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, November 21, 2011.

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

Reports of Committees.

By Mr. Pacheco, for the committee on Environment, Natural Resources and Agriculture, on Senate Nos. 166 and 352 and House, Nos. 232, 252, 266 and 2743, a Bill relative to information technology producer responsibility (Senate, No. 2078);
By the same Senator, for the same committee, on Senate, No. 397 and House, No. 1136, a Bill for a competitive economy through safer alternatives to toxic chemicals (Senate, No. 2079); and
By Mr. McGee, for the committee on Transportation, on petition (accompanied by bill, Senate, No. 1725), a Bill to promote environmentally sound transportation of agricultural products (Senate, No. 2077);
Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Mr. Richard T. Moore, for the committee on Health Care Financing, that the Senate Bill providing for pharmacist administration of adult immunizations (Senate, No. 1097),-- **ought to pass**
Read and, under Senate Rule 26, referred to the committee on Ethics and Rules.

Resolutions.

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

Resolutions (filed by Mr. Ross) "congratulating Colby Evan Anderson on his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Ross) "congratulating Shane Dudley Loughlin on his elevation to the rank of Eagle Scout"; and
Resolutions (filed by Mr. Ross) "congratulating Daniel Richard Young on his elevation to the rank of Eagle Scout."

PAPER FROM THE HOUSE
Emergency Preamble Adopted.

An engrossed Bill eliminating the residency requirement for certain assistant treasurers and assistant collectors (see Senate, No. 1325), 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. Petruccelli) and sent to the House for enactment.

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 House Bill authorizing the town of Fairhaven to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 3722),-- **was read a third time and passed to be engrossed, in concurrence.**

The House Bill authorizing the town of Fairhaven to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 3724),-- **was read a third time and passed to be engrossed, in concurrence.**

Report of a 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 designating a certain portion of land in the town of Salisbury as the Reverend Thomas B. Morgan square (House, No. 3713).
There being no objection, the rules were suspended, on motion of Mr. Knapik, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

PAPERS FROM THE HOUSE

The House Bill relative to sentencing and improving law enforcement tools (House, No. 3818,-- on Senate, No. 2059, in part),-- **was read.**
There being no objection, the rules were suspended, on motion of Mr. Knapik, and the bill was read a second time.
Pending the question on ordering the bill to a third reading, Messrs. Brewer and Baddour, Ms. Creem and Mr. Tarr presented an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2080.
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.

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

Petition (accompanied by bill, House, No. 3821) of John V. Fernandes and Richard T. Moore for legislation relative to the licensing of real estate appraisers;
Under suspension of Joint Rule 12, to the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 3820) of Jennifer E. Benson (by vote of the town of Boxborough) for legislation to regulate the acquisition of ground water in said town by the Water Supply District of Acton;
Under suspension of Joint Rules 12 and 9, to the committee on Environment, Natural Resources and Agriculture.

Engrossed Bill.

An engrossed Bill eliminating the residency requirement for certain assistant treasurers and assistant collectors (see Senate, No. 1325) (which originated in the Senate), 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 (Mr. Petruccelli) 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 again on Wednesday next at eleven o'clock P.M., and that the Clerk be directed to dispense with the printing of a calendar.

Adjournment in Memory of Richard Emmett Sullivan

The Senator from Essex, Mr. Baddour, moved that when the Senate adjourns today, it do so in memory of former Newburyport Mayor Richard Emmett Sullivan, who passed away on November 16th after a brief illness.

Mayor Sullivan was 78 years old and was the beloved husband of Laurine F. (Burke) Sullivan for the past 56 years. Born in Newburyport on November 5, 1933 he was the son on the late City Marshal James E. Sullivan and Anna H. (Murray) Sullivan. Mayor Sullivan was a graduate of Immaculate Conception Grammar School in Newburyport and later graduated from Newburyport High School in 1951. He also attended Salem State Teachers College and Suffolk University, becoming a well-respected leader in the local business community and enjoying a long and successful career in public service.

Mayor Sullivan founded the Merrimack Valley Credit Bureau, later the Credit Bureau of Greater Newburyport, in 1959. He also served as a deputy tax collector for numerous cities and towns in northern Essex County. Among his proudest business accomplishments was the first completed restoration of one of the historic brick structures on the Inn Street Mall in Newburyport in 1972 which Mayor Sullivan completed with his family working nights and weekends. This project earned a prestigious architectural award for historic preservation.

Mayor Sullivan served three terms on the Newburyport City Council, four years as Council President from 1974 to 1978, and eight years as Mayor of Newburyport from 1978 to 1986. Among his proudest accomplishments as mayor was the creation of the waterfront park, construction of hundreds of units of elderly housing, and the successful lobbying effort which he lead to convince the Commonwealth of Massachusetts to purchase and protect the land now known as Maudslay State Park.

Mayor Sullivan obtained a Massachusetts Real Estate Brokers' License after leaving office and engaged in business as Sullivan Real Estate up to the time of his death.

Mayor Sullivan was a pillar of the Immaculate Conception Parish in Newburyport where he was a lifelong communicant. He also was a church lector and organist for the boys' choir from 1960 to 1962 and was a member of the Knights of Columbus Council #231 and Fourth Degree. He also was instrumental in the establishment of the Newburyport Division 1 Chapter of the Ancient Order of Hibernians, and served as its first President.

In addition to his loving wife of 56 years, he is survived by his four sons, Richard E. Sullivan, Jr. and Former Newburyport Mayor Christopher R. Sullivan, both of Newburyport, Timothy F. Sullivan of Topsfield, and Joseph P. Sullivan of Haverhill; and four daughters, Colleen A. Hughes of Newburyport, Kathleen A. Jewkes of Hampton, New Hampshire, Mary E. Murphy of Boston, and Laurine F. Gillingham of Newburyport; two brothers, James E. Sullivan, Jr. of Bethesda, Maryland, and Fire Chief William H. "Skip" Sullivan, of Hampton, New Hampshire, and numerous beloved grandchildren, great-grandchildren, cousins and nieces and nephews. He was predeceased by two brothers, Robert J. Sullivan, who passed in 1943 at the age of four, and Charles A. Sullivan, who died shortly after childbirth in 1936.

Accordingly, as a mark of respect to the memory of Richard Emmett Sullivan, at sixteen minutes past eleven o'clock A.M., on motion of Mr. Knapik, the Senate adjourned to meet again on Wednesday next at eleven o'clock A.M.