

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, June 11, 2012.

Met according to adjournment at eleven o'clock A.M. (Mr. Keenan 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. Keenan), members, guests and staff then recited the pledge of allegiance to the flag.

Distinguished Guests.

There being no objection, the Chair (Mr. Keenan) handed the gavel to Mr. Rush for the purpose of an introduction. Mr. Rush then introduced, in the rear of the Chamber, students from St. Theresa's Elementary School in West Roxbury. The students were on a field trip visiting the State House and learning about the different aspects of state government. The Senate welcomed them with applause and they withdrew from the Chamber.

Petitions.

Petitions were severally presented and referred, as follows

By Mr. McGee, a petition (accompanied by bill, Senate, No. 2297) of Thomas M. McGee Steven M. Walsh, Robert F. Fennell, Lori A. Ehrlich and Donald Wong (with the approval of the mayor and city council) for legislation relative to the adjustment of disability retirement benefits to Lynn police officer Gregory LeBlanc [Local approval received];

Under Senate Rule 20, to the committee on Public Service.

Sent to the House for concurrence.

By Mr. DiDomenico, a petition (subject to Joint Rule 12) of Sal N. DiDomenico, William N. Brownsberger and Patricia D. Jehlen for legislation relative to the lease of Northeastern University Henderson boat house; and

By the same Senator, a petition (subject to Joint Rule 12) of Sal N. DiDomenico, William N. Brownsberger, Michael F. Rush, Patricia D. Jehlen and Sonia Chang-Diaz for legislation relative to a boat house land lease in the city of Boston;

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

PAPERS FROM THE HOUSE

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4075) of Harold P. Naughton, Jr., Harriette L. Chandler, James B. Eldridge and other members of the General Court (by vote of the town) for legislation to authorize the conveyance of a certain parcel of land in the town of Northborough; and

Petition (accompanied by bill, House, No. 4141) of Sarah K. Peake and Daniel A. Wolf (by vote of the town) for legislation amending the charter of the town of Chatham;

Severally, to the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 4106) of Jennifer E. Benson and James B. Eldridge (by vote of the town) for legislation to establish an energy efficiency fund in the town of Acton;

To the committee on Telecommunications, Utilities and Energy.

Bills

Relative to Tisbury water supply system (House, No. 566,-- on petition) [Local approval received];

Authorizing the town of Tyringham to continue the employment of the chief of police, Peter Curtin (House, No. 3524, changed,-- on petition) [Local approval received];

Authorizing the town of Tyringham to continue the employment of Rainsford Morehouse, a member of the police department (House, No. 3524, changed,-- on petition) [Local approval received]; and

Establishing the Melpet Farm Stable Operations and Improvement Fund for the town of Dennis (House, No. 3845,-- on petition) [Local approval received];

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

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:- Resolutions (filed by Mr. Brewer) "congratulating Daniel G. Durgin, Sr. on his retirement as Superintendent of Tantasqua and Union 61 School Districts";

Resolutions (filed by Ms. Creem) "congratulating Citizens for Public Schools on the occasion of its thirtieth anniversary"; and Resolutions (filed by Mr. Rosenberg) "honoring Philip Irvin Bailey and the Music is Unity Foundation for their dedicated work on behalf of foster youths."

Reports of Committees.

Mr. Berry for the committee on Ethics and Rules, reported, that the following matters be placed in the Orders of the Day for immediate consideration for the next session of Tuesday, June 12, 2012:

The Senate Bills

Relative to anti-freeze and engine coolant (Senate, No. 88); and

Further regulating tanning facilities (Senate, No. 2211); and

The House bills

Protecting volunteer firefighters and emergency medical technicians from dismissal (House No. 537); and

Relative to Down Syndrome (House, No. 3825);

Severally placed in the Orders of the Day for Tuesday, June 12, 2012, for a second reading.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Dacia Thompson, an employee of the Department of Children and Families (House, No. 4029),-- **ought to pass.**

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

By Mr. Brewer, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Mark Lewis, an employee of the Department of Developmental Services (House, No. 4065),-- **ought to pass.**

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

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 Consumer Protection and Professional Licensure, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 2239) of Bruce E. Tarr and Ann-Margaret Ferrante (by vote of the town) for legislation to authorize the town of Rockport to grant a license for the sale of wines and malt beverages at a food store.

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 Consumer Protection and Professional Licensure.

PAPERS FROM THE HOUSE

Engrossed Bills.

The following engrossed bills (the first of which originated in the Senate), 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. Keenan) and laid before the Governor for his approbation, to wit:

Authorizing the board of selectmen of the town of Middleborough to impose fees for the employment of outside consultants (see

Senate, No. 1949); and
Establishing a sick leave bank for Janet Ochner, an employee of the Department of Developmental Services (see House, No. 3969).

Recess.

There being no objection, at sixteen minutes past eleven o'clock A.M., the Chair (Mr. Keenan) declared a recess subject to the call of the Chair; and, at eight minutes past twelve o'clock noon, the Senate reassembled, Mr. Keenan in the Chair.

PAPER FROM THE HOUSE.

The House Bill relative to certain reforms relative to the Massachusetts Department of Transportation (House, No. 4125),-- came from the House with endorsement that the House had NON-concurred in the Senate amendment striking out section 3 (as previously amended by the Senate) and inserting the following section:-

"SECTION 3. Section 132 of chapter 25 of the acts of 2009 is hereby amended by adding the following sentence:- Section 6 of chapter 15 of the acts of 1993 shall cease to have legal effect 10 days after the authority provides notice to the clerks of the senate and house of representatives and the chairs of the senate and house committees on ways and means and the chairs of the joint committee on transportation of an intent, consistent with the requirements of section 132 of chapter 25 of the acts of 2009, to enter into any sale, conveyance, mortgages, pledge, lease, exchange, abandonment or other disposition of said garage."

The rules were suspended on a motion of Mr. Knapik, and, on further motion of the same Senator, the Senate receded from its amendments.

Recess.

There being no objection, at nine minutes past twelve o'clock noon the Chair (Mr. Keenan) declared a recess subject to the call of the Chair; and, at nine minutes before one o'clock P.M., the Senate reassembled, Mr. Keenan in the Chair.

PAPERS FROM THE HOUSE

Emergency Preamble Adopted; Engrossed Bill Enacted.

An engrossed Bill providing for certain reforms relative to the Massachusetts Department of Transportation (see House, No. 4125), 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. Keenan) and sent to the House for enactment.

Subsequently, the bill, which originated in the House, came from the House with the endorsement that it had been enacted in that branch.

The Senate then passed the bill to be enacted; and it was signed by the Acting President (Mr. Keenan) 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 tomorrow at one o'clock P.M., in a full formal session with a calendar.

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