

**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.

*Thursday, March 15, 2012.*

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

#### *Petitions.*

Petitions were severally presented and referred, as follows:

By Mr. Downing, a petition (accompanied by bill, Senate, No. 2178) of Benjamin B. Downing and Gailanne M. Cariddi (with the approval of the mayor and city council) for legislation to modify the Pittsfield Economic Development Authority [Local approval received];

**Under Senate Rule 20, to the committee on Municipalities and Regional Government.**

By the same Senator, a petition (accompanied by bill, Senate, No. 2179) of Benjamin B. Downing and Gailanne M. Cariddi (with the approval of the mayor and city council) for legislation to authorize the city of Pittsfield to prohibit heavy commercial vehicles from travelling on Melbourne Road [Local approval received];

**Under Senate Rule 20, to the committee on Transportation.**

**Severally sent to the House for concurrence.**

By Mr. Baddour, a petition (subject to Joint Rule 12) of Steven A. Baddour and Linda Dean Campbell for legislation to name a certain bridge in the town of Methuen;

**Under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

#### *Reports of Committees.*

By Mr. DiDomenico, for the committee on Community Development and Small Business, on petition, a Bill relative to a special commission to develop 401(k) plans for small businesses (Senate, No. 1842);

**Read and, under Joint Rule 29, referred to the committees on Rules of the two branches, acting concurrently.**

By Mr. Keenan, for the committee on Mental Health and Substance Abuse, on Senate, Nos. 977 and 999 and House, Nos. 1432, 2879 and 2881, a Bill to ensure adequate access to behavioral health care services (Senate, No. 2177);

**Referred, under Joint Rule 1E, to the committee on Health Care Financing.**

By Mr. Donnelly, for the committee on State Administration and Regulatory Oversight, on petition, a Bill authorizing the Division of Capital Asset Management and Maintenance, in consultation with the board of trustees of Essex Independent Agricultural and Technical Institute, to sell and convey land in the town of Newbury (Senate, No. 1932);

**Read and, under Senate Rule 26, referred to the committee on Bonding, Capital Expenditures and State Assets.**

By Mr. DiDomenico, for the committee on Community Development and Small Business, on petition, a Bill relative to making technical corrections to the small business regulatory impact statements (Senate, No. 1845);

By Mr. Welch, for the committee on Municipalities and Regional Government, on petition, a Bill creating a fund to assist municipalities experiencing extraordinary increases in the need for public safety services (Senate, No. 1056);

By Mr. Brownsberger, for the committee on Public Service, on petition, a Bill relative to creditable service for school nurses (Senate, No. 1317) (Senator Brownsberger dissenting);

**Note: [Senator Brownsberger merely signed the report, although dissenting therefrom, in order to bring it to the floor of the Senate for action.]**

By the same Senator, for the same committee, on petition, a Bill to provide retirement benefits for veterans (Senate, No. 1330) (Senator Brownsberger dissenting);

**Note: [Senator Brownsberger merely signed the report, although dissenting therefrom, in order to bring it to the floor of the Senate for action.] and**

By Mr. Downing, for the committee on Telecommunications, Utilities and Energy, on Senate, No. 1664 and House, No. 1776), a Bill improving net-metering in the Commonwealth (Senate, No. 2176);

**Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.**

By Mr. Welch, for the committee on Municipalities and Regional Government, on Senate, No. 1018 and House, No. 1447, a Bill relative to the effective enforcement of municipal ordinances and bylaws (Senate, No. 1018);

By the same Senator, for the same committee, on petition, a Bill to amend the fine for failing to obtain, renew or violating the terms of a license to operate an open air parking lot (Senate, No. 1052);

By the same Senator, for the same committee, on petition, a Bill to assist public water suppliers and to safeguard adequate water supplies (Senate, No. 1055);

By Mr. Donnelly, for the committee on State Administration and Regulatory Oversight, on petition, a Bill designating “Me and Paul Revere” as the revolutionary song of the Commonwealth (Senate, No. 2069); and

By Ms. Donoghue, for the committee on Tourism, Arts and Cultural Development, on petition, a Bill designating Rex Trailer as the official cowboy of the Commonwealth (Senate, No. 1704);

