

**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, January 31, 2011.*

Met at three minutes past eleven o'clock A.M. (Mr. Petrucci in the Chair).

The Chair (Mr. Petrucci), members, guests and employees then recited the pledge of allegiance to the flag.

#### *Communications.*

Communications were severally received and placed on file:

A communication from the Honorable Bruce E. Tarr, Senate Minority Leader, announcing the following leadership appointments:

*Assistant Minority Leader*, Robert L. Hedlund of Plymouth and Norfolk

*Minority Whip*, Richard J. Ross of Norfolk, Bristol and Middlesex

*Ranking Member to Senate Ways and Means Committee*: Michael R. Knapik of Hampden and Hampshire.

The Minority Leader also announced the following appointments to the various joint and standing committees:

#### *SENATE COMMITTEES.*

*Ethics and Rules* - Knapik of Hampden and Hampshire and Ross of Norfolk, Bristol and Middlesex

*Ways and Means* - Knapik of Hampden and Hampshire and Ross of Norfolk, Bristol and Middlesex

*Bills in the Third Reading* - Tarr of Essex and Middlesex

*Post Audit and Oversight* - Hedlund of Plymouth and Norfolk

*Bonding, Capital Expenditures and State Assets* – Knapik of Hampden and Hampshire

*Steering and Policy* – Tarr of Essex and Middlesex

*Global Warming and Climate Change* – Hedlund of Plymouth and Norfolk.

#### *JOINT COMMITTEES.*

*Children, Families and Persons with Disabilities* – Hedlund of Plymouth and Norfolk

*Community Development and Small Businesses* – Hedlund of Plymouth and Norfolk

*Consumer Protection and Professional Licensure* - Knapik of Hampden and Hampshire

*Economic Development and Emerging Technologies* – Ross of Norfolk, Bristol and Middlesex

*Education* - Ross of Norfolk, Bristol and Middlesex

*Elder Affairs* - Hedlund of Plymouth and Norfolk

*Election Laws* - Knapik of Hampden and Hampshire

*Environment, Natural Resources and Agriculture* - Hedlund of Plymouth and Norfolk

*Financial Services* - Knapik of Hampden and Hampshire

*Health Care Financing* - Tarr of Essex and Middlesex  
*Higher Education* - Ross of Norfolk, Bristol and Middlesex  
*Housing* - Hedlund of Plymouth and Norfolk  
*The Judiciary* - Ross of Norfolk, Bristol and Middlesex  
*Labor and Workforce Development* – Hedlund of Plymouth and Norfolk  
*Mental Health and Substance Abuse* - Ross of Norfolk, Bristol and Middlesex  
*Municipalities and Regional Government* - Ross of Norfolk, Bristol and Middlesex  
*Public Health* - Hedlund of Plymouth and Norfolk  
*Public Safety and Homeland Security* - Ross of Norfolk, Bristol and Middlesex  
*Public Service* - Knapik of Hampden and Hampshire  
*Redistricting* - Tarr of Essex and Middlesex  
*State Administration and Regulatory Oversight* – Tarr of Essex and Middlesex  
*Revenue* - Knapik of Hampden and Hampshire  
*Telecommunications, Utilities and Energy* – Knapik of Hampden and Hampshire  
*Tourism, Arts and Cultural Development* - Tarr of Essex and Middlesex  
*Transportation* - Hedlund of Plymouth and Norfolk  
*Veterans and Federal Affairs* - Knapik of Hampden and Hampshire

## **PAPERS FROM THE HOUSE**

A communication from the Clerk of the House of Representatives, informing the Senate of the following appointments:

### *Appointment of Majority Leaders.*

Under the provisions of Rule 18, the Speaker announced that the Majority Party Caucus had ratified the following appointments: Representative Mariano of Quincy, Majority Floor Leader; Representative Murphy of Burlington, Assistant Majority Floor Leader; Representative Reinstein of Revere, Second Assistant Majority Floor Leader; and Haddad of Somerset, Speaker pro-tempore.

