

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, June 5, 2012.

Met at two minutes past eleven o'clock A.M. (Mr. Petrucci 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. Petrucci), members, guests and staff then recited the pledge of allegiance to the flag.

Petitions.

Petitions were severally presented and referred, as follows

By Ms. Candaras, a petition (accompanied by bill, Senate, No. 2285) of Gale D. Candaras (with the approval of the mayor and city council) for legislation to authorize the city of Springfield to exchange parcels of land [Local approval received];

By Mr. Knapik, a petition (accompanied by bill, Senate, No. 2288) of Michael R. Knapik and Donald Humason (with the approval of the mayor and city council) for legislation to revise and restate the charter of the city of Westfield [Local approval received]; and

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 2289) of Bruce E. Tarr (by vote of the town) for legislation relative to the Redevelopment Authority in the town of Wilmington [Local approval received];

**Severally, under Senate Rule 20, to the committee on Municipalities and Regional Government.
Severally sent to the House for concurrence.**

By Mr. Brownsberger, a petition (subject to Joint Rule 12) of William N. Brownsberger for legislation to authorize the lease of the Daly field complex located in the Brighton section of the city of Boston;

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

Reports of Committees.

By Mr. McGee, for the committee on Transportation. on petition, a Bill providing for a distinctive registration plate for Olympians (Senate, No. 1801); and

By the same Senator, for the same committee, on petition, a Bill relative to the expansion of charitable license plates (Senate, No. 1802);

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

By Mr. Donnelly, for the committee on State Administration and Regulatory Oversight, on petition, a Bill designating the month of May as Blue Star Mothers Month (Senate, No. 2265);

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

Committees Discharged.

Mr. Berry, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration

Of the Senate Order relative to authorizing the joint committee on Consumer Protection and Professional Licensure to make an investigation and study of a certain current Senate document relative to consumer protection and professional licensure issues (Senate, No. 2283); and

Of the Senate Order relative to authorizing the joint committee on Higher Education to make an investigation and study of certain current Senate documents relative higher education (Senate, No. 2284);

And recommending that the same severally be referred to the Senate committee on Ethics and Rules.

Under Senate Rule 36, the reports were severally considered forthwith and accepted.

Reports of a Committee.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill designating certain bridges in the town of Bourne as the Staff Sergeant Matthew A. Pucino bridges (Senate, No. 2218),-- **ought to pass.**

There being no objection, the rules were suspended, on motion of Mr. McGee, 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.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill designating a certain bridge in the town of Pepperell as the veterans bridge (Senate, No. 2253),-- **ought to pass.**

There being no objection, the rules were suspended, on motion of Mr. McGee, and the bill was read a second time and ordered to a third reading,

By Mr. Brewer, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Janet Ochner, an employee of the Department of Developmental Services (House, No. 3969),-- **ought to pass.**

There being no objection, the rules were suspended, on motion of Mr. McGee, 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 relative to certain reforms relative to the Massachusetts Department of Transportation (House, No. 4125),-- **ought to pass, with an amendment striking out section 3 and inserting place thereof the following section:-**

“SECTION 3. Section 132 of chapter 25 of the acts of 2009 is hereby amended by adding the following sentence:- Section 6 of chapter 15 of the acts of 1993 shall become inoperative on the effective date of any sale, conveyance, mortgage, pledge, lease, exchange, abandonment or other disposition of the garage.”

There being no objection, the rules were suspended, on motion of Mr. McGee, 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.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4144),-- **ought to pass, with the following amendments:**

in section 35, by striking out, in line 460, the words “or dental”; in section 36, by striking out, in line 463, the words “or dental”; in section 40, by striking out, in line 480, the words “or dental”; in section 41, by striking out, in line 486, the words “or dental”; in section 42, by inserting after the word “or”, in line 490; the following words:- “stand alone”; in section 44, by inserting after the word “or”, in line 504; the following words:- “stand alone”; in said section 44, by striking out, in line 506, the words “or dental”; by inserting after section 46 the following section:-

“SECTION 46A. Item 0900-0100 of section 2 of chapter 68 of the acts of 2011 is hereby amended by adding the following words:- ; and provided further that any funds remaining in this item on June 30, 2012 shall not revert and shall be available for expenditure by this item until June, 30 2013.”; and by striking out sections 63 to 69, inclusive, and section 71 **[Estimated cost: \$213,159,849.00.]**

Order Adopted

Mr. Brewer offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4144) with the proposed Senate Ways and Means amendment shall be placed in the Orders of the Day for a second reading on Wednesday, June 6, 2012.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 11:00 A.M., on Wednesday, June 6, 2012. All such amendments shall be second-reading amendments to the House bill 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. McGee, and the order was considered forthwith and adopted.

The bill was then placed in the Orders of the Day for a second reading, with the Ways and Means amendment pending on Wednesday, June 6, 2012.

Reports of a Committee.

The following reports were laid before the Senate, the time within which the said committee was required to report having expired:---

Of the committee on Economic Development and Emerging Technologies, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 157) of John A. Hart, Jr. for legislation to establish a sales tax holiday in August 2012.

On motion of Mr. McGee, the rules were suspended; and, on further motion of the same Senator, the petition was recommitted to the committee on Economic Development and Emerging Technologies.

Of the committee on Economic Development and Emerging Technologies, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 161) of Michael O. Moore for legislation to improve notice requirements for self storage.

On motion of Mr. McGee, the rules were suspended; and, on further motion of the same Senator, the petition was recommitted to the committee on Economic Development and Emerging Technologies.

Of the committee on Economic Development and Emerging Technologies, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 173) of Bruce E. Tarr, Ann-Margaret Ferrante, Robert L. Hedlund and Steven M. Walsh for legislation to provide for loans for waterfront development.

On motion of Mr. McGee, the rules were suspended; and, on further motion of the same Senator, the petition was recommitted to the committee on Economic Development and Emerging Technologies.

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill establishing a sick leave bank for Paula Connelly, an employee of the Trial Court (see House, No. 3844) (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. Petruccelli) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Ross,--

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

On motion of the same Senator, at twenty-six minutes past eleven o'clock A.M., the Senate adjourned to meet again tomorrow at a quarter before one o'clock P.M.