

**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, April 4, 2011.*

Met according to adjournment at eleven o'clock A.M. (Mr. Tolman in the Chair).

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

#### *Communications.*

The following communications were severally received and placed on file:

A communication from the Honorable Therese Murray, President of the Senate, announcing the re-appointment of Constance DiLego to the Special Commission established (pursuant to Section 69 of Chapter 2 of the General Laws) to make an investigation and study on the status of grandparents raising grandchildren; and

A communication from the Honorable Therese Murray, President of the Senate, announcing the appointments of Senators Karen E. Spilka and Anthony Petrucci to the Commission established (pursuant to Section 13S of Chapter 23A of the General Laws) relative to international trade.

#### *Reports of Committees.*

By Mr. Welch, for the committee on Municipalities and Regional Government, on petition, a Bill authorizing the Norfolk County Commissioners to borrow money for the repair, renovation and constructing, equipping and furnishing of buildings at Norfolk County Agricultural High School in the town of Walpole (Senate, No. 1062);

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

By Mr. Welch, for the committee on Municipalities and Regional Government, on petition, a Bill authorizing the town of Andover to exchange certain parcels of land with the Andover village improvement society (Senate, No. 1028) [Local approval received];

**Read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

#### *Committees Discharged.*

Mr. Kennedy, for the committee on Consumer Protection and Professional Licensure, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 94) of Sal N. DiDomenico and Kathi-Anne Reinstein for legislation to improve the law for the pricing of grocery and retail items,-- **and recommending that the same be referred to the committee on Community Development and Small Business.**

Ms. Chang-Diaz, for the committee on Education, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1853) of Jennifer L. Flanagan, Patricia D. Jehlen and David M. Torrissi for legislation to prohibit the Commonwealth from discrimination against those providing special education services to Massachusetts students,--

**and recommending that the same be referred to the committee on Public Service.**  
**Under Senate Rule 36, the reports were severally considered forthwith and accepted.**  
**Severally sent to the House for concurrence.**

#### PAPERS FROM THE HOUSE

A petition (accompanied by bill, House, No. 3325) of Robert F. Fennell for legislation to establish the North Shore Community College Assistance Corporation (having been filed in the Office of the Clerk of the House of Representatives prior to 5:00 pm on Friday, January 21, 2011),-- **was referred, in concurrence, to the committee on Higher Education.**

#### *Bills*

Establishing a sick leave bank for Sheila Santelli, an employee of the Department of Housing and Community Development (House, No. 3219, amended-- on petition); and

Establishing a sick leave bank for Brenda Randazzo, an employee of the Executive Office of Health and Human Services (House, No. 3222,-- on petition);

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

A Bill relative to exempting the positions of fire chief and city marshal in the city of Newburyport from the civil service law (House, No. 1846,-- on petition) [Local approval received];

**Was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

#### *Reports*

Of the committee on Education, asking to be discharged from further consideration

Of the Message from His Excellency the Governor recommending legislation relative to oversight of private occupational schools (accompanied by House, No. 38); and

Of the petition (accompanied by bill, House, No. 1066) of Tom Sannicandro, Carl M. Sciortino, Jr., Patricia D. Jehlen and other members of the General Court for an investigation by a special commission (including members of the General Court) relative to the impact of proprietary schools receiving certain public investments;

**And recommending that the same severally be referred to the committee on Higher Education.**

Of the petition (accompanied by bill, House, No. 1044) of James M. Cantwell for legislation to provide tax credits for persons developing low and moderate income housing,-- **and recommending that the same be referred to the committee on Housing;**

Of the committee on Public Safety and Homeland Security, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2914) of Kevin G. Honan for legislation to permit the use of automated road safety camera systems,-- **and recommending that the same be referred to the committee on Transportation;**

Of the committee on Public Service, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 2413) of Garrett J. Bradley for legislation to prohibit a denial of nursing home liability insurance,-- **and recommending that the same be referred to the committee on Elder Affairs;**

Of the petition (accompanied by bill, House, No. 2452) of Jonathan Hecht, Thomas P. Conroy, Antonio F. D. Cabral and other members of the General Court for legislation to provide smoking and tobacco use cessation treatment benefits to active and retired public employees,-- **and recommending that the same be referred to the committee on Public Health;**

Of the petition (accompanied by bill, House, No. 2939) of Nick Collins for legislation requiring certain motor vehicle surcharges and court costs to be used for firefighter salaries,-- **and recommending that the same be referred to the committee on Revenue;**

**Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

#### *Resolutions.*

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:  
Resolutions (filed by Mr. Ross) "congratulating Joshua Kong on his elevation to the rank of Eagle Scout";  
Resolutions (filed by Mr. Ross) "congratulating Andrew Larson on his elevation to the rank of Eagle Scout";  
Resolutions (filed by Mr. Ross) "congratulating Daniel O'Brien on his elevation to the rank of Eagle Scout";  
Resolutions (filed by Mr. Ross) "congratulating Kevin O'Brien on his elevation to the rank of Eagle Scout";  
Resolutions (filed by Mr. Ross) "congratulating Brandon Richards on his elevation to the rank of Eagle Scout"; and  
Resolutions (filed by Mr. Ross) "congratulating Bryan Richards on his elevation to the rank of Eagle Scout."

*PAPER FROM THE HOUSE*

The Senate Bill designating a certain bridge in the town of Westport as the Leo J. St. Onge Bridge (Senate, No. 1781, amended), - **came from the House passed to be engrossed, in concurrence with an amendment inserting before the enacting clause the following emergency preamble:**

*“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to designate forthwith a certain bridge in the town of Westport as the Leo J. St. Onge Bridge, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.*

**The rules were suspended, on motion of Mr. Ross, and the House amendment was considered forthwith and adopted, in concurrence.**

*Report of Committees.*

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 Brian A. Joyce for legislation relative to homeowners associations.

**The rules were suspended, on motion of Mr. Ross, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Housing. Sent to the House for concurrence.**

*Petition.*

On motion of Mr. Ross, Senate Rule 20 and Joint Rule 12 were suspended on the Senate petition (accompanied by bill) of Brian A. Joyce, Mark Cusack, Walter F. Timilty and Bruce J. Ayers for legislation to establish a sick leave bank for Kevin Sitler, an employee of the Department of Correction,-- **and the same was referred to the committee on Public Service. Sent to the House for concurrence.**

*Order Adopted.*

On motion of Mr. Ross,--

*Ordered,* That when the Senate adjourns today, it adjourn to meet again on Wednesday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

*Adjournment in Memory of William Brown*

The Senator from Essex, Mr. Berry, requested that when the Senate adjourns today, it adjourn in memory of William Brown of Salem.

For several years Mr. Brown was a staff member for Senator Fargo. He traveled the globe to collect memories, take photographs and enrich his understanding of the world. In recent months he was diagnosed with lung cancer and passed away March 30th as a result.

Accordingly, as a mark of respect to the memory of William Brown, at seven minutes past eleven o'clock A.M., on motion of Mr. Ross, the Senate adjourned to meet again on Wednesday next at eleven o'clock A.M.