

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 12, 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.

Communication.

A communication from the Honorable Therese Murray, President of the Senate, announcing the appointment (pursuant to Chapter 54 of the Acts of 2005) of Senator Cynthia Stone Creem to the Civil Infraction Commission,-- **was placed on file.**

PAPER FROM THE HOUSE.

A Bill authorizing the town of Milford to issue an additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 4936,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Engrossed Bill Returned by Governor with Recommendation of Amendment.

The engrossed Bill further regulating above ground tanks used for the storage of certain fluids (see Senate, No. 914) (which on Friday, July 30, 2010, had been **laid before the Governor for his approbation**), **was returned to the Senate Clerk by the Governor on Monday, August 9, 2010 at ten minutes before four o'clock P.M., with a message recommending an amendment.**

The message (Senate, No. 2604) was read and the Senate proceeded to reconsider the bill, in accordance with the provisions of Article LVI of the Amendments to the Constitution.

Pending action thereon, the engrossed bill was referred to the committee on Bills in the Third Reading, on motion of Mr. Tarr.

Bill Returned by Governor With His Objections Thereto

A message from His Excellency the Governor, returning the engrossed Bill authorizing governmental bodies to enter into contracts for the inspection, maintenance, repair or modification of water storage facilities (see Senate, No. 2449, amended) which, on Saturday, July 31, 2010, had been laid before the Governor for his approbation, and which, at one minute before four o'clock P.M., on Friday, August 10, 2010, had been returned by His Excellency, under Part the Second, Chapter I, Section I, Article II of the Constitution of the Commonwealth, to the Senate Clerk, together with his objections thereto in writing.

The message (Senate, No. 2608) was read and, under Senate Rule 26, referred to the committee on Bills in the Third Reading.

Report of a Committee.

By Mr. Petrucci, for the committee on Environment, Natural Resources and Agriculture, on petition, a Bill concerning the enforcement of illegal dumping violations in the city of Worcester (Senate, No. 2526) [Local approval received].

The bill was read. The rules were suspended, on motion of Mr. Tarr, and the bill was read a second time.

Pending the question on ordering the bill to a third reading, Mr. Michael O. Moore presented an amendment substituting a new draft entitled "An Act authorizing the city of Worcester to establish a pilot program for enforcement against illegal dumping" (Senate, No. 2609).

The amendment was adopted.

The bill (Senate, No. 2609) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

PAPER FROM THE HOUSE

Engrossed Bill – Amended.

An engrossed Bill designating a certain bike path in the town of Millbury as the Honorable Richard Dwinell Memorial Blackstone Valley Bike Path (see House, No. 3218, amended),-- **having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was laid before the Senate.**

Senate Rule 49 was suspended, on motion of Mr. Tarr.

Messrs. Michael O. Moore and Richard T. Moore presented an amendment striking out all after the enacting clause and inserting in place thereof the following text:-

"The access area servicing the portion of the Blackstone Valley bike path in the town of Millbury located at North Main street shall be designated and known as the Honorable Richard J. Dwinell Blackstone Valley memorial access area in recognition of former state representative Richard J. Dwinell's public service to the commonwealth and the town of Millbury. The Massachusetts Department of Transportation shall erect and maintain suitable markers bearing the designation in compliance with the standards of the department."; and

By striking out the title and inserting in place thereof the following title:- "AN ACT DESIGNATING A CERTAIN BIKE PATH ACCESS AREA IN THE TOWN OF MILLBURY AS THE HONORABLE RICHARD J. DWINELL BLACKSTONE VALLEY MEMORIAL ACCESS AREA."

The amendment was adopted.

Sent to the House for concurrence in the amendment.

Report of Committees.

By Mr. Berry, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Robert A. O'Leary and Timothy Madden for legislation to clarify the application of Chapter 156B.

The rules were suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Telecommunications, Utilities and Energy.

Sent to the House for concurrence.

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill relative to the Public Health Enterprise Fund in the town of Stoughton (see House, No. 4852) (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. Petrucci) and laid before the Governor for his approbation.

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