

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.

Thursday, July 12, 2012.

Met according to adjournment at one o'clock P.M. (Mr. Hart in the Chair).

Petition.

Ms.Chang-Diaz presented a petition (subject to Joint Rule 12) of Sonia Chang-Diaz, James B. Eldridge, Patricia D. Jehlen and Daniel A. Wolf for legislation relative to jobs, workforce development, and main street fairness;

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

Report of a Committee.

By Mr. McGee, for the committee on Transportation, on Senate, Nos. 1728, 1757, 2024 and 2179, an Order relative to authorizing the joint committee on Transportation to make an investigation and study of certain current Senate documents relative to transportation matters (Senate, No. 2336);

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

PAPERS FROM THE HOUSE.

Messages were severally referred, in concurrence, as follows:

Message from His Excellency the Governor submitting the "Tribal State Compact between the Mashpee Wampanoag Tribe and the Commonwealth of Massachusetts" (House, No. 4260); and

Message from His Excellency the Governor for the passage of a Resolve relating to the Tribal-State Compact between the Mashpee Wampanoag Tribe and the Commonwealth of Massachusetts (House, No. 4261);

Severally to the committee on Economic Development and Emerging Technologies.

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4230) Garrett J. Bradley and Robert L. Hedlund (by vote of the town) for legislation that the town of Cohasset be authorized to transfer and grant easements on certain parcels of land;

To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 4189) of Nicholas A. Boldyga (with the approval of the mayor and city council) for legislation relative to civil service status of building maintenance association members in the city of Agawam;

To the committee on Public Service.

Petition (accompanied by bill, House, No. 4203) of Peter J. Durant (by vote of the town) relative to the collection of estimated water assessments and general fund reimbursements in the town of Charlton;

To the committee on Revenue.

Bills

Relative to the transfer of land in the town of Sharon (House, No. 3794, -- on petition) [Local approval received]; and Relative to third grade reading proficiency (House, No. 4243-- on Senate, Nos. 178 and 188 and House, Nos. 172 and 1853, No. 4152);

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

A Bill relative to designating a certain overpass in the town of Yarmouth as the Marine Corporal Nicholas G. Xiarhos Veterans Memorial Overpass (House, No. 4156,-- on petition),- **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

There being no objection at one minute past one o'clock P.M., the Chair (Mr. Hart) declared a recess subject to the call of the Chair; and, at six minutes past two o'clock P.M., the Senate reassembled, the President in the Chair.

The President, members, guests and staff then recited the pledge of allegiance to the flag.

PAPERS FROM THE HOUSE

Emergency Preambles Adopted.

An engrossed Bill establishing a sick leave bank for Clifton Watson, an employee of the Registry of Motor Vehicles (see House, No. 4159, 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 11 to 0. The bill was signed by the President and sent to the House for enactment.**

An engrossed Bill establishing a sick leave bank for Chereel Stafilopatis, an employee of the Executive Office of Health and Human Services (see House, No. 4166, 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 7 to 0.**

The bill was signed by the President and sent to the House for enactment.

A petition (accompanied by bill, House, No. 4262) of Todd M. Smola and Stephen M. Brewer for legislation to establish a sick leave bank for Patricia Morin, an employee of the Executive Office of Health and Human Services,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

Engrossed Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to the electronic benefit transfer program (see House, No. 4237), being sections 52 to 54, inclusive, 173 to 176, inclusive and 228 contained in the engrossed Bill making appropriations for the fiscal year 2013 (see House, No. 4200) [for message, attachment D of House, No. 4240],— came from the House with the endorsement that the House had rejected the amendment recommended by the Governor, (as approved by the House Committee on Bills in the Third Reading).

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

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

After remarks, the Governor's amendment was rejected.

Sent to the House for re-enactment.

Message from the Governor — Reductions and Objections General Appropriations Bill.

A message from His Excellency the Governor, returning, with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4200), which on Thursday, June, 28, 2012, had been laid before the Governor for his approbation,— came from the House, in part, several items and sections having been passed by the House notwithstanding the disapproval and reductions of the Governor.

The message (House, No. 4240) was read; and the Senate proceeded to reconsider one item, which had been disapproved in accordance with the provisions of the Constitution.

