

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, May 16, 2011.

Met at two minutes past 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 employees then recited the pledge of allegiance to the flag.

Communications.

The following communications were severally received and placed on file:

The Honorable Bruce E. Tarr, Senate Minority Leader, has announced the appointment of Senator Michael R. Knapik (pursuant to Section 35QQ of Chapter 10 of the General Laws) to the Financial Literacy Trust Fund Board of Trustees; and

The Honorable Bruce E. Tarr, Senate Minority Leader, has announced the reappointment of Ms. Margo Chevers of Wales to the 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.

Petition.

Ms. Candaras presented a petition (accompanied by bill, Senate No. 1908) of Gale D. Candaras (with the approval of the mayor and city council) for legislation to authorize vintage grand prix auto racing in the city of Springfield [Local approval received]; **Under Senate Rule 20, referred to the committee on Transportation. Sent to the House for concurrence.**

Reports of Committees.

By Mr. Donnelly, for the committee on State Administration and Regulatory Oversight, on petition (accompanied by bill, Senate, No. 1900), a Bill to improve the administration of state government and finance (Senate, No. 1905); **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 Ipswich to grant an easement for the North Green Sidewalk (Senate, No. 1057) [Local approval received]; and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1007), a Bill relative to the town charter of the town of Ashburnham (Senate, No. 1906) [Local approval received]; **Severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Committee Discharged

Mr. Welch, for the committee on Municipalities and Regional Government, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1043) of Richard T. Moore for legislation to empower zoning boards of appeals,-- **and recommending that the same be referred to the committee on Housing. Under Senate Rule 36, the report was considered forthwith and accepted. Sent to the House for concurrence.**

PAPERS FROM THE HOUSE

A message from His Excellency the Governor recommending legislation relative to providing law enforcement with tools to prevent youth violence (House, No. 3441),-- **was referred, in concurrence, to the committee on the Judiciary.**

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 3442) of Denise Provost, Patricia D. Jehlen and other members of the General Court (with the approval of the mayor and board of aldermen) for legislation relative to the charter of the city of Somerville; and

Petition (accompanied by bill, House, No. 3443) of Benjamin Swan (with the approval of the mayor and city council) relative to the sale and storage of goods in public ways in the city of Springfield;
Severally to the committee on Municipalities and Regional Government.

A Bill authorizing the licensing authority of the city of Woburn to issue eight additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3343,-- on petition) [Local approval received];
Was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:-
Resolutions (filed by Mr. Knapik) "recognizing the town of Chester's celebration of the Western Railroad on its one hundred and seventieth anniversary";

Resolutions (filed by Mr. Ross) "congratulating Benjamin Charles Williams on his elevation to the rank of Eagle Scout"; and
Resolutions (filed by Ms. Spilka) "congratulating the MetroWest YMCA on the occasion of its fiftieth annual meeting."

Reports of a Committee.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Sheila Santelli, an employee of the Department of Housing and Community Development (House, No. 3219, amended),-- **ought to pass. There being no objection, the rules were suspended, on motion of Mr. Timilty, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

By Mr. Brewer, for the committee on Ways and Means, that the House Bill establishing a sick bank leave for Yvonne B. Smith, an employee of the Trial Court (House, No. 3327, amended),-- **ought to pass, with an amendment inserting in line 3, after the words "employee of the" the following words: "Suffolk superior court department of the". There being no objection, the rules were suspended, on motion of Mr. Knapik, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means. 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, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act establishing a sick leave bank for Yvonne B. Smith, an employee of the Trial Court". Sent to the House for concurrence in the amendment.**

PAPER FROM THE HOUSE

A joint petition (accompanied by bill, House, No. 3446) of Thomas M. Stanley and Susan C. Fargo for legislation to establish a sick leave bank for Michael Jordan, an employee of the Trial Court,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on the Judiciary.**

Recess.

There being no objection, at eight minutes past eleven o'clock A.M., the Chair (Mr. McGee) declared a recess subject to the call of the Chair; and, at twelve minutes before four 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 House Bill relative to the reorganization of the judicial system of the Commonwealth (House, No. 3395, amended),-- **ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1907.**

Order Adopted.

Mr. Berry offered the following order:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill relative to the reorganization of the judicial system of the Commonwealth (House, No. 3395, amended), with the recommended Senate Ways and Means new text (Senate, No. 1907) shall be placed in the Orders of the Day for a second reading on Thursday May 19, 2011.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 12:00 noon, on Wednesday, May 18, 2011. All such amendments shall be second-reading amendments to the Ways and Means new text 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 be adopted.

There being no objection, the rules were suspended, on motion of Mr. Keenan, and the order was considered forthwith; and it was adopted.

The bill (House, No. 3395, amended) with the recommended Ways and Means new text (Senate, No. 1907) was then placed in the Orders of the Day for Thursday, May 19, for a second reading with the amendment pending.

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill facilitating urban redevelopment in the city of Quincy (see House, No. 3337) (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. McGee) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Tarr,--

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 Mr. Keenan, at nine minutes before four o'clock P.M., the Senate adjourned to meet again on Thursday next at one o'clock P.M.