

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, March 26, 2012.

Met according to adjournment at 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.

Communication.

A communication from the Honorable Steven A. Baddour, announcing his resignation from the following committees of conference:

S2059 -- relative to habitual offenders, sentencing and improving law enforcement tools; and
S1940 -- to improve the administration of state government and finance.

Subsequently, the President announced that Mr. Baddour had been replaced on the habitual offenders committee of conference by Ms. Flanagan; and on the state financing committee of conference by Ms. Spilka.

Petitions.

Petitions were severally presented and referred, as follows:

By Ms. Chandler, a petition (subject to Joint Rule 12) of Harriette L. Chandler and John P. Fresolo for legislation relative to traffic safety;

By Ms. Murray, a petition (subject to Joint Rule 12) of Therese Murray, Randy Hunt and Viriato Manuel deMacedo for legislation to designate certain bridges in the town of Bourne as the Staff Sergeant Matthew A. Pucino bridges; and

By Mr. Petruccelli, a petition (subject to Joint Rule 12) of Anthony W. Petruccelli, Kathi-Anne Reinstein and Carlo Basile for legislation relative to simulcasting;

Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of Committees.

By Mr. Petruccelli, for the committee on Financial Services, on Senate, No. 447 and House, No. 307, a Bill requiring standard credentialing of physicians by health insurers (Senate, No. 447); and

By Ms. Fargo, for the committee on Public Health, on Senate, Nos. 1110 and 1179, a Bill relative to the pronouncement of death in a rest home (Senate, No. 1179);

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Petruccelli, for the committee on Financial Services, on Senate, Nos. 82, 402 and 464 and House, Nos. 2045, 2046, 2047, 2077 and 2768, a Bill relative to motor vehicle glass repair shop registration (Senate, No. 2189); and

By Mr. Downing, for the committee on Telecommunications, Utilities and Energy, on Senate, Nos. 1646, 1678, 1679, 1680 and 1699 and House, Nos. 855, 862, 1772, 2608, 2617 and 3767, a Bill relative to competitively priced electricity in the Commonwealth (Senate, No. 2190);
Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Ms. Fargo, for the committee on Public Health, on petition, a Bill regulating cadmium in children's jewelry (Senate, No. 1074);
Read and, under Senate Rule 26, referred to the committee on Ethics and Rules.

Committee Discharged

Ms. Fargo, for the committee on Public Health, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1107) of Robert L. Hedlund, Thomas P. Kennedy, Bruce E. Tarr, and James J. Dwyer for legislation relative to prescription drug rebates,-- **and recommending that the same be referred to the committee on Health Care Financing.**

**Under Senate Rule 36, the report was considered forthwith and accepted.
Sent to the House for concurrence.**

Resolutions.

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

Resolutions (filed by Messrs. McGee, Berry, DiDomenico and Petruccelli) "congratulating the St. Mary's High School Boys Basketball Team on their 2012 season and their MIAA Division IV State Championship."

PAPERS FROM THE HOUSE

A Bill authorizing the town of Dartmouth to establish a trust fund for police officer medical benefits (House, No. 2328,-- on petition) [Local approval received],-- **was read.**

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

A Bill designating a certain bridge in the town of Dalton as the 2nd Lt. Michael J. Casey, Sr. Memorial Bridge (House, No. 3638, amended-- on petition) [Local approval received],-- **was read.**

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

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

Petition (accompanied by bill, House, No. 4003) of Alice Hanlon Peisch relative to the protection of children;

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

Petition (accompanied by bill, House, No. 4004) of Gloria L. Fox and F. Jay Barrows for legislation to designate the courthouse in the Roxbury section of the city of Boston as the Edward O. Gourdin Courthouse;

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

Petition (accompanied by bill, House, No. 4005) of Michael A. Costello for legislation to establish a sick leave bank for Michael Regan, an employee of the Massachusetts Department of Transportation;

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

Recess.

There being no objection, at five minutes past eleven o'clock A.M., the Chair (Mr. McGee) declared a recess, subject to the call of the Chair; and, at seven minutes before one o'clock P.M., the Senate reassembled, Mr. McGee in the Chair.

Report of a Committee.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill relative to competitively priced electricity in the Commonwealth (Senate, No. 2190),-- **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2200).**

Order Adopted.

Mr. Brewer offered the following order:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, Senate Bill relative to competitively priced electricity in the Commonwealth (Senate, No. 2190), with the pending Ways and Means new draft (Senate, No. 2200) shall be placed in the Orders of the Day for a second reading on Thursday, March 29, 2012.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 1:00 P.M., on Wednesday, March 28, 2012. All such amendments shall be second-reading amendments to the Ways and Means new draft (Senate, No. 2200) but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading

Under the rules, referred to the committee on Ethics and Rules.

Subsequently, Mr. Berry, for the said committee, reported, recommending that the order ought to be adopted.

The rules were suspended, on motion of Mr. Ross, and the order was considered forthwith and adopted.

The bill was placed in the Orders of the Day for Thursday, March 22, 2190, for a second reading, with the amendment pending.

PAPERS FROM THE HOUSE

Engrossed Bills.

The following engrossed bills (both of which originated in the House), 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:

Relative to compensated absences in cities and towns (see House, No. 3666); and

Relative to the procurement and award of contracts for certain affordable housing in the city of Boston (see House, No. 3853).

A petition (accompanied by bill, House, No. 4007) of Paul A. Brodeur, Jerald A. Parisella and others relative to employment for members of the armed forces returning from active duty,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Veterans and Federal Affairs.**

Order Adopted.

On motion of Mr. Ross,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday next at one o'clock P.M., in a full formal session with a calendar.

On motion of the same Senator, at two minutes before one o'clock P.M., the Senate adjourned to meet again on Thursday next at one o'clock P.M.