

**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, September 19, 2011.*

Met at three minutes past eleven o'clock A.M. (Mr. McGee 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. McGee), members, guests and employees then recited the pledge of allegiance to the flag.

#### *Communication.*

A communication from the Honorable Bruce E. Tarr, Senate Minority Leader, announcing the appointment of Senator Michael R. Knapik to the Special Commission established (pursuant to Section 160 of Chapter 69 of the Acts of 2011) to make an investigation and study to review and evaluate the administration and fiscal impact of tax expenditures,-- **was placed on file.**

#### *Petition.*

By Ms. Jehlen, a petition (accompanied by bill, Senate, No. 2017) of Patricia D. Jehlen, Paul J. Donato, Sean Garballey and Carl M. Sciortino, Jr. (with the approval of the mayor and city council) for legislation to authorize the city of Medford to reimburse the Water Enterprise Fund;

**Under Senate Rule 20, to the committee on Municipalities and Regional Government.  
Sent to the House for concurrence.**

#### *Reports of a Committee*

By Ms. Donoghue, for the committee on Tourism, Arts and Cultural Development, on petition, a Bill establishing an artist enterprise zone pilot program in the City of Pittsfield (Senate, No. 1703);

By the same Senator, for the same committee, on petition, a Bill establishing the Massachusetts cultural trust fund (Senate, No. 1714); and

By the same Senator, for the same committee, on petition, a Bill relative to tourism collaboration (Senate, No. 1715);

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

By Ms. Donoghue, for the committee on Tourism, Arts and Cultural Development, on petition, a Bill relative to designating volleyball as the official recreational and team sport of Massachusetts (Senate, No. 1709); and;

By the same Senator, for the same committee, on petition, a Bill relative to the observation of Veterans Day (Senate, No. 1710);

**Severally read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

By Mr. Welch, for the committee on Municipalities and Regional Government, on petition, a Bill authorizing the town of Newbury to use certain fund balances for capital expenditures (Senate, No. 1934) [Local approval received];

By the same Senator, for the same committee, on petition, a Bill providing for the establishment of a fire department in the town of Newbury (Senate, No. 1941) [Local approval received]; and

By the same Senator, for the same committee, on petition, a Bill relative to the charter of the town of Holden (Senate, No. 1984)

[Local approval received];

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

*Communication.*

The Clerk read the following communication:

COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE  
STATE HOUSE, BOSTON 02133-1053

*September 21, 2011*

William F. Welch, Clerk  
Room 335, State House  
Boston, MA 02133

Dear Mr. Clerk:

Please be advised that I was scheduled to return from out-of-town in advance of yesterday's unexpected formal session. However, due to some serious and extensive mechanical issues with my specialized van, I was unable to return in time.

Therefore, I would request that you record in the Senate Journal that any Roll Call votes that I missed yesterday were due entirely to this reason. Had I been present for the vote, I would have voted yes on the majority of the proposed amendments and no on the final vote for passage.

If you have any questions, please do not hesitate to contact my Chief of Staff Sarah Yunits at x1200.

*Sincerely,*  
THOMAS P. KENNEDY  
*State Senator*

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

*Resolutions.*

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

Resolutions (filed by Ms. Creem, Ms. Chandler, Messrs. Finegold and Rosenberg, Ms. Spilka and Mr. Wolf) "honoring Seymour J. 'Sy' Friedland on his retirement from the Jewish Family and Children's Service from Greater Boston"; and  
Resolutions (filed by Mr. Ross) "congratulating Zachary Nathaniel Golden on his elevation to the rank of Eagle Scout";

*Report of a Committee.*

By 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 the residency requirements of assistant treasurers and collectors (Senate, No. 1325).

**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, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act eliminating the residency requirements for certain assistant treasurers and assistant collectors."**

**Sent to the House for concurrence.**

**PAPER FROM THE HOUSE.**

*Engrossed Bill.*

An engrossed Bill reforming alimony in the Commonwealth (see House, No. 3617, amended) (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. McGee) and laid before the Governor for his approbation.

*Order Adopted.*

On motion of Mr. Rodrigues,--

*Ordered*, That when the Senate adjourns today, it adjourn to meet again on Thursday next at one o'clock P.M., in a full formal session.

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