### *House Standing Committees.*

House standing committees were appointed by the Speaker and Minority Leader, as follows:--

*Rules.* – Representatives Binienda of Worcester, Atkins of Concord, Rushing of Boston, Petrolati of Ludlow, Mariano of Quincy, Story of Amherst, O’Flaherty of Chelsea, Nangle of Lowell, Bradley of Hingham, Haddad of Somerset, Canessa of New Bedford, Fernandes of Milford, Humason of Westfield, Frost of Auburn and Diehl of Whitman.

*Ways and Means.*-- Representatives Chair Dempsey of Haverhill, Kulik of Worthington, Martha M. Walz of Boston, Scaccia of Boston, Fox of Boston, Petrolati of Ludlow, Koczera of New Bedford, Canavan of Brockton, Toomey, Jr. of Cambridge, Swan of Springfield, Garry of Dracut, Golden of Lowell, Creedon of Brockton, Sullivan of Fall River, Balser of Newton, Fresolo of Worcester, Timilty of Milton, Stanley of Waltham, Spiliotis of Peabody, Sciortino, of Medford, Speranzo of Pittsfield, Puppolo, Jr. of Springfield, Brady of Brockton, Ferrante of Gloucester, Dwyer of Woburn, Michlewitz of Boston, deMacedo of Plymouth, Webster of Hanson, Diehl of Whitman, D’Emilia of Bridgewater, O’Connell of Taunton and Wong of Saugus.

*Bills in the Third Reading.* – Representatives Pedone of Worcester, O’Day of West Boylston and Peterson of Grafton.

*Bonding, Capital Expenditures and State Assets.* – Representatives Cabral of New Bedford, Canessa of New Bedford, Fennell of Lynn, Garry of Dracut, Stanley of West Newbury, Sciortino of Medford, Brownsberger of Belmont, Ehrlich of Marblehead, Cantwell of Marshfield, Smola of Three Rivers and Levy of Marlborough.

*Ethics.* – Representatives Walsh of Boston, Golden, Jr. of Lowell, Spiliotis of Danvers, Reinstein of Revere, Donato of Medford, Haddad of Somerset, Kocot of Northampton, Webster of Hanson, Barrows of Mansfield, O’Connell of Taunton and Winslow of Norfolk.

*Global Warming and Climate Change.* – Representatives Smizik of Brookline, DiNatale of Fitchburg, Miceli of Wilmington, Stanley of West Newbury, Torrisi of North Andover, Spiliotis of Peabody, Brownsberger of Belmont, Chan of Quincy, Holmes of Boston, Beaton of Shrewsbury, Bastien of Gardner.

*Personnel and Administration.* -- Representatives Galvin of Canton, Benson of Lunenburg, Murphy of Weymouth, Pignatelli of Lenox, Turner of Dennis, Provost of Somerville, Michlewitz of Boston, Schmid of Westport, O’Connell of Taunton, Diehl of Whitman, D’Emilia of Bridgewater and Wong of Saugus.

*Post Audit and Oversight.* -- Representatives Linsky of Natick, Swan of Springfield, Stanley of West Newbury, Ayers of Quincy, Torrisi of North Andover, Stanley of Waltham, Smith of Everett, Benson of Lunenburg, Hecht of Watertown, Harrington of

Groton and Kuros of Uxbridge.

*Steering, Policy and Scheduling.* -- Representatives Kafka of Stoughton, Smith of Everett, Fox of Boston, Murphy of Lowell, Atsalis of Barnstable, Murphy of Weymouth, Dwyer of Woburn, Devers of Lawrence, Hill of Ipswich and Gifford of Wareham.

*Floor Division Committees.* -- First Division Chair, Bradley of Hingham, Second Division Chair, Rushing of Boston, Third Division Chair, Donato of Medford and Fourth Division Chair, Story of Amherst.

*Joint Standing Committees.*

*Children, Families and Persons with Disabilities.* -- Representatives Khan of Newton, Fernandes of Milford, Scaccia of Boston, O'Day of West Boylston, Ehrlich of Marblehead, Hecht of Watertown, Lewis of Winchester, Collins of Boston, Walsh of Framingham, Ross of Attleboro and Ferguson of Holden.

*Community Development and Small Business.* -- Representative Forry of Boston, Atsalis of Barnstable, Fennell of Lynn, Calter of Kingston, Conroy of Wayland, McMurtry of Dedham, Ehrlich of Marblehead, Hogan of Stow, Lewis of Winchester, Lyons of Andover, D'Emilia of Bridgewater.

