

**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, September 13, 2010.*

Met according to adjournment at 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.

#### *Communication.*

A communication from Martin T. Meehan, Chancellor of the University of Massachusetts at Lowell, announcing the appointment of Dr. Ahmed Abdelal, Provost at the University of Massachusetts Lowell to the Special Commission established (pursuant to Section 153 of Chapter 131 of the Acts of 2010) to make an investigation and study of the University of Massachusetts at Amherst and the University of Massachusetts at Lowell jointly establishing a public school of pharmacy,-- **was placed on file.**

#### **Reports of Committees.**

By Mr. Timilty, for the committee on Public Safety and Homeland Security, on Senate, Nos. 912, 913, 919, 922, 923, 924, 926, 927, 928, 930, 931, 932, 933, 935, 936, 937, 938, 939, 940, 942, 943, 944, 945, 946, 947, 948, 950, 951, 952, 953, 955, 956, 957, 958, 960, 961, 965, 967, 968, 969, 970, 971, 972, 973, 978, 981, 982, 984, 985, 986, 989, 992, 993, 994, 995, 1000, 1001, 1889 and 2112, an Order relative to authorizing the joint committee on Public Safety and Homeland Security to make an investigation and study of certain current Senate documents relative to the sale of ammunition and firearms, corrections, criminal data collection, fire safety and prevention, law enforcement and transportation (Senate, No. 2619); and  
By Mr. McGee, for the committee on Public Service, on Senate, Nos. 1006, 1008, 1009, 1010, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1027, 1028, 1029, 1030, 1031, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1043, 1045, 1046, 1048, 1049, 1050, 1051, 1052, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1064, 1066 and 1067, an Order relative to authorizing the joint committee on Public Service to make an investigation and study of certain current Senate documents relative to public service (Senate, No. 2620);  
**Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.**

#### **PAPERS FROM THE HOUSE**

Petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No. 5013) of Harold P. Naughton Jr., Harriette L. Chandler and others (by vote of the town) that the town of Northborough be authorized to issue a license for the sale of alcoholic beverages to be located at "The Shops@20" in said town;

#### **To the committee on Consumer Protection and Professional Licensure.**

Petition (accompanied by bill, House, No. 5014) of Timothy R. Madden and Robert A. O'Leary (by vote of the town) relative to the establishment of a water supply system in the town of Tisbury; and

Petition (accompanied by bill, House, No. 5015) of Harold P. Naughton Jr., Harriette L. Chandler and others (by vote of the town) for legislation to authorize the town of Northborough to transfer certain land from the parks and recreation commission to

the board of selectmen of said town;

**Severally to the committee on Municipalities and Regional Government.**

Petition (accompanied by bill, House, No. 5011) of David M. Torrasi, Bruce E. Tarr and others (by vote of the town) that the town of North Andover be authorized to appoint Christopher M. Dufresne as a fire fighter in said town, notwithstanding the maximum age requirements; and

Petition (accompanied by bill, House, No. 5016) of Harold P. Naughton Jr., Harriette L. Chandler and Jennifer L. Flanagan (by vote of the town) that the town administrator of the town of Clinton be granted certain authority relative to the appointment and removal or personnel employed by said town;

**Severally to the committee on Public Service.**

*Resolutions.*

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

Resolutions (filed by Ms. Chandler) “congratulating Dr. Leonard J. Morse on the occasion of his retirement from his position as Public Health Commissioner of the City of Worcester”;

Resolutions (filed by Ms. Jehlen) “recognizing the Massachusetts Veterinary Medical Association on its organization of the 2010 Pet Microchip Day”;

Resolutions (filed by Mr. Ross) “congratulating Conor Chipman of the town of Norfolk on his elevation to the rank of Eagle Scout”; and

Resolutions (filed by Mr. Ross) “congratulating Ryan Chipman of the town of Norfolk on his elevation to the rank of Eagle Scout.”

**PAPERS FROM THE HOUSE**

*Emergency Preamble Adopted.*

An engrossed Bill establishing a sick leave bank for Edward A. Driscoll, an employee of the Trial Court (see House, No. 4947, 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. Timilty) and sent to the House for enactment.**

A Bill relative to the certification of the Hull Public Library (House, No. 4954,-- on House, No. 4779) [Local approval received on House, No. 4779],-- **was read.**

**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.**

*Motion To Take a Matter Out of the Orders of the Day.*

The Chair (Mr. Timilty) asked unanimous consent to take the engrossed Bill relative to comprehensive siting reform for land based wind projects (see House, No. 4955) out of the Orders of the Day for consideration,-- **but objection was made thereto by Mr. Knapik.**

**The engrossed bill was returned to the Orders of the Day for the next session.**

*Report of a Committee.*

The following report was laid before the Senate, the time within which the said committee was required to report having expired:--

**Of the committee on Public Service, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 2601) of Benjamin B. Downing and Daniel E. Bosley (with the approval of the mayor and city council) for legislation to authorize the city of North Adams to continue the employment of Public Safety Commissioner E. John Morocco [Local approval received].**

**On motion of Mr. Knapik, the rules were suspended; and, on further motion of the same Senator, the petition was recommitted to the committee on Public Service.**

**PAPERS FROM THE HOUSE**

A petition (accompanied by bill, House, No. 5021) of Kathryn Urbanowski for the issuance by the Governor of an annual proclamation setting apart the month of September as Childhood Cancer Awareness Month,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.**

*Engrossed Bills.*

The following engrossed bills (both of which originated in the House), 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 (Mr. Timilty) and

laid before the Governor for his approbation, to wit:

Exempting the Deputy Chief of Police in the town of Sharon from the civil service law (see House, No. 4853); and  
Relative to South Hadley town meeting members (see House, No. 4980).

*Engrossed Resolve.*

An engrossed Resolve designating a certain act of 2008 as “Darnell’s Law” (see House, No. 1139) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed 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 Thursday 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 thirteen minutes past eleven o’clock A.M., the Senate adjourned to meet again on Thursday next at eleven o’clock A.M.