

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, June 6, 2011.

Met at three minutes past 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.

Petitions.

Petitions were severally presented and referred, as follows:

By Mr. Tarr, a petition (accompanied by bill, Senate No. 1927) of Bruce E. Tarr and Bradford Hill (by vote of the town) for legislation to modify the appointment of the FEOFFEES of Ipswich Grammar School [Local approval received];

Under Senate Rule 20, to the committee on Municipalities and Regional Government.

By Mr. McGee, a petition (accompanied by bill, Senate No. 1929) of Thomas M. McGee and Lori A. Ehrlich (by vote of the town) for legislation to exempt the position of police chief in the town of Marblehead from the civil service law [Local approval received];

Under Senate Rule 20, to the committee on Public Service.

By Mr. Keenan, a petition (accompanied by bill, Senate No. 1926) of John F. Keenan (with the approval of the Mayor and city council) for legislation to authorize the city of Quincy to establish neighborhood speed reduction zones [Local approval received];

Under Senate Rule 20, to the committee on Transportation.

Severally sent to the House for concurrence.

Ms. Murray presented a petition (subject to Joint Rule 9) (accompanied by bill, Senate, No. 1928) of Therese Murray and Randy Hunt (by vote of the town) for legislation relative to the Sandwich Economic Initiative Corporation,— **and the same was transmitted, under the provisions of Section 5 of Chapter 3 of the General Laws, to the Secretary of State.**

Reports of Committees.

By Mr. Eldridge, for the committee on Housing, on petition, a Bill authorizing the sale of land by the Wakefield Housing Authority (Senate, No. 585);

By the same Senator, for the same committee, on petition, a Bill relative to community housing and services (Senate, No. 607);

By Ms. Clark, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for James Dupont, an employee of the Department of Revenue (Senate, No. 1910); and

By the same Senator, for the same committee, on petition, a Bill establishing a sick leave bank for Bethany M. Tsioropoulos, an employee of the Massachusetts Rehabilitation Commission (Senate, No. 1922);

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

By Ms. Clark, for the committee on Public Service, on petition, a Bill relative to providing the next of kin of a state police officer killed in the line of duty with a flag during the memorial service (Senate, No. 1269);

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

By Mr. Kennedy, for the committee on Consumer Protection and Professional Licensure, on petition, a Bill authorizing the city of Westfield to convert a seasonal license for the sale of all alcoholic beverages not to be drunk on the premises to an annual license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 1876) [Local approval received]; and

By Mr. Welch, for the committee on Municipalities and Regional Government, on petition, a Bill amending the city of Gloucester charter (Senate, No. 1059) [Local approval received];

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

PAPERS FROM THE HOUSE

Bills

Providing for an increase in the membership of the board of selectmen in the town of Rehoboth (House, No. 3293,-- on petition) [Local approval received]; and

Authorizing the town of Northborough to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 3467, amended,-- on petition) [Local approval received];

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

Notice was received from the Speaker of the House of Representatives announcing the following appointment:

That Representative Stanley of Waltham has been appointed as a trustee of the Financial Literacy Trust Fund established (under Chapter 14 of the Acts of 2011) to encourage financial literacy and education for residents, institutions, community organizations and entities that will promote financial literacy.

Resolutions.

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

Resolutions (filed by Mr. Montigny) “congratulating Michael R. Shea on the occasion of his retirement as Superintendent-Director of Greater New Bedford Regional Vocational Technical High School”;

Resolutions (filed by Mr. Ross) “congratulating James Duncan Bowden on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. Ross) “congratulating Andrew DeMatteo on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. Ross) “congratulating Andrew Hori on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. Ross) “congratulating Gordon Winget on his elevation to the rank of Eagle Scout”; and

Resolutions (filed by Mr. Ross and Ms. Spilka) “congratulating Chief Nicholas Mabardy on his 43 years of dedicated service to the Natick Police Department.”

Matters Taken Out of the Orders of the Day.

