

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, July 6, 2010.

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

Reports of Committees.

By Mr. O'Leary, for the committee on Education, on Senate, Nos. 266 and 267, an Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to education issues (Senate, No. 2531);

By Mr. Buoniconti, for the committee on Financial Services, on Senate, No. 458, an Order relative to authorizing the joint committee on Financial Services to make an investigation and study of a certain current Senate document relative to financial services (Senate, No. 2532);

By Mr. Downing, for the committee on Revenue, on Senate, Nos. 196 and 962, an Order relative to authorizing the joint committee on Revenue to make an investigation and study of certain current Senate documents relative to the raising of revenue for the Commonwealth by means of taxation, certain matters relating to the local property tax and such similar matters as have been referred to said committee (Senate, No. 2533); and

By Mr. Baddour, for the committee on Transportation, on Senate, Nos. 1935, 1985 and 1986, 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. 2534);

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

PAPERS FROM THE HOUSE

A petition (accompanied by bill, House, No. 4846) of Robert S. Hargraves and Steven C. Panagiotakos (by vote of the town) for legislation relative to the placing of a certain question on the ballot in the town of Pepperell in the current year relative to the granting of licenses for the sale of alcoholic beverages in said town,-- **was referred, in concurrence, to the committee on Election Laws.**

A Bill relative to nurse anesthetists (House, No. 4593,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

Bills

Authorizing the town of Cohasset to use a certain parcel of water supply land for general municipal purposes (House, No. 4844,-- on House, No. 1132) [Local approval received on House, No. 1132]; and

Relative to the charter of the town of Franklin (House, No. 4845,-- on House, No. 4652) [Local approval received on House, No. 4652];

Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session

Notice was received from the House announcing the following appointments:

That the Minority Leader of the House of Representatives has announced that Representative Hill of Ipswich had been appointed to the special commission established (under the provisions of Chapter 2 of the Resolves of 2010) for the purpose of making an investigation and study relative to the range of services and supports necessary for individuals with autistic spectrum disorders to achieve their full potential across their lifespan.

That the Minority Leader has announced that Representative Frost of Auburn has replaced now Senator Ross, to serve as my designee to the special commission established (under the provisions of Chapter 7 of the Resolves of 2008) for a study of the economy in order to create and maintain quality jobs.

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:- Resolutions (filed by Ms. Jehlen and Mr. DiDomenico) "honoring David Slaney on the occasion of his retirement from Market Forge"; and Resolutions (filed by Mr. Morrissey) "recognizing Department of Conservation and Recreation Park Ranger Stephen Mackay for his heroic actions at Houghton's Pond in the Blue Hills Reservation."

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 Senate Bill to protect motor vehicle owners' and independent repairers' right to repair (Senate, No. 2517, amended),-- **was considered; and it was passed to be engrossed.**
Sent to the House for concurrence.

Report of a Committee.

Mr. Berry, for the committee on Ethics and Rules, reported that the House Bill relative to savings bank life insurance (House, No. 889, changed) be placed in the Orders of the Day with the following amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2535.
There being no objection, the rules were suspended, on motion of Ms. Menard, and the bill was read a second time and amended, as recommended by the committee on Ethics and Rules.
The bill 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.

Report of a Committee of Conference.

Mr. O'Leary, for the committee of conference, to whom was referred the matters of difference between the two branches with reference to the House amendments to the Senate Bill relative to kayaks (Senate, No. 974) (amended by the House by striking out all after the enacting clause and inserting in place thereof a new text), reported a "Bill relative to kayak safety" (Senate, No. 2518).
The rules were suspended, on motion of Ms. Menard, and the report was considered forthwith and accepted.
Sent to the House for concurrence in the report of the committee of conference.

PAPERS FROM THE HOUSE

Petitions were severally referred, in concurrence, as follows, to wit:
Petition (accompanied by bill, House, No. 4856) of Frank I. Smizik and Cynthia Stone Creem relative to the licensure of professional landscape architects;
Under the suspension of Joint Rule 12, to the committee on Consumer Protection and Professional Licensure.
Petition (accompanied by bill, House, No. 4857) of William M. Straus, Cory Atkins and others relative to corporate campaign contributions;
Under suspension of Joint Rule 12, to the committee on Election Laws.
Petition (accompanied by House, No. 4858) of William M. Straus that the Mattapoisett Rive valley Water Supply Protection Advisory Commission be authorized to impose certain costs on towns for withdrawing water from said river;
Under suspension of Joint Rule 12, to the committee on Environment, Natural Resources and Agriculture.

Recess.

There being no objection, at twenty-six minutes before twelve o'clock noon, the Chair (Mr. Petruccelli) declared a recess subject to the call of the Chair; and, at a quarter past twelve o'clock noon, the Senate reassembled, Mr. Petruccelli in the Chair.

PAPERS FROM THE HOUSE

The House Bill establishing expanded gaming in the Commonwealth (House, No. 4619),— **came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2530; and inserting before the enacting clause an emergency preamble, and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Dempsey of Haverhill, Reinstein of Revere and Frost of Auburn had been appointed the committee on the part of the House.**

On motion of Mr. Hedlund, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Rosenberg, Panagiotakos and Ross were appointed on the part of the Senate. The bill was returned to the House endorsed accordingly.

Emergency Preamble Adopted.

An engrossed Bill authorizing the Bristol County Commissioners to borrow money for the repair of sewer extension facilities at the Bristol County Agricultural High School (see House, No. 4763, amended), 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 2 to 0.**

The bill was signed by the Acting President (Mr. Petrucci) and sent to the House for enactment.

Engrossed Bill.

An engrossed Bill authorizing the city of Melrose to enter into a tax deferment agreement with Stone Place Limited Partnership (see Senate, No. 2438) (which originated in the Senate), 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. Petrucci) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Hedlund,

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

On motion of the same Senator, at twenty-one minutes past twelve o'clock noon, the Senate adjourned to meet again tomorrow at one o'clock P.M.