

**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, December 24, 2009.*

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.

#### *Petitions.*

Petitions were severally presented and referred, as follows:

By Mr. Richard T. Moore, a petition (subject to Joint Rule 12) of Richard T. Moore, Steven A. Baddour, Harriette L. Chandler, Patricia D. Jehlen, Thomas P. Kennedy and other members of the General Court for legislation to eliminate waste and improve public oversight of state agencies;

By the same Senator, a petition (subject to Joint Rule 12) of Richard T. Moore, Steven A. Baddour, Harriette L. Chandler, Brian A. Joyce, Thomas P. Kennedy and other members of the General Court for legislation to establish the Commission on Government Accountability, Economy and Efficiency;

By the same Senator, a petition (subject to Joint Rule 12) of Richard T. Moore, Steven A. Baddour, Harriette L. Chandler, Brian A. Joyce, Thomas P. Kennedy and other members of the General Court for legislation to establish the Massachusetts Sunset Review Commission and to establish a procedure to identify and eliminate waste;

By the same Senator, a petition (subject to Joint Rule 12) of Richard T. Moore, Steven A. Baddour, Harriette L. Chandler, Brian A. Joyce, Thomas P. Kennedy and other members of the General Court for legislation to promote value and efficiency in the delivery of state services; and

By the same Senator, a petition (subject to Joint Rule 12) of Richard T. Moore, Steven A. Baddour, Harriette L. Chandler, Patricia D. Jehlen, Brian A. Joyce and other members of the General Court for legislation to provide for efficient use of leased or rented state property;

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

#### *Reports of Committees.*

By Mr. Timilty, for the committee on Public Safety and Homeland Security, on petition, a Bill relative to hazardous materials response (Senate, No. 991); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 366), a Bill to regulate the use of off highway and recreation vehicles (Senate, No. 2235);

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

By Ms. Chang-Diaz, for the committee on Tourism, Arts and Cultural Development, on petition, a Bill creating the official shellfish of the Commonwealth (Senate, No. 1877);

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

### PAPERS FROM THE HOUSE.

### *Bills*

Designating a certain traffic circle in the city of Lowell as the Mickey Ward Rotary (House, No. 4204,— on petition); and Relative to qualified financial contracts (House, No. 4399,— on House, No. 993);  
**Were severally read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

A Bill authorizing the town of Winchester to issue one additional license for the sale of wines and malt beverages to be drunk on the premises to Sakura Japanese Restaurant (House, No. 4345,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

### *Reports of a Committee.*

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill relative to Wareham Library certification (Senate, No. 2163),— **ought to pass.**

**There being no objection, the rules were suspended, on motion of Mr. Hedlund, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed.**  
**Sent to the House for concurrence.**

By Mr. Panagiotakos, for the committee on Ways and Means that the Senate Bill to modify the Lowell Arena and Civic Stadium Commission to the Civic Stadium Commission and to transfer the Tsongas Arena from the city of Lowell to the University of Massachusetts Building Authority (Senate, No. 2232),— **ought to pass, with an amendment substituting a new draft entitled “An Act modifying the Lowell Civic Stadium Commission” (Senate, No. 2236).**

**There being no objection, the rules were suspended, on motion of Mr. Hedlund, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

**The bill (Senate, No. 2236) was then ordered to a third reading, read a third time and was passed to be engrossed.**  
**Sent to the House for concurrence.**

By Mr. Panagiotakos, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Jeanette Ross, an employee of the Department of the Trial Court (House, No. 4311),— **ought to pass.**

**There being no objection, the rules were suspended, on motion of Mr. Hedlund, 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 town of Sharon to grant licenses for the sale of wines and malt beverages at a food store, not to be drunk on the premises (House, No. 4371),— **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.**

#### *Emergency Preambles Adopted.*

An engrossed Bill establishing a sick leave bank for John Bevelacqua, an employee of the Department of Energy Resources (see House, No. 4263, 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.**

An engrossed Bill establishing a sick leave bank for William Sinclair, an employee of the Department of Correction (see House, No. 4337, 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 Bills.*

The following engrossed bills (all 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. Petrucci) and laid before the Governor for his approbation, to wit:

Authorizing the town of Westborough to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 1891);

Authorizing the town of Westborough to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 1892);

Establishing a sick leave bank for John Bevelaqua, an employee of the Department of Energy Resources (see House, No. 4263, amended); and  
Establishing a sick leave bank for William Sinclair, an employee of the Department of Correction (see House, No. 4337, amended).

*Order Adopted.*

On motion of Mr. Hedlund,—

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