

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, August 30, 2012.

Met according to adjournment at eleven o'clock A.M. (Mr. Timilty 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. Timilty), members, guests and staff then recited the pledge of allegiance to the flag.

Communications.

The following communications were severally received and placed on file:

Communications from the Honorable Therese Murray, President of the Senate, announcing the following appointments:

Senators McGee (Co-Chairman), and Rodrigues to the Special Commission established (pursuant to Chapter 238 of the Acts of 2012) to make an investigation and study of the definition of independent contractors;

Senator Keenan (pursuant to Section 186 of Chapter 139 of the Acts of 2012) as Chairman of DMH Independent Advisory Committee for the purpose of arranging and evaluating an independent analysis of the public and private behavioral health services available to the residents of the Commonwealth; and

Senators Jehlen and Keenan to the Special Commission established (pursuant to Section 224 of the Acts of 2012) to make an investigation and study of the cost of prescription drugs for both public and private payers;.

Petitions.

Petitions were severally presented and referred, as follows:

By Mr. Rosenberg, a petition (accompanied by bill, Senate, No. 2421) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) for legislation to make technical corrections to the charter of the town of Greenfield [Local approval received];

By the same Senator, a petition (accompanied by bill, Senate, No. 2422) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) for legislation to make a technical correction to the charter of the town of Greenfield [Local approval received];

By the same Senator, a petition (accompanied by bill, Senate, No. 2423) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) for legislation to clarify the title of a certain section of the charter of the town of Greenfield [Local approval received];

By the same Senator, a petition (accompanied by bill, Senate, No. 2424) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) for legislation to clarify language for the selection of school committee chairs and vice-chairs in the town of Greenfield [Local approval received];

By the same Senator, a petition (accompanied by bill, Senate, No. 2425) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) for legislation relative to bylaws in the town of Greenfield [Local approval received];

By the same Senator, a petition (accompanied by bill, Senate, No. 2426) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) for legislation to clarify the title of a certain section of the charter of the town of Greenfield [Local approval received];

By the same Senator, a petition (accompanied by bill, Senate, No. 2427) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) for legislation to amend employment prohibitions for town council members in the town of Greenfield [Local approval received];

By the same Senator, a petition (accompanied by bill, Senate, No. 2428) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) for legislation to amend employment prohibitions for school committee members in the town of Greenfield [Local approval received];

By the same Senator, a petition (accompanied by bill, Senate, No. 2429) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) for legislation relative to interdepartmental transfers in the town of Greenfield [Local approval received]; and

By the same Senator, a petition (accompanied by bill, Senate, No. 2430) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) for legislation to create a domestic violence task force in the town of Greenfield [Local approval received];

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

Severally sent to the House for concurrence.

Reports of Committees.

By Mr. Eldridge, for the committee on Housing, on petition, a Bill updating Chapter 40R (Senate, No. 584); and

By Mr. Brownsberger, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for Ellen Grady, an employee of the Department of Public Health (Senate, No. 2418);

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

By Mr. Kennedy, for committee on Consumer Protection and Professional Licensure, on the recommitted petition (accompanied by bill Senate, No. 2352), a Bill to authorize the town of Seekonk to convert seasonal licenses to annual licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2420) [Local approval received];

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

PAPER FROM THE HOUSE

A petition (accompanied by bill, House, No. 4417) of Louis L. Kafka, William C. Galvin and Brian A. Joyce (by vote of the town) that the town of Stoughton be authorized to establish the position of deputy police chief and exempt said position from the provisions of the civil service law,-- **was referred, in concurrence, to the committee on Public Service.**

Resolutions.

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

Resolutions (filed by Mr. Eldridge) "recognizing the Month of September 2012 as Responsible Dog Owners Month";

Resolutions (filed by Mr. Eldridge) "commemorating the seventy-fifth anniversary of the Wildlife And Sport Fish Restoration Program"; and

Resolutions (filed by Mr. Montigny) "congratulating the New Bedford Historical Society on the occasion of its fifteenth anniversary."

Report of a Committee.

By Mr. Kennedy, for committee on Consumer Protection and Professional Licensure, on the recommitted petition, a Bill to authorize the town of Seekonk to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2353) [Local approval received].

The bill was read. There being no objection, the rules were suspended, on motion of Mr. Richard T. Moore, 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.

Matter Taken Out of the Orders of the Day

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

The House Bill relative to a liquor license for the Irish Social Club, Inc. in the city of Boston (House, No. 4294),-- **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 city of Boston to grant a club license for the sale of all alcoholic beverages to be drunk on the premises to the Irish Social Club, Inc. of Boston".**

Petition.

On motion of Mr. Rodrigues, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Mr. Brewer (accompanied by bill) of Stephen M. Brewer and Brian Ashe for legislation to establish a sick leave bank for Jennifer Willard, an

employee of the Department of Developmental Services,— **and the same was referred to the committee on Public Service. Sent to the House for concurrence.**

PAPERS FROM THE HOUSE

Engrossed Bill.

An engrossed Bill designating a certain section of state highway Route 53 in the city known as the town of Weymouth as the Stephen T. O'Donnell Memorial Highway (see House, No. 3421) (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. Timilty) and laid before the Governor for his approbation.

The House Bill reestablishing a charter for the city of Northampton (House, No. 4102, amended),-- came from the House with the endorsement that the House had concurred in the still further Senate amendment in section 1, by inserting after article 6 the following article:-

“ARTICLE 6A BOARD OF HEALTH

There shall be established in the city of Northampton a board of health consisting of 5 members, each of whom shall serve a term of 3 years and be appointed by the mayor, subject to the approval of the city council. The members of the board of health shall be legal voters in the city and at least 1 of whom shall be a physician. The members of the board shall serve without compensation.” with a still still further amendment, in section 1, in lines 676, 677 and 678, by striking out the sentence contained therein and inserting in place thereof the following sentence: “In the event that there is no preliminary election in advance of the regular election, the drawing shall be conducted on the fourth Tuesday in September prior to the regular city election. In the event that there is no preliminary election in advance of a special city election, the drawing shall be conducted on the sixth Tuesday prior to the special city election.”.

The rules were suspended, on motion of Mr. Richard T. Moore, and the House still still further amendment was considered forthwith.

The motion was accepted; and the still still further amendment was adopted (as corrected BTR).

Order Adopted.

On motion of Mr. Ross,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Tuesday 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. Richard T. Moore, at six minutes before twelve o'clock noon, the Senate adjourned to meet again on Tuesday next at eleven o'clock A.M.