

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 11, 2011.

Met according to adjournment at eleven o'clock A.M. (Mr. McGee in the Chair) (having been appointed by the President, under authority conferred in Senate Rule 4, to perform the duties of the Chair).

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

Petitions.

Petitions were severally presented and referred, as follows:

By Ms. Fargo, a petition (subject to Joint Rule 12) of Susan C. Fargo, Barry R. Finegold, Jennifer L. Flanagan and other members of the General Court for the adoption of resolutions memorializing the Congress of the United States to observe an annual two minute moment of silence on Veterans Day to honor those who have served in the United States Armed Forces.;

By Ms. Murray, a petition (subject to Joint Rule 12) of Therese Murray for legislation to establish a sick leave bank for Christine S. Drew, an employee of the Trial Court.;

By Mr. Pacheco, a petition (subject to Joint Rule 12) of Marc R. Pacheco and Jay Kaufman for legislation relative to the enrollment into the state retirement system of higher education employees in the optional retirement plan;

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

Reports of Committees.

By Mr. Pacheco, for the committee on Environment, Natural Resources and Agriculture, on petition, a Bill protecting lakes and ponds from aquatic nuisances (Senate, No. 347);

Read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Mr. Pacheco, for the committee on Environment, Natural Resources and Agriculture, on petition, a Bill designating the Stephen Drawbridge Wildlife Management Area (Senate, No. 326);

Read and, under Senate Rule 26, referred to the committee on Ethics and Rules.

Committee Discharged.

Ms. Spilka, for the committee on Economic Development and Emerging Technologies, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 166) of Marc Pacheco for legislation relative to information technology producer responsibility model state legislation,-- **and recommending that the same be referred to the committee on Environment, Natural Resources and Agriculture.**

Under Senate Rule 36, the report was considered forthwith and accepted.

Sent to the House for concurrence.

PAPER FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 3334) of Donald Wong, Thomas M. McGee, Kathi-Anne Reinstein and other members of the General Court (by vote of the town) for legislation to authorize the town of Saugus to place a certain question relative to a real estate assessment for snow and ice removal costs on the town's election ballot;

To the committee on Election Laws.

Petition (accompanied by bill, House, No. 3335) of Sheila Harrington and Eileen M. Donoghue (by vote of the town) for legislation to authorize the transfer of a certain parcel of land in the town of Groton; and

Petition (accompanied by bill, House, No. 3336) of Donald Wong, Sal N. DiDomenico, Thomas M. McGee and other members of the General Court (by vote of the town) for legislation to make certain changes in the charter of the town of Saugus;

Severally to the committee on Municipalities and Regional Government.

A Bill establishing a sick leave bank for David C. Napolitano, an employee of the Trial Court (House, No. 3326,-- on petition),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Reports

Of the committee on Environment, Natural Resources and Agriculture, asking to be discharged from further consideration Of the petition (accompanied by bill, House, No. 2027) of Frank I. Smizik, James J. Dwyer, Jennifer E. Benson and other members of the General Court for legislation relative to the licensure of professional landscape architecture,-- **and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure;**

Of the petition (accompanied by bill, House, No. 1987) of Garrett J. Bradley for legislation relative to unclaimed property,-- **and recommending that the same be referred to the committee on Financial Services;**

Of the committee on the Judiciary, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1293) of Paul J. Donato, Alice K. Wolf, Kathi-Anne Reinstein and other members of the General Court for legislation authorizing cities and towns to install video monitoring systems to detect certain motor vehicle violations,-- **and recommending that the same be referred to the committee on Transportation;**

Of the committee on Revenue, asking to be discharged from further consideration Of the petition (accompanied by bill, House, No. 765) of Jennifer E. Benson, Garrett J. Bradley, William N. Brownsberger and other members of the General Court for legislation to sustain community preservation,-- and recommending that the same be referred to the committee on Community Development and Small Business;

Of the petition (accompanied by bill, House, No. 2986) of Antonio F.D. Cabral, Marc R. Pacheco, Robert M. Koczera and other members of the General Court for legislation to create a rail transit fund from certain increased assessments and vehicle emissions classifications,-- **and recommending that the same be referred to the committee on Transportation;**
Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.
PAPER FROM THE HOUSE.

Resolutions.

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

Resolutions (filed by Mr. Pacheco) "congratulating the Middleboro Lions Club on its eightieth anniversary";

Resolutions (filed by Mr. Tolman) "honoring the achievements of the Armenian Sisters' Academy on its observance of the ninety-sixth anniversary of the Armenian Genocide"; and

Resolutions (filed by Mr. Tolman) "honoring the achievements of St. Stephen's Armenian Elementary School on its observance of the ninety-sixth anniversary of the Armenian Genocide."

Reports 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 Michael F. Rush for legislation to protect certain employees of private schools from frivolous reports.

The rules were suspended, on motion of Mr. Knapik, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary.

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 Richard T. Moore and George N. Peterson, Jr. for legislation relative to the surrender of firearms and ammunition to licensing authorities.

The rules were suspended, on motion of Mr. Knapik, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Safety and Homeland Security.

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 Richard T. Moore for legislation to establish a sick leave bank for Jacqueline Enno.

The rules were suspended, on motion of Mr. Knapik, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Severally sent to the House for concurrence.

Petition.

On motion of Mr. Knapik, Senate Rule 20 and Joint Rule 12 were suspended on the Senate petition (accompanied by bill) of Bruce E. Tarr, Robert L. Hedlund, Michael R. Knapik and Richard Ross for legislation to reform the probation department,-- **and the same was referred to the committee on the Judiciary.**

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 3340) of James M. Cantwell for legislation relative to public protests at funerals;
Under suspension of Joint Rule 12, to the committee on the Judiciary.

Petition (accompanied by bill, House, No. 3341) of Carolyn C. Dykema and Karen E. Spilka for legislation that the Department of Transportation be authorized to acquire certain parcels of land under the care and control of the of the town of Hopkinton for highway purposes;

Under suspension of Joint Rule 12, to the committee on the State Administration and Regulatory Oversight.

Emergency Preamble Adopted; Engrossed Bill Enacted.

An engrossed Bill authorizing the appointment of Drew Lonergan as a police officer in the town of Bourne (see Senate, No. 1885), 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. McGee) and sent to the House for enactment.

Subsequently, the bill, which originated in the Senate, came from the House with the endorsement that it had been enacted in that branch.

The Senate then passed the bill to be enacted; and it was signed by the Acting President (Mr. McGee) 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 Thursday next at one o'clock P.M., in a full formal session.

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