

**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, August 6, 2012.*

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

#### *Reports.*

The following reports were severally read and placed on file, to wit:

Report from the Honorable Martin J. Benison, Comptroller, submitting a revised transfer schedule for the item 1595-6585 -- Low Income Housing Tax Credit Trust Fund (pursuant to Chapter 142 of the Acts of 2011) (received in the Office of the Clerk of the Senate on Thursday, August 2, 2012, at twenty-one minutes past six o'clock P.M.);

Report from the Honorable Martin J. Benison, Comptroller, submitting fiscal year 2013 transfer schedules for certain accounts (pursuant to Chapter 139 of the Acts of 2012) (received in the Office of the Clerk of the Senate on Thursday, August 2, 2012, at twenty-four minutes past six o'clock P.M.); and

Report from the Honorable Martin J. Benison, Comptroller, submitting a report relative to tax revenue estimated to have been collected during FY2012 (July 1, 2011 through June 30, 2012) (pursuant to Section 5G of Chapter 29 of the General Laws) (received in the Office of the Clerk of the Senate on Thursday, August 2, 2012, at twenty-five minutes before seven o'clock P.M.).

#### *Petition.*

Ms. Candaras presented a petition (accompanied by bill, Senate, No. 2413) of Gale D. Candaras (by vote of the town) for legislation to authorize the lease of certain property in the town of Ludlow [Local approval received];

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

**Sent to the House for concurrence.**

#### *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 State Administration and Regulatory Oversight to make an investigation and study of certain current Senate documents relative to public records issues (Senate, No. 2412),-- **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 Bill providing retirement benefits for a member of the Franklin Regional Retirement System (House, No. 3936, changed and amended,-- on petition) [Senator Brownsberger dissenting],-- **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

*Resolutions.*

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

Resolutions (filed by Mr. Berry) “congratulating Marylou Sudders on her retirement as president and chief executive officer of the Massachusetts Society for the Prevention of Cruelty to Children.”

*Communication.*

The Clerk read the following communication:

COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE

*August 6, 2012*

Mr. William F. Welch  
Clerk of the Senate  
State House, Room 335  
Boston, MA 02133

Dear Mr. Clerk:

During the formal sessions held on July 26, 30, and 31, 2012, I was absent from the chamber due to the death of my sister. Consequently, I was not recorded on the roll call votes taken on those days. Had I been present I would have voted in the following manner:

H4096 – Foreclosure conference report – YES (RC #265)  
Free Speech Resolution – YES (RC #273)  
H4261 – Tribal Compact – NO (RC #274)  
H4334 – Amendment #22, Supporting Family Child Care Providers – YES (RC #275)  
S2375 – Campaign Disclosure – YES (RC #276)  
S2402 – Domestic Violence Housing – YES (RC #277)  
S2395 – Electricity Pricing conference report – YES (RC #278)  
H4238 – Registration of Motor Vehicles override – YES (RC #291)  
H4200 – 2810-0100, State Parks and Recreation override – YES (RC #292)  
H4200 – 7004-3036, Housing Services override – YES (RC #293)  
H4200 – 7008-0900, Travel and Tourism override – YES (RC #294)  
S2400 – Health Care costs conference committee report – YES (RC #295)  
H4352 – Economic Development conference committee report acceptance – YES (RC #298)  
H4352 – Economic Development conference committee report enactment – YES (RC #309)  
H4200 – Probation override – YES (RC #313)  
H4200 – 7061-0011 override – YES (RC #315)  
H4371 – Transportation Bond Bill enactment – YES (RC #316)

Additionally, I would have voted in the affirmative on the following land takings:

S2215 – Bourne (RC #266) H4327 – Rockland (RC #290)  
H3650 – Hull (RC #267) H4009 – Orange (RC #296)  
H3836 – Nantucket (RC #268) H4336 – Maynard (RC #297)  
H3856 – Hingham (RC #269) H4341 – South Hadley (RC #299)  
H3881 – Chelmsford (RC #270) H4335 – Maynard (RC #300)  
H4170 – Hingham (RC #271) H4340 – Halifax (RC #301)  
S2320 – Groveland (RC #272) H4339 – Needham (RC #302)  
S2233 – Lowell (RC #279) H4033 – Worcester (RC #303)  
S2250 – Worcester (RC #280) H4103 – Canton (RC #304)  
H3794 – Sharon (RC #281) H4278 – Lee (RC #305)  
H3886 – Groton (RC #282) S2385 – Hinsdale (RC #306)  
H3919 – Truro (RC #283) H4342 – Shrewsbury (RC #307)  
H4075 – Northborough (RC #284) H4365 – Marshfield (RC #308)

H4273 – Shirley (RC #285) S2338 – Lawrence (RC #310)  
H4277 – Lenox (RC #286) H4171 – Wellfleet (RC #311)  
S2367 – New Bedford (RC #287) H4230 – Cohasset (RC #312)  
S2383 – Brighton (RC #288) H4172 – Fairhaven (RC #314)  
S2369 – Sutton (RC #289)

I respectfully request that a copy of this letter be printed in the Journal of the Senate. Thank you in advance for your assistance.

*Sincerely,*  
Barry R. Finegold  
State Senator  
Second Essex and Middlesex District

On motion of Mr. Tarr, the above communication was ordered printed in the Journal of the Senate.

#### **PAPERS FROM THE HOUSE.**

A Bill authorizing the city of Newburyport to acquire interest in land in the town of Newbury (House, No. 4164, amended,-- on petition) [Local approval received],-- **was read.**

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

Pending the question on ordering the bill to a third reading, the same Senator moved that the bill be amended in section 1, by inserting after the figure “30B” the following words:- “but subject to paragraphs (a), (b) and (g) of section 16 of said chapter 30B”.

**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.**

#### *Engrossed Bill.*

An engrossed Bill designating a certain bridge in the city of Lowell as the Gentz Brothers Memorial Bridge (see House, No. 3951) (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. Keenan) 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 Thursday 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 eleven minutes past eleven o’clock A.M., the Senate adjourned to meet again on Thursday next at eleven o’clock A.M.