

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, March 19, 2012.

Met at two minutes 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 staff then recited the pledge of allegiance to the flag.

Communications.

The following communications were severally received and placed on file, to wit:

Communication from the Honorable Martin J. Benison, Comptroller, submitting a report on "Settlements and Judgments" for the eight month period ending February 2012 (pursuant to Section 2H of Chapter 29 of the General Laws, as most recently amended by Section 37 of Chapter 68 of the Acts of 2011) (received in the Office of the Clerk of the Senate on Monday, March 19, 2012, at a quarter before ten o'clock A.M.); and

Communication from the Honorable Martin J. Benison, Comptroller, submitting a report (under the provisions of Section 19 of Chapter 131 of the Acts of 2010) relative to tax revenues collected as of FY2012 Period 2 (received in the Office of the Clerk of the Senate on Monday, March 19, 2012, at a quarter before ten o'clock A.M.).

Petitions.

Mr. Tarr presented a petition (accompanied by bill, Senate, No. 2185) of Bruce E. Tarr and Bradford Hill (by vote of the town) for legislation to authorize the town of Wenham to grant a license for the sale of all alcoholic beverages to be drunk on the premises. [Local approval received];

Under Senate Rule 20, referred to the committee on Consumer Protection and Professional Licensure.

Reports of Committees.

By Mr. Eldridge, for the committee on Housing, on petition, a Bill relative to manufactured housing communities (Senate, No. 614);

Read and, under Joint Rule 29, referred to the committees on Rules of the two branches, acting concurrently.

By Ms. Jehlen, for the committee on Elder Affairs, on petition, a Bill to protect public health (Senate, No. 289);

Referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Michael O. Moore, for the committee on Higher Education, on petition, a Bill providing for a labor/management workplace and education trust fund at the University of Massachusetts Amherst (Senate, No. 2001);

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

By Mr. McGee, for the committee on Transportation, on petition, a Bill designating a certain portion of Route 197 in the town of Dudley as the Anthony B. DiDonato, Sr. Memorial Highway (Senate, No. 2169); and

By the same Senator, for the same committee, on petition, a Bill designating the birthplace of Michael Bartlett in the town of Oxford (Senate, No. 2170)

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

Committee Discharged.

Ms. Jehlen, for the committee on Elder Affairs, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 283) of Richard T. Moore for legislation to protect the interests of consumers in senior lifestyle communities,-- **and recommending that the same be referred to the committee on Health Care Financing.**

Under Senate Rule 36, the report was considered forthwith and accepted.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE

Notice was received from the House announcing the following appointment by the Minority Leader of the House of Representatives:

That Representative George T. Ross of Attleboro has been appointed to serve as his designee on the special commission established (under Executive Order 539) to establish the Commission for Public Housing Sustainability and Reform.

Resolutions.

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

Resolutions (filed by Messrs. Baddour and Tarr) “congratulating Charlie Salisbury on his retirement from the position of town moderator in the town of North Andover”; and

Resolutions (filed by Ms. Flanagan, Ms. Chandler and Messrs. Brewer, Eldridge, Michael O. Moore and Richard T. Moore) “congratulating Maurice ‘Moe’ Joseph Boisvert on the occasion of his retirement as President and Chief Executive Office of Youth Opportunities Upheld.”

Report of 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 House Bill relative to compensated absences in cities and towns (House, No. (House, No. 3666)

Order Adopted.

Mr. Welch offered the following order:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill relative to compensated absences in cities and towns (House, No. 3666), shall be placed in the Orders of the Day for a second reading on Thursday, March 22, 2012.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 10:00 A.M., on Thursday, March 22, 2012. All such amendments shall be second-reading amendments but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

Under the rules, referred to the committee on Ethics and Rules.

Subsequently, Mr. Berry, for the said committee, reported, recommending that the order ought to be adopted.

The rules were suspended, on motion of Mr. Ross, and the order was considered forthwith and adopted.

The bill was placed in the Orders of the Day for Thursday, March 22, 2012, for a second reading.

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 Senate Bill relative to the Dighton Water District in the town of Dighton (Senate, No. 2174),-- **was read a second time.**

Pending the question on ordering the bill to a third reading, Mr. Pacheco presented an amendment adding the following section:-
“Section 4. This act shall take effect upon its passage.”

The amendment was adopted.

The bill (Senate, No. 2174, amended) was then ordered to a third reading, read a third time and was passed to be engrossed.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE

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. Petruccelli) and laid before the Governor for his approbation, to wit:

Designating a certain bridge in the city of Attleboro as the Lynn Goodchild and Shawn Nassaney September 11th Memorial Bridge (see House, No. 3740); and

Providing for a charter for the town of Westwood (see House, No. 3763, amended).

Recess.

There being no objection, at seventeen minutes past eleven o'clock A.M., the Chair (Mr. Petruccelli) declared a recess; and at eight minutes past twelve o'clock noon, the Senate reassembled, Mr. Petruccelli in the Chair.

Reports of Committees.

By Mr. Brewer for the committee on Ways and Means, that the Senate Bill relative to the state wildfire team (Senate, No. 913),-- **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2183).**

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

Subsequently, Mr. Berry, for the said committee on Ethics and Rules, reported that the matter be placed in the Orders of the Day for Thursday, March 22nd.

The bill was placed in the Orders of the Day for Thursday, March 22, 2012, for a second reading, with the amendment pending.

By Mr. Brewer for the committee on Ways and Means, that the Senate Bill establishing the Worcester County Commission on the Status of Women (Senate, No. 2099),-- **ought to pass.**

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

Subsequently, Mr. Berry, for the said committee on Ethics and Rules, reported that the matter be placed in the Orders of the Day for Thursday, March 22nd.

The bill was placed in the Orders of the Day for Thursday, March 22, 2012, for a second reading.

By Mr. Brewer for the committee on Ways and Means, that the Senate Bill further regulating municipal animal control (Senate, No. 1033),-- **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2184).**

Order Adopted.

Mr. Brewer offered the following order:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, Senate Bill further regulating municipal animal control (Senate, No. 1033), with the pending Ways and Means new draft (Senate, No. 2184) shall be placed in the Orders of the Day for a second reading on Thursday, March 22, 2012.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 4:00 P.M., on Wednesday, March 21. All such amendments shall be second-reading amendments to the Ways and Means new draft (Senate, No. 2184) but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

Under the rules, referred to the committee on Ethics and Rules.

Subsequently, Mr. Berry, for the said committee, reported, recommending that the order ought to be adopted.

The rules were suspended, on motion of Mr. Ross, and the order was considered forthwith and adopted.

The bill was placed in the Orders of the Day for Thursday, March 22, 2012, for a second reading, with the amendment pending.

Order Adopted.

On motion of Mr. Ross,--

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

On motion of the same Senator, at ten minutes past twelve o'clock noon, the Senate adjourned to meet again on Thursday next at one o'clock P.M.