Item 2330-0100 (Marine Fisheries) was considered as follows:

“2330-0100 For the operation of the division of marine fisheries, including expenses of the Annisquam river marine research laboratory, marine research programs, a commercial fisheries program, a shellfish management program, including coastal area classification, mapping and technical assistance, the operation of the Newburyport shellfish purification plant and a shellfish classification program; provided, that funds shall be expended on a recreational fisheries program to be reimbursed by federal

funds; provided further, that the division shall continue to develop strategies to improve federal regulations governing the commercial fishing industry and to promote sustainable fisheries; provided further, that no less than \$200,000 be expended for the School of Marine and Science Technology to conduct research and species count analysis on groundfish and scallops, including \$50,000 to conduct research on gulf of Maine cod; provided further, that \$400,000 shall be expended for the operation of the Newburyport shellfish purification plant; provided further, that the division shall offer wet storage and desanding services at the Newburyport shellfish purification plant as laid out in the report dated March 1, 2012; provided further, that, for functions not being performed by the plant prior to July 1, 2012, the division may solicit competitive proposals for the utilization of excess processing capacity at the Newburyport shellfish purification plant, which may include proposals to offer wet storage and desanding services at the plant as described in the shellfish purification plant management plan dated March 1, 2012; provided further, that the division shall be under no obligation to consider or implement any proposal that the division determines would displace, impede or otherwise hinder the existing functions of the plant; provided further, that the division shall complete a report of its findings pursuant to this item not later than 6 months following the effective date of this act, and shall file that report with the clerks of the senate and house of representatives and with the house and senate committees on ways and means; provided further, that the division may enter into contracts based on proposals received and the division shall notify the house and senate committees on ways and means not later than 60 days prior to taking any such action; and provided further, that any proceeds derived from these activities shall be retained and shall be deposited into item 2330-0150.....\$4,812,837.”.

[The Governor reduced this item by \$400,000 and struck the following wording “; provided further, that \$400,000 shall be expended for the operation of the Newburyport shellfish purification plant; provided further, that the division shall offer wet storage and desanding services at the Newburyport shellfish purification plant as laid out in the report dated March 1, 2012; provided further, that, for functions not being performed by the plant prior to July 1, 2012, the division may solicit competitive proposals for the utilization of excess processing capacity at the Newburyport shellfish purification plant, which may include proposals to offer wet storage and desanding services at the plant as described in the shellfish purification plant management plan dated March 1, 2012; provided further, that the division shall be under no obligation to consider or implement any proposal that the division determines would displace, impede or otherwise hinder the existing functions of the plant; provided further, that the division shall complete a report of its findings pursuant to this item not later than 6 months following the effective date of this act, and shall file that report with the clerks of the senate and house of representatives and with the house and senate committees on ways and means; provided further, that the division may enter into contracts based on proposals received and the division shall notify the house and senate committees on ways and means not later than 60 days prior to taking any such action; and provided further, that any proceeds derived from these activities shall be retained and shall be deposited into item 2330-0150”.]

The question on passing Item 2330-0100, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-three minutes past two o'clock P.M., as follows, to wit (yeas 39 — nays 0) [Yeas and Nays No. 239]:

YEAS

Berry, Frederick E. Keenan, John F.
Brewer, Stephen M. Kennedy, Thomas P.
Brownsberger, William N. Knapik, Michael R.
Candaras, Gale D. McGee, Thomas M.
Chandler, Harriette L. Montigny, Mark C.
Chang-Diaz, Sonia Moore, Michael O.
Clark, Katherine M. Moore, Richard T.
Creem, Cynthia Stone Murray, Therese
DiDomenico, Sal N. Pacheco, Marc R.
Donnelly, Kenneth J. Petruccelli, Anthony
Donoghue, Eileen M. Rodrigues, Michael J.
Downing, Benjamin B. Rosenberg, Stanley C.
Eldridge, James B. Ross, Richard J.
Fargo, Susan C. Rush, Michael F.
Finegold, Barry R. Spilka, Karen E.
Flanagan, Jennifer L. Tarr, Bruce E.
Hart, John A., Jr. Timilty, James E.
Hedlund, Robert L. Welch, James T.
Jehlen, Patricia D. Wolf, Daniel A. — 39.

Joyce, Brian A.

NAYS — 0.

ABSENT OR NOT VOTING — 0.

