

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, October 22, 2012.

Met at one minute past eleven o'clock A.M. (Ms. Donoghue 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 (Ms. Donoghue), members, guests and staff then recited the pledge of allegiance to the flag.

Communication.

The following communications were severally received and placed on file:-

Communication from Martin J. Benison, Comptroller, submitting a report on the status of cost avoidance opportunities (pursuant to Section 164 of the Acts of 2011) (received in the Office of the Clerk of the Senate on Thursday, April 12, 2012 at three minutes before one o'clock P.M.);

Communication from the Department of Public Safety submitting notice of a public hearing relative to the issuance of a new fee for the issuance of a duplicate elevator certificate (received in the Office of the Clerk of the Senate on Friday, October 19, 2012 at sixteen minutes past one o'clock P.M.); and

Communication from the Attorney General announcing the appointment of Christopher K. Barry-Smith to the special commission (under the provisions of Section 91 of Chapter 238 of the Acts of 2012) to conduct an investigation and study of the definition of independent contractors (received in the Office of the Clerk of the Senate on Thursday, October 18, 2012 at ten minutes before twelve o'clock noon.)

PAPERS FROM THE HOUSE.

Bills

Relative to the police department of the town of Wilbraham (House, No. 4212, changed,-- on petition) [Local approval received]; Authorizing the town of Milton to borrow money for payments of certain medical expenses (House, No. 4445,-- on petition) [Local approval received]; and

Relative to the finance committee of the town of Provincetown (House, No. 4477,-- on House, No. 4054) [Local approval received on House, No. 4054];

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 considered forthwith and adopted, as follows:-

Resolutions (filed by Mr. McGee) "in honor of the one hundredth anniversary of the Saint Pius V Parish."

PAPER FROM THE HOUSE.

The House Bill relative to comprehensive protection from childhood sexual abuse (House, No. 4329, amended),— came from the House with the endorsement that the House had NON-concurred in the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2409), and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Mariano of Quincy, Bradley of Hingham and Harrington of Groton had been appointed the committee on the part of the House.

On motion of Mr. Tarr, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Brownsberger, Flanagan and Ross were appointed on the part of the Senate. The bill was returned to the House endorsed accordingly.

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 relative to the acceptance of real estate exemption provisions for certain military personnel (Senate, No. 2302),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act authorizing the town of Burlington to grant retroactive abatements for certain taxes to certain military personnel". Sent to the House for concurrence.**

The House Bill authorizing the town of Hatfield to continue the employment of the chief of police (House, No. 4142),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act authorizing the continued employment of Thomas J. Osley, the chief of police of the town of Hatfield."**

Reports of Committee.

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 Public Service, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 2368) of Brian A. Joyce and Walter F. Timilty (by vote of the town) for legislation to exempt certain positions in the town of Milton from the civil service law.

On motion of Mr. Tarr, the bill was recommitted to the Joint committee on Public Service.

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 John A. Hart, Jr. and Nick Collins for legislation amending retirement beneficiaries of Dennis Mullen.

Senate Rule 36 was suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service.

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 John A. Hart, Jr. for legislation to establish a sick leave bank for Betty Garcia, an employee of the Department of Transitional Assistance.

Senate Rule 36 was suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service.

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 John A. Hart, Jr. for legislation to allow veterans leave to attend VA medical appointments.

Senate Rule 36 was suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Veterans and Federal Affairs. Severally sent to the House for concurrence.

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill providing for the appointment of treasurer-collector in the town of Avon (see House, No. 4389) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the Acting President (Ms. Donoghue) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Tarr,--

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.

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