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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Monday, July 16, 2012.

Met at one minute 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 staff then recited the pledge of allegiance to the flag.

Petition.

Ms. Spilka, presented a petition (accompanied by bill, Senate, No. 2348) of Karen E. Spilka and Carolyn C. Dykema (by vote of the town) for legislation relative to municipal acceptance of roads within a subdivision in the town of Medway;

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

Report of a Committee.

By Ms. Chang-Diaz, for the committee on Education, on the recommitted petition (accompanied by bill, Senate, No. 197), an Order relative to authorizing the joint committee on Education to make an investigation and study of a certain current Senate document relative to education issues (Senate, No. 2347) (Senators DiDomenico of Everett and Jehlen of Somerville dissenting);
Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Joyce, for the committee on Bonding, Capital Expenditures and State Assets, that the House Bill relative to infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4119),-- **ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2346;**

Under Senate Rule 27, referred to the committee on Ways and Means.

By Mr. Welch, for the committee on Municipalities and Regional Government, on petition, a Bill authorizing the town of Arlington to establish a separate account for proceeds from wireless communications antenna leases (Senate, No. 2304) [Local approval received];

By Mr. Brownsberger, for the committee on Public Service, on petition, a Bill exempting the position of chief of police to the town of Millbury from the civil service law (Senate, No. 2316) [Local approval received];

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 2297), a Bill relative to the adjustment of disability retirement benefits to Lynn police officer Gregory LeBlanc (Senate, No. 2344) [Local approval received]; and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 2303), a Bill allowing the town of Wilbraham to appoint special police officers (Senate, No. 2345) [Local approval received];

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

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 Transportation to make an investigation and study of certain current Senate documents relative to transportation matters (Senate, No. 2336),-- **and recommending that the same be referred to the committee on Ethics and Rules.**

Under Senate Rule 36, the report was considered forthwith and accepted.

PAPERS FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation relative to price disclosure (House, No. 4234),-- **referred, in concurrence, to the committee on Community Development and Small Business.**

A petition (accompanied by bill, House, No. 4172) of William M. Straus (by vote of the town) for legislation relative to authorizing the town of Fairhaven to grant an easement on a certain parcel of land,- **was referred, in concurrence, to the committee on Municipal and Regional Government.**

Reconsideration.

Mr. McGee presented a motion that the Senate reconsider the vote by which, at a previous session, it had adopted the Senate Order relative to granting the committee on transportation until July 31, 2012 within which to make its final report on current senate documents numbered 1746 and 1762 relative to transportation matters; and, there being no objection, the motion prevailed. **The recurring question came on again on adoption of the order; and the order was NOT adopted.**

Report of a Committee.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement in certain land in the town of Hopkinton (House, No. 3909).— **ought to pass.**

There being no objection, the rules were suspended, on motion of Mr. Ross and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

A Bill authorizing the town of Hingham to allow the lease and refurbishment of the Bathing Beach bathhouse (House, No. 3856,- on petition) [Local approval received],-- **was read.**

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

Mr. Hedlund presented an amendment by adding the following paragraph:-

“A lease entered into pursuant to this act shall be subject to chapter 30B of the General Laws.”

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, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act providing for the lease and refurbishment of the Bathing Beach Bathhouse in the town of Hingham.”.

PAPERS FROM THE HOUSE

Emergency Preambles Adopted.

An engrossed Bill establishing a sick leave bank for Heidi A. Lennon, an employee of the Department of Children and Families (see Senate, No. 2319), 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.**

An engrossed Bill relative to the electronic benefit transfer program (see House, No. 4237), 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.**

An engrossed Bill relative to the registration of motor vehicles and trailers (see House, No. 4238), 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.**

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 Acting President (Mr. Donnelly) and laid before the Governor for his approbation, to wit:

Authorizing the town of Hawley to grant a license for the sale or service of wine to be drunk on the premises of a farmer-winery (see Senate, No. 97);

Authoring the town of Natick to lease or sell the former East School (see House, No. 3332); and

Authorizing the town of Tyngham to continue the employment of Rainsford Morehouse, a member of the police department (see House, No. 3525, amended).

Order Adopted.

On motion of Mr. Ross,--

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of 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 eleven o'clock A.M.