The yeas and nays having been completed at twenty-seven minutes past two o'clock P.M., Item 2330-0100, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 5095-0015 (Hospital Services) was considered as follows:

“5095-0015. For the operation of hospital facilities and community-based mental health services; provided, that in order to comply with the decision in *Olmstead v. L.C.* 527 U.S. 581 and to enhance care for clients served by the department, the department shall discharge clients residing in the inpatient facilities to residential services in the community when the following criteria are met: (i) the client is deemed clinically suited for a more integrated setting; (ii) community residential service capacity and resources available are sufficient to provide each client with an equal or improved level of service; and (iii) the cost to the commonwealth of serving the client in the community is less than or equal to the cost of serving the client in inpatient care; provided further, that any client transferred to another inpatient facility as the result of a facility closure shall receive a level of care that is equal to or greater than the care that had been received at the closed facility; provided further, that the department may allocate funds in an amount not to exceed \$5,000,000 from this item to item 5046-0000, as necessary, under allocation plans submitted to the house and senate committees on ways and means 30 days before any transfer for residential and day services for clients formerly receiving inpatient care at the centers and facilities; provided further, that at least 180 days prior to closing an inpatient mental health facility, the secretary of housing and economic development, or a designee, and the commissioner of capital asset management and maintenance, or a designee, shall meet jointly with affected municipal officials and produce a plan for the timely demolition of buildings, remediation of hazardous materials and future use of the property, including disposition by the commonwealth for redevelopment or conservation, if appropriate; provided further, that the department shall maintain not less than 626 continuing care inpatient beds in its system in fiscal year 2013; provided further, that of these 626 beds, 45 beds shall be continuing care inpatient beds on the campus of Taunton State Hospital; provided further, that the department shall maintain and operate these beds until the commission established in section 186 submits its report to the General Court; and provided further, that \$100,000 shall be allocated for the purposes of hiring a consultant as established in section 186..... \$159,313,321.”.

[The Governor reduced this item by \$5,100,000 and struck the following wording “; provided further, that the department shall maintain not less than 626 continuing care inpatient beds in its system in fiscal year 2013; provided further, that of these 626 beds, 45 beds shall be continuing care inpatient beds on the campus of Taunton State Hospital; provided further, that the department shall maintain and operate these beds until the commission established in section 186 submits its report to the General Court; and provided further, that \$100,000 shall be allocated for the purposes of hiring a consultant as established in section 186”.]

The question on passing Item 5095-0015, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-eight minutes past two o’clock P.M., as follows, to wit (yeas 39 — nays 0) [Yeas and Nays No. 240]:

YEAS

Berry, Frederick E. Keenan, John F.
Brewer, Stephen M. Kennedy, Thomas P.
Brownsberger, William N. Knapik, Michael R.
Candaras, Gale D. McGee, Thomas M.
Chandler, Harriette L. Montigny, Mark C.
Chang-Diaz, Sonia Moore, Michael O.
Clark, Katherine M. Moore, Richard T.
Creem, Cynthia Stone Murray, Therese
DiDomenico, Sal N. Pacheco, Marc R.
Donnelly, Kenneth J. Petrucci, Anthony
Donoghue, Eileen M. Rodrigues, Michael J.
Downing, Benjamin B. Rosenberg, Stanley C.
Eldridge, James B. Ross, Richard J.
Fargo, Susan C. Rush, Michael F.
Finegold, Barry R. Spilka, Karen E.
Flanagan, Jennifer L. Tarr, Bruce E.
Hart, John A., Jr. Timilty, James E.
Hedlund, Robert L. Welch, James T.
Jehlen, Patricia D. Wolf, Daniel A. — 39.
Joyce, Brian A.
NAYS — 0.
ABSENT OR NOT VOTING — 0.

The yeas and nays having been completed at a half past two o’clock P.M., Item 5095-0015, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Section 186 (Hospital Services) was considered as follows:

“SECTION 186. There is hereby established an advisory committee for the purpose of arranging for and evaluating an independent analysis of the public and private behavioral health care services available to the residents of the commonwealth.

The advisory committee shall consist of the chairs of the house and senate committees on ways and means, the joint committee on health care financing, the joint committee on mental health and substance abuse, or their designees, 1 member of the minority party to be appointed by the minority leader of the house of representatives, 1 member of the minority party to be appointed by the minority leader of the senate; and the secretary of health and human services, the commissioner of mental health, the commissioner of public health, the commissioner of insurance, and the director of Medicaid, or their designees; and 1 representative from each of the following organizations: the Association for Behavioral Healthcare; the Massachusetts Association of Behavioral Health Systems; the Massachusetts College of Emergency Physicians; the Massachusetts Hospital Association; the Massachusetts League of Community Health Centers; the Massachusetts Medical Society; the Massachusetts Psychiatric Society; the Massachusetts Nurses Association; the Service Employees International Union; AFSCME Council 93; Blue Cross Blue Shield of Massachusetts; the Massachusetts Association of Health Plans; Health Law Advocates; the National Alliance on Mental Illness of Massachusetts; and the Massachusetts Society for the Prevention of Cruelty to Children. The advisory committee shall be co-chaired by 1 advisory committee senate member designated by the senate president and 1 advisory committee house member designated by the speaker of the house of representatives.