There being no objection, the following matters were taken out of the Orders of the Day and considered, as follows:

The Senate Bill authorizing the town of Ipswich to grant an easement for the North Green Sidewalk (Senate, No. 1057),-- **was read a second time.**

Pending the question on ordering the bill to a third reading, Mr. Tarr presented an amendment substituting a new draft entitled “An Act authorizing the transfer of certain parcels of land in the town of Ipswich” (Senate, No. 1930).

The amendment was adopted.

The bill (Senate, No. 1930) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

The House Bill establishing a separate cemetery commission for the town of Nantucket (House, No. 567),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

The House Bill governing the issuance of temporary loans by the town of Winchester (House, No. 1840),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act authorizing the town of Winchester to issue certain temporary loans in anticipation of bonds”.**

The House Bill authorizing the town of Montague to grant a license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 3311),-- **was read a second time.**

Pending the question on ordering the bill to a third reading, Mr. Rosenberg presented an amendment striking out all after the enacting clause and inserting in place thereof the following text:--

“SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Montague may grant a license for the sale of all alcoholic beverages not to be drunk on the premises to Sahirat, LLC doing business as Carroll’s Market located at 33 East Main street in the Millers Falls Village section of the town of Montague under section 15 of said chapter 138. The license shall be subject to all of said chapter 138 except said section 17.

(b) The licensing authority shall not approve the transfer of the license to any other location but it may grant the license to a new applicant at the same location if the applicant files with the authority a letter from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.

If the license granted under this act is cancelled, revoked or no longer in use, it shall be returned physically with all of the legal rights, privileges and restrictions pertaining thereto to the licensing authority which may then grant the license to a new applicant at the same location under the same conditions as specified in this act.

SECTION 2. This act shall take effect upon its passage.”

The amendment was adopted.

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.

Sent to the House for concurrence in the amendment.

Report of a Committee.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Christine S. Drew, an employee of the Trial Court (Senate, No. 1925),-- **ought to pass.**

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

PAPERS FROM THE HOUSE

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

Petition (accompanied by bill, House, No. 3480) of Garrett J. Bradley for legislation relative to certain Medicare coverage groups;

Under suspension of Joint Rule 12, to the committee on the Health Care Financing.

Petition (accompanied by bill, House, No. 3474) of Garrett J. Bradley for legislation relative to certain creditable service for public employees;

Petition (accompanied by bill, Senate, No. 3475) of Garrett J. Bradley for legislation relative to limitations on retirement allowances for public employees;

Petition (accompanied by bill, House, No. 3476) of Garrett J. Bradley for legislation to prohibit public retirees from changing retirement options after the effective date of retirement;

Petition (accompanied by bill, House, No. 3477) of Garrett J. Bradley for legislation relative to the maximum amount paid to legal representatives of deceased public employees;

Petition (accompanied by bill, House, No. 3478) of Garrett J. Bradley for legislation relative to the reporting of certain outstanding pension payment funds;

Petition (accompanied by bill, House, No. 3479) of Garrett J. Bradley for legislation relative to the suspension of retirement allowance payments to retired public employees upon conviction of a felony;

Petition (accompanied by bill, House, No. 3481) of Garrett J. Bradley for legislation relative to involuntary retirement;

Petition (accompanied by bill, House, No. 3482) of Harriett L. Stanley and Bruce E. Tarr for legislation to establish a sick leave bank for Michael W. Kaplon, an employee of the Department of Revenue;

Severally, under suspension of Joint Rule 12, to the committee on Public Service.

Emergency Preamble Adopted; Engrossed Bill Enacted.

An engrossed Bill establishing a sick leave bank for Michael Briggs, an employee of the Department of Youth Services (see House, No. 3398), 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. Subsequently, the bill, which originated in the House, 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. Donnelly) and laid before the Governor for his approbation.**

Recess.

There being no objection, at twenty-seven minutes past eleven o'clock A.M., the Chair (Mr. Donnelly) declared a recess subject to the call of the Chair; and, at twenty-eight minutes past twelve o'clock noon, the Senate reassembled, Mr. Donnelly in the Chair.

PAPER FROM THE HOUSE

A Bill relative to establishing voting precincts in the town of Middleton (House, No. 3468,-- on petition) [Local approval received],-- **was read. There being no objection, the rules were suspended, on motion of Mr. Knapik, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

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 with a calendar.

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