and Substance Abuse, on petition, a Bill relative to preventing the use of the narcotic known as ecstasy or methylenedioxymethamphetamine (Senate, No. 737); and

By the same Senator, for the same committee, on Senate, No. 744 and House, No. 1946, a Bill to improve access to child and adolescent mental health services (Senate, No. 2223);

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

By Ms. Flanagan, for the committee on Mental Health and Substance Abuse, on petition (accompanied by bill, Senate, No. 745), a Bill relative to class A controlled substances (Senate, No. 2222),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Committee Discharged.

Mr. Eldridge, for the committee on Municipalities and Regional Government, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 2182) of Marc R. Pacheco and Susan Williams Gifford for legislation relative to the Wareham fire district,— **and recommending that the same be referred to the Senate committee on Ways and Means.**

**Under Senate Rule 36, the report was considered forthwith and accepted.
Sent to the House for concurrence in the discharge of the joint committee.**

PAPERS FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4354) of Robert S. Hargraves and Steven C. Panagiotakos (by vote of the town) that the town of Groton be authorized to use revenues from the Groton Sewer Enterprise Fund;

Petition (accompanied by bill, House, No. 4355) of Robert S. Hargraves and Steven C. Panagiotakos (by vote of the town) relative to the charter for the town of Groton; and

Petition (accompanied by bill, House, No. 4368) of Michael J. Rodrigues and Joan M. Menard (by vote of the town) that the town of Westport be authorized to lease a portion of the Westport Town Farm to the trustees of reservations;

Severally to the committee on Municipalities and Regional Government.

A Bill authorizing the lease of land to yacht clubs (House, No. 4346,— on House, No. 716),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill authorizing the town of Southbridge to establish certain special funds (House, No. 1131,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Committee Discharged.

A report of the House committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1287) of Daniel E. Bosley, Benjamin B. Downing and William Smitty Pignatelli relative to time-share ownership,— **and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure,— was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Resolutions.

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

Resolutions (filed by Mr. Brown and Ms. Spilka) “honoring Lieutenant Michael Aries for his participation in the Pickerel Pond ice rescue”; and

Resolutions (filed by Mr. Brown and Ms. Spilka) “honoring Firefighter Brian Linton for his participation in the Pickerel Pond ice rescue.”

Communication.

The Clerk read the following communication:

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133-1053

November 24, 2009.

The Honorable William Welch, Clerk
Massachusetts State Senate
State House
Boston, MA 02133

Dear Mr. Clerk:

On Tuesday November 10, 2009 I was absent from the Chamber during formal session because I was home recovering from injuries I sustained in early October. Unfortunately I missed several roll calls. Had I been present in the Chamber, I would have voted in the following manner.

November 10, 2009

No. 149 — S2115 — Public Utility Companies Conference Report — Yea

No. 150 — S2117 — Public Charities — Yea

No. 151 — UMass Resolution — Present

No. 152 — H4310 — Veterans and Service member benefits enactment vote — Yea

I respectfully request that a copy of this letter be printed in the Senate Journal as part of the official record. Thank you in advance for your assistance.

Sincerely,
JAMES B. ELDRIDGE,
State Senator.
Middlesex and Worcester.

On motion of Mr. Tarr, the above communication was ordered printed in the Journal of the Senate.

PAPER FROM THE HOUSE.

A Bill relative to the provision of services to the city of Cambridge by the Cambridge Energy Alliance (House, No. 1916,— on petition) [Local approval received],— **was read.**

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, in concurrence.

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 as follows:
The House Bill authorizing the city of Melrose to establish traffic safety zones (House, No. 4055),— **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 Bill — Amended.

An engrossed Bill relative to designating a certain bridge in the city of Malden as the DiPaola Brothers Veterans Bridge (see House No. 3209) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Pending the question on passing the bill to be engrossed, on motion of Mr. Tarr, Senate Rule 49 was suspended.

Mr. Tisei presented an amendment striking out the first sentence and inserting in place thereof the following sentence:— “Bridge #M-01-006 on Clifton street in the city of Malden shall be designated and known as the DiPaola Brothers Combat Veterans Memorial Bridge, in honor of John J. DiPaola, USAF, Arthur P. DiPaola, USMC, and Rocco V. DiPaola, USN, and all siblings who served simultaneously in combat in the United States military in defense of our country.”

The amendment was adopted.

Sent to the House for concurrence in the amendment.

A petition (accompanied by bill, House, No. 4372) of Demetrius J. Atsalis for legislation to create a narcotics offender registry,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on the Judiciary.**

Order Adopted.

On motion of Mr. Tarr,—

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