Subject to appropriation and upon the appointment of the co-chairs, the advisory committee shall: (1) convene upon the call of the co-chairs to commission an independent consultant to evaluate and analyze the public and private behavioral health care services available to the residents of the commonwealth. The advisory committee shall advise, direct and consult with the independent consultant on the execution and completion of the analysis. The analysis shall include, but not be limited to, an account of the following: (a) the availability of inpatient and outpatient behavioral health care services, including community based supports; (b) the inpatient capacity of acute and continuing care beds at public and private psychiatric facilities, including overall bed availability and bed availability for co-morbid and difficult to place patients, average length of stay and geographic location; (c) the connection between public and private behavioral health care services; (d) the payment and reimbursement of behavioral health care services; (e) the implementation of state and federal mental health parity laws; (f) the prior authorization and adverse determination requirements related to the coverage of behavioral health care services; (g) the boarding of behavioral health patients in hospital emergency departments; (h) the use of direct admissions to inpatient behavioral health care services from a community-based setting; and (i) a review of the Massachusetts Emergency Services Program; and (2) convene upon the call of the co-chairs to: (a) advise and consult with the independent consultant on the completion and implementation of the analysis; and (b) review and make recommendations to the independent consultant on the preliminary findings of the analysis. Not later than December 28, 2012, the consultant shall provide to the legislature a report containing: (i) an assessment of the state's inpatient services provided through the department of mental health; (ii) an estimate of the appropriate number of inpatient mental health beds given the current number of community placements; and (iii) the anticipated impact of the closure of Taunton State Hospital on the mental health needs of the southeastern region of the commonwealth. Until this report is provided, the department of mental health shall not reduce the number of inpatient beds at Taunton State Hospital. The independent consultant shall report to the general court the preliminary results of its analysis by filing the same with the clerk of the house of representatives and the clerk of the senate on or before April 30, 2013. The independent consultant shall report to the general court the final results of its analysis by filing the same with the clerk of the house of representatives and the clerk of the senate on or before November 15, 2013. The advisory committee shall file its recommendations based on the final report of the independent consultant with the clerk of the house of representatives and the clerk of the senate on or before December 31, 2013.”.

[The Governor disapproved this section.]

The question on passing Section 186, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-nine minutes before three o'clock P.M., as follows, to wit (yeas 39 — nays 0) [Yeas and Nays No. 241]:

YEAS

Berry, Frederick E. Keenan, John F.
Brewer, Stephen M. Kennedy, Thomas P.
Brownsberger, William N. Knapik, Michael R.
Candaras, Gale D. McGee, Thomas M.
Chandler, Harriette L. Montigny, Mark C.
Chang-Diaz, Sonia Moore, Michael O.
Clark, Katherine M. Moore, Richard T.
Creem, Cynthia Stone Murray, Therese
DiDomenico, Sal N. Pacheco, Marc R.
Donnelly, Kenneth J. Petruccelli, Anthony
Donoghue, Eileen M. Rodrigues, Michael J.
Downing, Benjamin B. Rosenberg, Stanley C.
Eldridge, James B. Ross, Richard J.
Fargo, Susan C. Rush, Michael F.
Finegold, Barry R. Spilka, Karen E.
Flanagan, Jennifer L. Tarr, Bruce E.
Hart, John A., Jr. Timilty, James E.
Hedlund, Robert L. Welch, James T.

Jehlen, Patricia D. Wolf, Daniel A. — 39.
Joyce, Brian A.
NAYS — 0.
ABSENT OR NOT VOTING — 0.

The yeas and nays having been completed at twenty-seven minutes before three o'clock P.M., Section 186 stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Report of a Committee of Conference.

