

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, June 21, 2010.

Met at four minutes past two o'clock P.M. (Ms. Jehlen 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 (Ms. Jehlen), members, guests and employees then recited the pledge of allegiance to the flag.

Petition.

Mr. Panagiotakos (by request) presented a petition (subject to Joint Rule 12) of Joseph LaFreniere for legislation relative to rowing.

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

Reports of Committees.

By Mr. Morrissey, for the committee on Consumer Protection and Professional Licensure, on petition, a Bill relative to limiting certain types of dual alcohol licensure (Senate, No. 169);

By Mr. Richard T. Moore, for the committee on Health Care Financing, on Senate, No. 749, 754, 2155 and 2281 and House, Nos. 1961 and 3479, a Bill relative to substance abuse education and prevention (Senate, No. 2492) [Estimated cost – more than \$100,000];

By Mr. Joyce, for the committee on State Administration and Regulatory Oversight, on petition, a Bill amending the procurement procedures (Senate, No. 1398);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1391), a Bill relative to timely decision by awarding authorities (Senate, No. 2494);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1406), a Bill to limit indemnity and insurance responsibility for general contractors and subcontractors in construction work (Senate, No. 2496);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1407), a Bill relative to the retention of municipal records (Senate, No. 2497);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1420), a Bill relative to privatization contracts (Senate, No. 2499);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1431), a Bill relative to direct payments (Senate, No. 2501);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1442), a Bill providing appropriate public safety protections for security system user information (Senate, No. 2502);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1448), a Bill to debar employers who violate federal immigration laws from contracting with the Commonwealth (Senate, No. 2504)

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1457), a Bill relative to the reform of the Executive Council (Senate, No. 2505); and

By Mr. Morrissey, for the committee on Telecommunications, Utilities and Energy, on petition (accompanied by bill, Senate, No.

1481), a Bill to reduce light pollution (Senate, No. 2493);

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

By Mr. Joyce, for the committee on State Administration and Regulatory Oversight, on petition (accompanied by bill, Senate, No. 1428), a Bill to authorize the leasing of the Ponkapoag Golf Course (Senate, No. 2500); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1447), a Bill authorizing the transfer of a parcel of land in the city of Taunton (Senate, No. 2503);

Severally read and, under Senate Rule 26C, referred to the committee on Bonding, Capital Expenditures and State Assets.

By Mr. Joyce, for the committee on State Administration and Regulatory Oversight, on petition (accompanied by bill, Senate, No. 1419), a Bill to set aside the month of April as Vietnamese American Month (Senate, No. 2498);

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

Committee Discharged

Mr. Baddour, for the committee on Transportation, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 2471) of Susan C. Fargo, Thomas P. Conroy and Cory Atkins for legislation relating to the improvement of Route 2, Crosby's Corner interchange in the towns of Lincoln and Concord,-- 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.

Resolutions.

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

Resolutions (filed by Messrs. McGee, Berry, Petruccelli, DiDomenico and Tisei) "recognizing Monsignor Paul V. Garrity of St. Mary's Parish in the city of Lynn"; and

Resolutions (filed by Mr. Tolman) "honoring Stephen Shestakofsky on the occasion of his retirement from the Massachusetts Medical Society."

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 removal of spending limits in the town of North Andover (House, No. 1897),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Reports 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 Senate Bill relative to home health aides (Senate, No. 860).

There being no objection, the rules were suspended, on motion of Mr. Donnelly, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act prohibiting the administration of certain medications by home health aides".

Sent to the House for concurrence.

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 relative to floor finishing products (House, No. 4565).

There being no objection, the rules were suspended, on motion of Mr. Richard T. Moore, and the bill was read a second time.

Pending the question on ordering the bill to a third reading, Ms. Jehlen offered an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2506.

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 in the amendment.

PAPERS FROM THE HOUSE.

Emergency Preambles Adopted.

An engrossed Bill relative to the transportation of telephone poles (see House, No. 3790), 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 5 to 0.**
The bill was signed by the Acting President (Ms. Jehlen) and sent to the House for enactment.

An engrossed Bill authorizing the government employers in the county of Dukes County to establish a pooled other post-employment benefits trust fund (see House, No. 4105), 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 5 to 0.**
The bill was signed by the Acting President (Ms. Jehlen) and sent to the House for enactment.

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 enacted and were signed by the Acting President (Ms. Jehlen) and laid before the Governor for his approbation, to wit:

Relative to the Essex North Shore Agricultural and Technical School (see Senate, No. 2392); and
Authorizing the city of Methuen to repay the borrowing of certain monies for a period of up to 20 years (see House, No. 4404, amended).

Order Adopted.

On motion of Mr. Knapik,

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

On motion of Mr. Brewer, at ten minutes past two o'clock P.M., the Senate adjourned to meet again on Wednesday next at one o'clock P.M.