**Severally read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

#### **PAPERS FROM THE HOUSE**

Messages were severally referred, in concurrence, as follows:

Message from His Excellency the Governor recommending legislation relative to disqualifying certain persons subject to G.L. Chapter 32 Section 91 (b) from receiving unemployment insurance benefits (House, No. 3980);

**To the committee on Public Service.**

Message from His Excellency the Governor recommending legislation relative to financing improvements to the Commonwealth’s transportation system (House, No. 3979);

**To the committee on Transportation.**

#### *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:

The Senate Bill designating World Voice Week (Senate, No. 2107).

**There being no objection, the rules were suspended, on motion of Mr. Hedlund, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

#### **PAPERS FROM THE HOUSE**

A Bill authorizing the town of Harvard to issue one-day liquor licenses (House, No. 3715,-- on petition) [Local approval received],-- **was read.**

**There being no objection, the rules were suspended on the motion of Mr. Hedlund, and the bill was read a second time.**

Pending the question on ordering the bill to a third reading, Mr. Eldridge moved that the bill be amended by striking out all after the enacting clause and inserting in place thereof the following text:

“The licensing authority of the town of Harvard may grant: (i) special licenses for the sale of wines and malt beverages only, or either of them, to the responsible manager of an indoor or outdoor activity or enterprise; and (ii) special licenses for the sale of all alcoholic beverages or wines and malt beverages only, or any of them, to the responsible manager of any nonprofit organization

conducting an indoor or outdoor activity or enterprise under section 14 of said chapter 138.”

**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.**

A Bill designating a certain bridge in the city of Attleboro as the Lynn Goodchild and Shawn Nassaney 9/11 Remembrance Memorial Bridge (House, No. 3740,-- on petition) [Local approval received],-- **was read.**

**There being no objection, the rules were suspended, on motion of Mr. Hedlund, and the bill 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 designating a certain bridge in the city of Attleboro as the Lynn Goodchild and Shawn Nassaney September 11th Memorial Bridge”.**

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

Petition (accompanied by bill, House, No. 3992) of John H. Rogers for legislation to improve access to the services of educational psychologists;

**Under suspension of Joint Rule 12, to the committee on Mental Health and Substance Abuse.**

Petition (accompanied by bill, House, No. 3993) of Jay R. Kaufman, Kathi-Anne Reinstein and others relative to student driver safety;

**Under suspension of Joint Rule 12, to the committee on Transportation.**

#### *Resolutions.*

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

Resolutions (filed by Mr. Keenan) “commending United States Army Lieutenant Colonel William J. O’Brien, Jr. for his exemplary service on behalf of the United States of America”;

Resolutions (filed by Mr. Ross) “congratulating Ryan M. Bakinowski on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. Ross) “congratulating Kyle C. March on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. Ross) “congratulating Henry L. Mulcahy III on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. Ross) “congratulating Mark D. Norman on his elevation to the rank of Eagle Scout”; and

Resolutions (filed by Mr. Ross) “congratulating Kevin F. O’Sullivan on his elevation to the rank of Eagle Scout.”

#### **PAPERS FROM THE HOUSE**

A Bill providing for a charter for the town of Westwood (House, No. 3763, amended,-- on petition) [Local approval received],-- **was read.**

**There being no objection, the rules were suspended, on motion of Mr. Hedlund, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

#### *Engrossed Bills.*

An engrossed Bill relative to tiered and selective network health plans (see Senate, No. 2148, amended) (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 re-enacted and signed by the Acting President (Mr. DiDomenico) and again laid before the Governor for his approbation.

An engrossed Bill relative to the number of voting precincts in the town of Chelmsford (see House, No. 3716) (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 (Mr. DiDomenico) and laid before the Governor for his approbation.

#### *Order Adopted.*

On motion of Mr. Hedlund,--

*Ordered*, That when the Senate adjourns today, it adjourn to meet again on Monday 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 thirteen minutes past eleven o’clock A.M., the Senate adjourned to meet again on Monday next at eleven o’clock A.M.