Ms. Spilka, for the committee of conference, to whom was referred the matters of difference between the two branches with reference to the House amendment to the Senate Bill improving the administration of state government and finance (Senate, No. 1940) (amended by the House by striking out all after the enacting clause and inserting in place thereof the text of House document numbered 2342), reported a "Bill to improve the administration of state government and finance" (Senate, No. 2342). The rules were suspended, on motion of Ms. Spilka, and the report was considered forthwith. After remarks, the question on accepting the report of the committee of conference was determined by a call of the yeas and nays, at fourteen minutes before three o'clock P.M., on motion of Ms. Spilka, as follows, to wit (yeas 39 – nays 0) [Yeas and Nays No. 242]:

YEAS

Berry, Frederick E. Keenan, John F.
Brewer, Stephen M. Kennedy, Thomas P.
Brownsberger, William N. Knapik, Michael R.
Candaras, Gale D. McGee, Thomas M.
Chandler, Harriette L. Montigny, Mark C.
Chang-Diaz, Sonia Moore, Michael O.
Clark, Katherine M. Moore, Richard T.
Creem, Cynthia Stone Murray, Therese
DiDomenico, Sal N. Pacheco, Marc R.
Donnelly, Kenneth J. Petrucci, Anthony
Donoghue, Eileen M. Rodrigues, Michael J.
Downing, Benjamin B. Rosenberg, Stanley C.
Eldridge, James B. Ross, Richard J.
Fargo, Susan C. Rush, Michael F.
Finegold, Barry R. Spilka, Karen E.
Flanagan, Jennifer L. Tarr, Bruce E.
Hart, John A., Jr. Timilty, James E.
Hedlund, Robert L. Welch, James T.
Jehlen, Patricia D. Wolf, Daniel A. — 39.
Joyce, Brian A.
NAYS — 0.
ABSENT OR NOT VOTING — 0.

The yeas and nays having been completed at eleven minutes before three o'clock P.M., the report of the committee of conference was accepted.

Sent to the House for concurrence in the report of the committee of conference

PAPER FROM THE HOUSE

The Senate Bill relative to improving water safety for children in the Commonwealth (Senate, No. 2075) came from the House with endorsement that the House had NON-concurred in the further Senate amendment inserting the following emergency preamble:-

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith improve water safety for children in the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of public safety."

The rules were suspended, on a motion of Mr. Brewer, and, on further motion of Mr. Hart, the Senate receded from its amendment.

Reports of a Committee.

Mr. Berry, for the committee on Ethics and Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The Senate Bill designating a portion of the route 128 extension in the city of Gloucester as the Purple Heart Highway (Senate, No. 2286).

There being no objection, the rules were suspended, on motion of Mr. Hart, and the bill was read a second time.

Pending the question on ordering the bill to a third reading, Mr. Tarr moved that the bill be amended in section 1, by striking out the first sentence and inserting in place thereof the following sentence:- "Notwithstanding chapter 360 of the acts of 1941, the length of highway, currently referred to as the route 128 extension, that runs between Grant Circle at Washington street in an easterly direction for a distance of 1.6 miles to its intersection with East Main street and Bass avenue in the city of Gloucester, shall be designated and known as the Purple Heart Highway in honor of the brave recipients of the Purple Heart."

The amendment was adopted.

The bill (Senate, No. 2286, amended) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

Mr. Berry, for the committee on Ethics and Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The Senate Bill relative to increasing consumer access to licensed marriage and family therapists (Senate, No. 72).

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

Mr. McGee offered the following order:

Ordered, That notwithstanding the provision of Joint Rule 10, the committee on Transportation be granted until July 31, 2012 within which to make its final report on current Senate documents numbered 1746 and 1762 relative to transportation matters. Under Joint Rule 29, referred to the committees on Rules of the two branches, acting concurrently.

Subsequently, Mr. Berry, for the said committees, reported, recommending that the order ought to be adopted.

The rules were suspended, on motion of Mr. Brewer, and after remarks, the order was considered forthwith and adopted.

Sent to the House for concurrence.

The following House Orders (approved by the committees on Rules of the two branches, acting concurrently) were considered as follows:

Ordered, that notwithstanding the provisions of Joint Rule 10, the committee on Education shall be granted until Friday, July 20, 2012, within which to report on a current Senate document numbered 176 and current House documents numbered 1936 and 4003.

The rules were suspended, on motion of Ms. Chang-Diaz, and the order was considered forthwith; and, after remarks, was adopted, in concurrence.

Ordered, that notwithstanding the provisions of Joint Rule 10, the committee on Municipalities and Regional Government shall be granted until Tuesday, July 31, 2012, within which to report on a current House document numbered 3317.

The rules were suspended, on motion of Mr. Welch, and the order was considered forthwith; and, after remarks, was adopted, in concurrence.

