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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Monday, October 15, 2012.

Met at two minutes past eleven o'clock A.M. (Mr. McGee 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. McGee), members, guests and staff then recited the pledge of allegiance to the flag.

Distinguished Guests.

There being no objection, the Chair (Mr. McGee) handed the gavel to Mr. Ross for the purpose of an introduction. Mr. Ross then introduced, in the rear of the Chamber, a group from the Wellesley Council on Aging. They were accompanied by Representative Peisch of Wellesley and Program and Office Assistant Ilene Sharp. The Senate welcomed them with applause and they withdrew from the Chamber.

Report of a Committee.

By Ms. Creem, for the committee on the Judiciary, on Senate, Nos. 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 679, 680, 681, 682, 683, 684, 685, 686, 689, 691, 693, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 729, 730, 731, 732, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 755, 756, 757, 758, 760, 761, 762, 763, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 821, 822, 823, 824, 825, 826, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 862, 863, 864, 865, 866, 867, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 911, 976, 1227, 1712, 1859, 1860, 1861, 1862, 1953, 2012, 2040, 2061 and 2160, an Order relative to authorizing the joint committee on the Judiciary to make an investigation and study of certain current Senate documents relative to the Judiciary (Senate, No. 2440)

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

Committee Discharged.

Mr. Berry, for the committee on Ethics and Rules, to whom was referred the Senate Order relative to authorizing the joint committee on Municipalities and Regional Government to make an investigation and study of certain current Senate documents (Senate, No. 2437), reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 2017) of Patricia D. Jehlen, Paul J. Donato, Sean Garballey and Carl M. Sciortino, Jr. (with the approval of the mayor and city council) for legislation to authorize the city of Medford to reimburse the Water Enterprise Fund,-- **and recommending that the same be recommitted to the committee on Municipalities and Regional Government. Under Senate Rule 36, the report was considered forthwith and accepted.**

PAPERS FROM THE HOUSE.

A Bill relative to school improvement plans (House, No. 3923,-- on petition),- **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

Reports

Of the committee on Children, Families and Persons with Disabilities, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4201) of William C. Galvin for legislation relative to special education costs,-- **and recommending that the same be referred to the committee on Education;**

Of the committee on State Administration and Regulatory Oversight, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1745) of Shaunna O'Connell, Kimberly N. Ferguson, Sheila c. Harrington, Robert L. Hedlund and other members of the General Court for legislation relative to sex offender information online,-- **and recommending that the same be referred to the committee on the Judiciary; and**

Of the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3938) of William Straus for legislation requiring the hands-free use of mobile telephones while driving,-- **and recommending that the same be referred to the committee on Public Safety and Homeland Security; Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Reports

Of the committee on Health Care Financing, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4034) of Bradley H. Jones, Bruce E. Tarr, George N. Peterson, Jr., Bradford Hill and other members of the General Court for legislation relative to reducing the healthcare burden on businesses; and

Of the committee on Transportation, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3809) of Kevin Aguiar for legislation relative to oral examinations for learners' permits to operate motor vehicles; **And recommending that the same severally be referred to the committee on House Ways and Means; Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence, in the discharge of the joint committees.**

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:- Resolutions (filed by Mr. McGee) "congratulating Saint Mary's Parish on its one hundred and fiftieth anniversary"; Resolutions (filed by Messrs. Keenan and Joyce) "congratulating the Project Prove Program on its fortieth anniversary"; Resolutions (filed by Mr. Ross and Ms. Creem) "congratulating Stefan Mills Anthos on his elevation to the rank of Eagle Scout"; and Resolutions (filed by Mr. Ross) "congratulating Nicholas J. D'Aluisio on his retirement from the Wrentham Developmental Center."

Report of a Committee.

There being no objection, the following matters were taken out of the Orders of the Day and considered, as follows: The House Bill relative to the town of Tisbury water supply system (House, No. 566) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

The House Bill creating the Melpet Farm Stable Operations and Improvement Fund for the town of Dennis (House, No. 3845),-- **was read a third time and passed to be engrossed, in concurrence.**

PAPERS FROM THE HOUSE.

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

A petition (accompanied by bill, House, No. 4474) of Kathi-Anne Reinstein for legislation to establish a sick leave bank for Dazlee Alvarado, an employee of the Department of Public Health; and

A petition (accompanied by bill, House, No. 4475) of James E. Vallee for legislation to establish a sick leave bank for John Kelley, an employee of the Department of Correction;

Severally, under suspension of Joint Rule 12, to the committee on Public Service.

Engrossed Bills.

The following engrossed bills (the first four 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. McGee) and laid before the Governor for his approbation, to wit:

Designating a certain node of the Blackstone River and Canal Heritage State Park in the town of Uxbridge as the Effingham Capron Memorial Park (see Senate, No. 361);

Designating a certain portion of Route 197 in the town of Dudley as the Anthony B. DiDonato, Sr. Memorial Highway (see Senate, No. 2169);

Authorizing the town of Rockport to grant a license for the sale of wines and malt beverages at a food store (see Senate, No. 2239);

Establishing standards for long-term care insurance (see Senate, No. 2359, amended);

Designating a certain bridge in the town of Billerica as the William G. Greene, Jr. Bridge (see House, No. 1802, amended);

Validating certain actions taken by the Old Colony Regional Vocational Technical High School District relative to certain borrowing (see House, No. 3914, amended); and

Authorizing the town of Sharon to grant licenses to certain establishments for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4163, amended).

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.

Adjournment in Memory of Martin "Marty" A. McGuane

Martin "Marty" A. McGuane, 55, of Erving, Massachusetts, died Tuesday October 9, 2012. Marty was born and raised in Greenfield, was a graduate of Greenfield High School, Greenfield Community College, and attended the University of Massachusetts. He was a member of the Greenfield School Committee where he served as Chair of the Finance Committee, as well as the Greenfield Town Council where he served a term as President. He was very active in the community which included being a "Big Brother" and a board member of Big Brother/Big Sister, volunteering with the Community Meals Program, working in community television, fundraising for local school bands, helping to found the Hospice of Franklin County, and being a board member of the United ARC of Franklin and Hampshire Counties.

He is survived by his mother Phyllis O'Hara and his stepfather Kenneth LaMorder of Greenfield, his ex-wife Jan (Matthews) McGuane, two brothers, Brennan N. McGuane and his wife Karen and Garrett L. McGuane and his wife Ellen, two sisters, Erin M. Lynch and her husband Robert Lynch, and Dr. Colleen S. McGuane and her companion Lincoln Bitar, five nieces and nephews, and many cousins. His father, former State Representative and Judge, Allan McGuane predeceased him on January 1, 2003.

Accordingly, as a mark of respect in memory of Martin "Marty" A. McGuane, at twenty-eight minutes past eleven o'clock A.M., on motion of Mr. Knapik, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.