*Consumer Protection and Professional Licensure.* -- Representatives Spiliotis of Danvers, Fennell of Lynn, Creedon of Brockton, Stanley of Waltham, Spiliotis of Peabody, Puppolo, Jr. of Springfield, Brodeur of Melrose, Chan of Quincy, Nyman of Hanover, Howitt of Seekonk and Humason of Westfield.

*Economic Development and Emerging Technologies.* -- Representatives Wagner of Chicopee, Toomey of Cambridge, Petrolati of Ludlow, Koczera of New Bedford, Canavan of Brockton, Calter of Kingston, DiNatale of Fitchburg, Ferrante of Gloucester, Devers of Lawrence, Brodeur of Melrose, Collins of Boston, Frost of Auburn and Kuros of Uxbridge.

*Education.* -- Representatives Peisch of Wellesely, Sullivan of Fall River, Rogers of Norwood, Creedon of Brockton, Curran of Springfield, Benson of Lunenburg, Devers of Lawrence, Garlick of Needham, Henriquez of Dorchester, Ferguson of Holden and Vieira of Falmouth.

*Elder Affairs.* -- Representatives Wolf of Cambridge, Hecht of Watertown, Miceli of Wilmington, Ayers of Quincy, Curran of Springfield, Collins of Boston, Coppinger of Boston, Cusack of Braintree, Hunt of East Sandwich, Ferguson of Holden.

*Election Laws.* -- Representatives Moran of Boston, Garballey of Arlington, Atkins of Concord, Smith of Everett, Ashe of Longmeadow, Rosa of Leominster, Andrews of Orange, Parisella of Beverly, Webster of Hanson and Lombardo of Billerica.

*Environment, Natural Resources and Agriculture.* -- Representatives Gobi of Spencer, Ferrante of Gloucester, Koczera of New Bedford, Dykema of Holliston, Madden of Nantucket, Cariddi of North Adams, Mark of Hancock, Markey of Dartmouth, Schmid of Westport, Gifford of Wareham and Beaton of Shrewsbury.

*Financial Services.* -- Representatives Costello of Newburyport, Basile of Boston, Fallon of Malden, Murphy of Lowell, Ehrlich of Marblehead, Cantwell of Marshfield, Dwyer of Woburn, Madden of Nantucket, Holmes of Boston, Boldyga of Southwick and Lombardo of Billerica.

*Health Care Financing.* -- Representatives Walsh of Lynn, Conroy of Wayland, Koczera of New Bedford, Toomey, Jr. of Cambridge, Swan of Springfield, Murphy of Lowell, Nangle of Lowell, Speranzo of Pittsfield, Dykema of Holliston, Finn of West Springfield, Garlick of Needham, Barrows of Mansfield and Gifford of Wareham.

*Higher Education.* -- Representatives Sannicandro of Ashland, Calter of Kingston, Atkins of Concord, Pignatelli of Lenox, Provost of Somerville, Conroy of Wayland, DiNatale of Fitchburg, Arciero of Westford, Mark of Hancock, Batien of Gardner and Boldyga of Southwick.

*Housing.* -- Representatives Honan of Boston, Fox of Boston, Canavan of Brockton, Fresolo of Worcester, Curran of Springfield, Basile of Boston, Coppinger of Boston, Holmes of Boston, Markey of Dartmouth, Lombardo of Billerica and Lyons of Andover, Lombardo of Billerica and Lyons of Andover.

*The Judiciary.* -- Representatives O'Flaherty of Chelsea, Speranzo of Pittsfield, Garry of Dracut, Murphy of Lowell, Curran of Springfield, Fernandes of Milford, Puppolo, Jr. of Springfield, Henriquez of Dorchester, Markey of Dartmouth, Winslow of Norfolk and Harrington of Groton.

*Labor and Workforce Development.* -- Representatives Coakley-Rivera of Springfield, Ehrlich of Marblehead, Rogers of Norwood, Atsalis of Barnstable, Fresolo of Worcester, Torrisi of North Andover, Campbell of Methuen, Arciero of Westford,

Andrews of Orange, Harrington of Groton and Fattman of Sutton.