Ordered, that notwithstanding the provisions of Joint Rule 10, the committee on State Administration and Regulatory Oversight shall be granted until Tuesday, July 31, 2012, within which to report on current Senate documents numbered 1563, 1575 and 1576 and current House documents numbered 821, 828, 1735, 1736, 1737, 1753, 2587, 3031, 3040, 3041, 3043 and 3209.

The rules were suspended, on motion of Mr. Donnelly, and the order was considered forthwith; and, after remarks, was adopted, in concurrence.

Engrossed Bills

The following engrossed bills (the first of which originated in the Senate), 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 President and laid before the Governor for his approbation, to wit:

Authorizing the town of Erving to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see Senate, No. 2093, amended);

Authorizing the town of Tyringham to continue the employment of the Chief of Police, Peter Curtin (see House, No. 3524, changed and amended);

Relative to Hamilton Development Corporation (see House, No. 3710, amended);

Establishing a sick leave bank for Clifton Watson, an employee of the Registry of Motor Vehicles (see House, No. 4159, amended);

Establishing a sick leave bank for Chereel Stafilopatis, an employee of the Executive Office of Health and Human Services (see House, No. 4166, amended).

Matters Taken Out of the Notice Section.

There being no objection, the following matters were taken out of the Notice Section of the Calendar and considered, as follows:

The House Bill authorizing the town of Natick to lease or sell the former East School (House, No. 3332) (its title having been changed by the committee on Bills in the Third Reading),-- was read a third time and passed to be engrossed, in concurrence.

The House Bill authorizing the town of Natick to lease certain town owned property (House, No. 3870),-- was read a third time. Pending the question on passing the bill to be engrossed, Ms. Spilka and Mr. Ross moved that the bill be amended in section 1, by adding the following paragraph:-

“Any lease entered into pursuant to this act shall be subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws.”; and

By striking out section 2 and inserting in place thereof the following 2 sections:-

“SECTION 2. Chapter 181 of the acts of 1999 is hereby repealed.

SECTION 3. This act shall take effect upon its passage.”

The amendment was adopted.

The bill was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

The House Bill authorizing the town of Natick to lease certain town owned property (House, No. 3871),-- was read a third time. Pending the question on passing the bill to be engrossed, Ms. Spilka and Mr. Ross moved that the bill be amended in section 1, by adding the following paragraph:-

“Any lease entered into pursuant to this act shall be subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws.”

The amendment was adopted.

The bill was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

Orders of the Day.

The Orders of the Day were considered as follows:

Bills

Relative to leasing Sunny Meadow Farm in the town of Chelmsford (House, No. 3881);

Authorizing the conveyance, lease and change of use of certain park lands in the city of Worcester (House, No. 4033); and

Establishing a charter for the city of Northampton (House, No. 4102);

Were severally read a second time and ordered to a third reading.

The Senate Resolutions (offered by Mr. Eldridge, et al) memorializing the Congress of the United States to pass and send to the states for ratification a Constitutional amendment to restore the First Amendment and fair elections to the people,-- was considered.

Pending the amendment, previously moved by Messrs. Tarr, Hedlund, Knapik and Ross, and pending the main question on adoption of the resolutions, on motion of Mr. Tarr, the further consideration thereof was postponed until Thursday, July 19.

PAPER FROM THE HOUSE

Engrossed Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor, returning with recommendation of amendment the engrossed Bill relative to the registration of motor vehicles and trailers (see House, No. 4238), being sections 92 and 217 contained in the engrossed Bill making appropriations for the fiscal year 2013 (see House, No. 4200) [for message, attachment E of House, No. 4240],— came from the House with the endorsement that the House had rejected the amendment recommended by the Governor, (as approved by the House Committee on Bills in the Third Reading).

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

There being no objection, the rules were suspended, on the motion of Mr. Brewer and the Governor’s amendment was rejected.

Sent to the House for re-enactment.

Recess.

There being no objection at six minutes past three o’clock P.M., the President declared a recess subject to the call of the Chair; and, at nineteen minutes past four o’clock P.M., the Senate reassembled, Mr. Rosenberg in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill relative to water safety for children (see Senate, No. 2075, amended) (which originated in the Senate), 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. Rosenberg) 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 Monday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

On motion of Mr. Hedlund, at twenty-five minutes past four o'clock P.M., the Senate adjourned to meet again on Monday next at eleven o'clock A.M.