

**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

*Tuesday, April 19, 2011.*

Met according to adjournment at eleven o'clock A.M. (Mr. Donnelly 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. Donnelly), members, guests and employees then recited the pledge of allegiance to the flag.

#### *Distinguished Guests.*

There being no objection, the Chair (Mr. Donnelly) introduced, in the rear of the Chamber, Claire and Tim Murphy. Claire is a retired English teacher from Cambridge Rindge Latin School and Tim is a retired math teacher from the Longfellow and Tobin Schools in Cambridge. The Senate welcomed them with applause and they withdrew from the Chamber.

#### *Petitions.*

Petitions were severally presented and referred as follows:

By Mr. Eldridge (by request), a petition (subject to Joint Rule 12) of Dean Cavaretta for legislation relative to the proposed clawback bill;

By the same Senator (by request), a petition (subject to Joint Rule 12) of Dean Cavaretta for legislation to reduce spending and fund responsible tax cuts;

By Mr. Hart, a petition (subject to Joint Rule 12) of John A. Hart, Jr. for legislation to establish a sick leave bank for Louceta Hodge, an employee of the Department of Revenue;

By Mr. McGee, a petition (subject to Joint Rule 12) of Thomas M. McGee for legislation relative to proceedings for children in need of services; and

By Mr. Montigny, a petition (subject to Joint Rule 12) of Mark C. Montigny and Martha Coakley for legislation to regulate the compensation of board members for public charities;

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

#### *Resolutions.*

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

Resolutions (filed by Mr. Ross) "congratulating Brendan Michael Boyd on his elevation to the rank of Eagle Scout"; and

Resolutions (filed by Mr. Ross) "congratulating Caleb Andrew Smith on his elevation to the rank of Eagle Scout."

*Communication.*

The Clerk read the following communication:

COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE  
STATE HOUSE, BOSTON 02133-1053

*April 14, 2011*

William F. Welch, Clerk  
Massachusetts State Senate  
The State House  
Boston, MA 02133

Dear Mr. Clerk:

On Thursday, April 14, 2011, I was unable to attend the Senate session due to a family medical issue. Had I been present, I would have voted in the affirmative on the adoption of S. 1894 relative to the Local Aid Resolution (Roll Call #12).

I respectfully request that a copy of this correspondence be printed in the Senate Journal at your earliest convenience. Thank you in advance for your assistance in this matter.

*Respectfully,*  
STEVEN A. BADDOUR,  
*State Senator*  
*First Essex District.*

On motion of Mr. Ross, the above communication was ordered printed in the Journal of the Senate.

*Reports of a Committee.*

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill establishing a sick leave for Peggy Machado, an employee of the Department of Corrections (Senate, No. 1336),-- **ought to pass, 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 establish forthwith a sick leave bank for a certain employee of the department of correction, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

**There being no objection, the rules were suspended, on motion of Mr. Ross, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

**The bill (Senate, No. 1336, amended) was then ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act establishing a sick leave for Peggy Machado, an employee of the Department of Correction”.**

**Sent to the House for concurrence.**

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Hartmut R. Andrade, an employee of the Bristol County Sheriff’s Office (Senate, No. 1881),-- ought to pass.

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.

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 Thursday next at eleven o’clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

**PAPERS FROM THE HOUSE**  
*Emergency Preamble Adopted.*

An engrossed Bill establishing a sick leave bank for Michelle Potter, an employee of the Trial Court (see House, No. 517, amended), 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. Donnelly) and sent to the House for enactment.**

*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. Donnelly) and laid before the Governor for his approbation, to wit:

Establishing a sick leave bank for Michelle Potter, an employee of the Trial Court (see House, No. 517, amended); and

Exempting the positions of fire chief and city marshal in the city of Newburyport from the civil service law (see House, No. 1846).

On motion of Mr. Ross, at eighteen minutes past eleven o'clock A.M., the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.