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.

Wednesday, June 22, 2011.

Met at three minutes past one o'clock P.M. (Mr. Rosenberg in the Chair).

The Senator from Plymouth and Norfolk, Mr. Hedlund, then led the Chair (Mr. Rosenberg), members, guests and employees in the recitation of the pledge of allegiance to the flag.

Petitions.

Petitions were severally presented and referred, as follows:
By Mr. Richard T. Moore, a petition (accompanied by bill, Senate No. 1943) of Richard T. Moore and Ryan C. Fattman (by vote of the town) for legislation to authorize the town of Bellingham to grant an additional license for the sale of alcohol [Local approval received];
Under Senate Rule 20, to the committee on Consumer Protection and Professional Licensure.

By the same Senator, a petition (accompanied by bill, Senate No. 1942) of Richard T. Moore and John V. Fernandes (by vote of the town) for legislation relative to civil service requirement for Antonio F. Dinis [Local approval received];
Under Senate Rule 20, to the committee on Public Service.

By Mr. Richard T. Moore, a petition (subject to Joint Rule 12) of Richard T. Moore and Ryan C. Fattman for legislation to establish a sick leave bank for Caron Parker;
Under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Committee Discharged

Mr. Downing, for the committee on Telecommunications, Utilities and Energy, reported, asking to be discharged from further consideration
Of the petition (accompanied by bill, Senate, No. 1686) of Marc R. Pacheco, Stephen Kulik, Kevin G. Honan and Patricia A. Haddad for legislation to provide funding for clean energy and energy efficient measures for public schools,-- **and recommending that the same be referred to the committee on Environment, Natural Resources and Agriculture; and**

Of the petition (accompanied by bill, Senate, No.1682) of Michael O. Moore for legislation relative to voluntary towing reform,-- and recommending that the same be referred to the committee on Public Safety and Homeland Security;
Under Senate Rule 36, the reports were severally considered forthwith and accepted.
Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE

A Bill approving the conveyance of property by the county of Nantucket (House, No. 568, amended,-- on petition) [Local approval received];
Was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Report of the House committee on Steering, Policy and Scheduling asking to be discharged from further consideration of the House Bill relative to protecting the rights of custodial and other non teaching employees of school districts (House, No. 712);-- **and recommending that the same be referred to the committee on Education,- was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:
Resolutions (filed by Mr. Ross) "congratulating Ryan Quern on his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Ross) "congratulating Dylan William on his elevation to the rank of Eagle Scout"; and
Resolutions (filed by Mr. Tarr, Ms. Creem and Mr. Rosenberg) "honoring amateur radio operators as they celebrate Amateur Radio Week and participate in Field Day."

Communications.

The Clerk read the following communications:

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133-1053

May 26, 2011

William Welch, Senate Clerk
Room 335
State House
Boston, MA 02133

Dear Mr. Clerk:

On May 26, 2011, I was absent from the Senate Chamber during the roll call vote on amendments #302, #329, #376 due to a personal family matter. Had I been present, I would have voted in the affirmative on all of the above amendments.

I respectfully request that a copy of this letter be printed in the Senate Journal as part of the official record for Thursday, May 26, 2011. Thank you for your assistance in this matter.

Sincerely,
BRIAN A. JOYCE
State Senator.

On motion of Mr. Hedlund, the above communication was ordered printed in the Journal of the Senate.

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133-1053

June 21, 2011

Mr. William Welch, Clerk
Massachusetts State Senate
State House – Room 335
Boston, MA 02133

Dear Mr. Clerk:

I was unable to be present at the formal session on Thursday, June 16, 2011, because I was attending my brother's funeral. Had I been in attendance I would have voted in the affirmative to engross H. 3510, appropriating supplemental funding to the FY2011 budget.
Thank you for your time and attention to this matter.

Sincerely,
KENNETH J. DONNELLY
4th Middlesex

On motion of Mr. Hedlund, the above communication was ordered printed in the Journal of the Senate.

Matters Taken Out of the Orders of the Day.

There being no objection, the following matters were taken out of the Orders of the Day and considered, as follows:

The Senate Bill exempting Dimitri P. Karpouzis from the maximum age requirement for police officers in the town of Ashland (Senate, No. 1891),-- **was read a third time and passed to be engrossed.**
Sent to the House for concurrence.

The House Bill authorizing the city of Marlborough to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 3344),-- **was read a second time.**
Pending the question on ordering the bill to a third reading, Mr. Eldridge presented an amendment striking out section 1 and inserting in place thereof the following section:-
"SECTION 1. Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the city of Marlborough may grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises under section 15 of said chapter 138 to the Belladora Corporation d/b/a The Vin Bin, located at 91 Main street. The license shall be subject to all of said chapter 138, except said section 17. Upon the issuance of the license authorized in this act, Richard Lombardi shall surrender to the licensing authority the license he currently holds for the sale of wines and malt beverages not to be drunk on the premises."
The amendment was adopted.
The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.
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 Thomas P. Kennedy and Thomas J. Calter for legislation to establish a sick leave bank for Donna Jean Kelly, an employee of the Trial Court.
The rules were suspended, on motion of Mr. Hedlund, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary.
Sent to the House for concurrence.

Order Adopted.

On motion of Mr. Hedlund,--

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

Moment of Silence.

At the request of the Chair (Mr. Rosenberg), the members, guests and employees stood in a moment of silence and reflection to the memory of Marvin Allan Feinman of Brookline.

Adjournment in Memory of Marvin Allan Feinman

The Senator from Middlesex and Norfolk, Ms. Creem, requested that when the Senate adjourns today, it adjourn in memory of Marvin Allan Feinman of Brookline.

Marvin Allan Feinman, died on June 8, 2011. Marvin served in the Army during the Korean War, and afterward had a successful career as a highly respected industrial engineer at Western Electric and at the Boeing Corporation. Marvin returned to the East Coast to care for his aging parents, and later became a resident of the town of Brookline. Marvin served for thirty years as a Town Meeting Member, and was elected as a Town of Brookline Constable. He was active in the Democratic Party, was selected as a delegate to Democratic State Conventions, and held leadership positions on a multitude of civic boards. Marvin was known for his compassion toward all those he encountered. He was a passionate advocate for the residents of Brookline, and supported numerous progressive causes - including the preservation of rent control. Marvin will also be remembered for the pleasure he took in dancing.

He is survived by his sister, Bernice Lemack and her husband, Edward of Allentown, New Jersey, four nieces, and eight great-nieces and nephews. Marvin will be fondly remembered and missed by his family, friends, and colleagues and by the Brookline community.

Accordingly, as a mark of respect to the memory of Marvin Allan Feinman, at a quarter past one o'clock P.M., on motion of Mr. Hedlund, the Senate adjourned to meet again tomorrow at eleven o'clock A.M.