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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Monday, June 18, 2012.

Met according to adjournment at eleven o'clock A.M. (Ms. Clark in the Chair).

The Chair (Ms. Clark), members, guests and staff then recited the pledge of allegiance to the flag.

Engrossed Bill — Laid Before the Governor.

An engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4144, amended) (which originated in the House), having been passed to be enacted and signed by the President on Thursday, June 14, 2012,— **was laid before the Governor for his approbation on Friday, June 15, 2012.**

Report.

A report of the Special Commission on Water Infrastructure Finance (under the provisions of Section 145 of Chapter 27 of the Acts of 2009) relative to the long-range water infrastructure finance plan for the Commonwealth and municipalities,— **was placed on file.**

Petition.

Mr. Richard T. Moore presented a petition (accompanied by bill, Senate, No. 2307) of Richard T. Moore (by vote of the town) for legislation to authorize the town of Webster to convert an existing license for the sale of wine and malt beverages to a license for the sale of all alcoholic beverages to be drunk on the premises [Local approval received];

**Under Senate Rule 20, referred to the committee on Consumer Protection and Professional Licensure.
Sent to the House for concurrence.**

Reports of Committees.

By Ms. Candaras, for the committee on Economic Development and Emerging Technologies, on Senate, Nos. 161 and 173, an Order relative to authorizing the joint committee on Economic Development and Emerging Technologies to make an investigation and study of certain current Senate documents relative to economic development and emerging technologies (Senate, No. 2309); and

By Ms. Clark, for the committee on Revenue, on Senate, Nos. 1416, 1418, 1427, 1430, 1432, 1460, 1467, 1469, 1470, 1472, 1486, 1497, 1501, 1516, 1523, 1555, and 2124, an Order relative to authorizing the joint committee on Revenue to make an investigation and study of certain current Senate documents relative to the raising of revenue for the Commonwealth by means of taxation and certain matters relative to the local property tax (Senate, No. 2310);

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4170) of Bradley H. Jones, Jr., James J. Dwyer and Katherine M. Clark (by vote of the town) for legislation to authorize the town of Reading to grant a utility easement over certain parcels of land in said town,-- **was referred, in concurrence, to the committee on Municipal and Regional Government.**

Resolutions.

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

Resolutions (filed by Ms. Chang-Diaz and Mr. Brownsberger) “congratulating Jovita Fontanez on her retirement as a Neighborhood Business Manager in the Office of Business Development in the city of Boston”;
Resolutions (filed by Mr. Eldridge) “congratulating Richard Braga on his retirement as Chief of the Hudson Police Department”;
Resolutions (filed by Ms. Spilka) “congratulating John Robert Barnes on his elevation to the rank of Eagle Scout”;
Resolutions (filed by Ms. Spilka) “congratulating Andrew Thomas Dawson on his elevation to the rank of Eagle Scout”;
Resolutions (filed by Ms. Spilka) “congratulating Nathaniel Stuart Lanh on his elevation to the rank of Eagle Scout”;
Resolutions (filed by Ms. Spilka) “congratulating Neil Pfizenmaier on his elevation to the rank of Eagle Scout”;
Resolutions (filed by Ms. Spilka) “congratulating Christian Jacobus Van Der Schijff on his elevation to the rank of Eagle Scout”;
Resolutions (filed by Ms. Spilka and Mr. Ross) “congratulating Ryan Brecht on his elevation to the rank of Eagle Scout”;
Resolutions (filed by Ms. Spilka and Mr. Ross) “congratulating William Costello on his elevation to the rank of Eagle Scout”;
Resolutions (filed by Ms. Spilka and Mr. Ross) “congratulating Matthew Laneve on his elevation to the rank of Eagle Scout”;
and
Resolutions (filed by Ms. Spilka and Mr. Ross) “congratulating Drew Leonard on his elevation to the rank of Eagle Scout”;

Report of a Committee.

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

Of the committee on Telecommunications, Utilities and Energy, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 1669) of Barry R. Finegold for legislation to further regulate the costs imposed on tenants for heating and air conditioning.

On motion of Mr. Ross, the rules were suspended; and, on further motion of the same Senator, the petition was recommitted to the committee on Telecommunications, Utilities and Energy.

PAPERS FROM THE HOUSE

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

Petition (accompanied by bill, House, No. 4181) of George T. Ross, George N. Peterson, Jr., Elizabeth A. Poirier and other members of the General Court for legislation relative to ensuring the safety of residents of facilities under the authority of the Department of Mental Health and the Department of Developmental Services;

Under suspension of Joint Rule 12, to the committee on Children, Families and Persons with Disabilities

Petition (accompanied by bill, House, No. 4182) of George T. Ross, George N. Peterson, Jr., Elizabeth A. Poirier and other members of the General Court for legislation relative to the placement of the children of corrections officers on the civil service eligibility list;

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

Report of a Committee.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill relative to an accelerated transportation development and improvement program for the Commonwealth (House, No. 4174),-- **ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2308; by striking out the emergency preamble and inserting in place thereof the following emergency preamble:**

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for financing and reforms to the commonwealth’s public transportation system, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”; and by striking out the title and inserting in place thereof the following title: “An Act relative to financing and reforming public transportation in the Commonwealth.”

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 relative to an accelerated transportation development and improvement program for the Commonwealth (House, No. 4174), with the proposed Senate

Ways and Means new text (Senate, No. 2308) shall be placed in the Orders of the Day for a second reading on Tuesday, June 19, 2012.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 11:00 A.M., on Tuesday, June 19, 2012. All such amendments shall be second-reading amendments to the Senate Ways and Means new text (Senate, No. 2308) 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. Ross, 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 Tuesday, June 19, 2012.

Order Adopted.

On motion of Mr. Ross,--

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

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