*Mental Health and Substance Abuse.* – Representatives Malia of Boston, Scaccia of Boston, Sullivan of Fall River, Balser of Newton, O'Day of West Boylston, Murtry of Dedham, Henriquez of Dorchester, Mark of Hancock, Hunt of East Sandwich and Beaton of Shrewsbury.

*Municipalities and Regional Government.* – Representatives Kane of Holyoke, Spiliotis of Peabody, Turner of Dennis, Garballey of Arlington, Ashe of Longmeadow, Madden of Nantucket, Cariddi of North Adams, Cusack of Braintree, Parisella of Beverly, Kuros of Uxbridge and Fattman of Sutton.

*Public Health.* -- Representatives Sanchez of Boston, Lewis of Winchester, Canavan of Brockton, Fallon of Malden, Balser of Newton, Sciortino of Medford, Dykema of Holliston, Garlick of Needham, Mahoney of Worcester, Adams of Andover and Ross of Attleboro.

*Public Safety and Homeland Security.* – Representatives Naughton of Clinton, Brady of Brockton, Ayers of Quincy, Torrisi of North Andover, Turner of Dennis, Campbell of Methuen, Ashe of Longmeadow, Dwyer of Woburn, Nyman of Hanover, Vieira of Falmouth and Boldyga of Southwick.

*Public Service.* – Representatives Scibak of South Hadley, Rosa of Leominster, Miceli of Wilmington, Petrolati of Ludlow, Canessa of New Bedford, Brownsberger of Belmont, Aguiar of Fall River, Brodeur of Melrose, Nyman of Hanover, Fattman of Sutton and Smola of Palmer.

*Revenue.* – Representatives Kaufman of Lexington, Aguiar of Fall River, Stanley of West Newbury, Fallon of Malden, Arciero of Westford, Benson of Lunenburg, Cantwell of Marshfield, Andrews of Orange, Schmid of Westport, Levy of Marlborough and Adams of Andover.

*State Administration Regulatory Oversight.* – Representatives Kocot of Northampton, Murphy of Weymouth, Nangle of Lowell, Speranzo of Pittsfield, Aguiar of Fall River, Brady of Brockton, Hogan of Stow, Lewis of Winchester, Coppinger of Boston, Lyons of Andover and Levy of Marlborough.

*Telecommunications, Utilities and Energy.* – Representatives Keenan of Salem, Hogan of Stow, Rogers of Norwood, Golden of Lowell, Timilty of Milton, DiNatale of Fitchburg, Basile of Boston, Chan of Quincy, Mahoney of Worcester, Adams of Andover and Hunt of East Sandwich.

*Tourism, Arts and Cultural Development.* – Representatives Peake of Provincetown, McMurtry of Dedham, Sullivan of Fall River, Pignatelli of Lenox, Turner of Dennis, Garballey of Arlington, Gailanne M. Cariddi of North Adams, Walsh of Framingham, Howitt of Seekonk and Vieira of Falmouth.

*Transportation.* – Representatives Straus of Mattapoisett, Michlewitz of Boston, Miceli of Wilmington, Sciortino Jr., of Medford, Provost of Somerville, Madden of Nantucket, Devers of Lawrence, Cusack of Braintree, Finn of West Springfield, Mahoney of Worcester, Walsh of Framingham, Wong of Saugus and Howitt of Seekonk.

*Veterans and Federal Affairs.* – Representatives Vallee of Franklin, Campbell of Methuen, Nangle of Lowell, Timilty of Milton, Arciero of Westford, Dykema of Holliston, Rosa of Leominster, Finn of West Springfield, Parisella of Beverly, Ross of Attleboro and Bastien of Gardner for the 2001120012 legislative session, - **was placed on file.**

#### *Resolutions.*

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:-  
Resolutions (filed by Ms. Spilka, Mr. Richard T. Moore, Ms. Clark, Mr. Keenan, Ms. Fargo, Messrs. Pacheco, Michael O. Moore, and Downing, Ms. Chandler, and Messrs. Tarr and Montigny) “commemorating the American Heart Association on its celebration of February 2011 as American Heart Month.”

#### *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.

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