

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, September 22, 2011.

Met at five minutes past one o'clock P.M. (Ms. Flanagan in the Chair).

The Chair (Ms. Flanagan), members, guests and employees then recited the pledge of allegiance to the flag.

Reports of a Committee.

By Mr. Kennedy, for the committee on Consumer Protection and Professional Licensure, on petition (accompanied by bill, Senate, No. 109), a Bill authorizing the town of Milton to grant a license for the sale of wines and malt beverages to be drunk on the premises of a certain restaurant (Senate, No. 2019) [Local approval received on Senate, No. 109]; and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1961), a Bill authorizing the town of Millbury to issue an additional liquor license (Senate, No. 2020) [Local approval received on Senate, No. 1961];

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

PAPERS FROM THE HOUSE

Petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No. 3715) of Jennifer E. Benson and James B. Eldridge (by vote of the town) for legislation to authorize the town of Harvard to issue special one-day licenses for the sale of all alcoholic beverages to be drunk on the premises;

To the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 3716) of James Arciero and others (by vote of the town) for legislation relative to the number of voting precincts in the town of Chelmsford;

To the committee on Election Laws.

Petition (accompanied by bill, House, No. 3717) of Jennifer E. Benson and James B. Eldridge (by vote of the town) for legislation that the town of Harvard be designated as a Commonwealth Economic Target and Opportunity area;

To the committee on Revenue.

A Bill exempting certain water dependent structures from certain harbor lines in Chelsea Creek (House, No. 3690,-- on petition),--
- was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.

A Bill authorizing a design and build contract for a recreational facility in the town of Braintree (House, No. 3660,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Resolutions.

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

Resolutions (filed by Ms. Creem) “congratulating Dorothy ‘Dottie’ Reichard on being named the 2011 Recipient of the Newton Democratic City Committee’s Civic Engagement Award”;

Resolutions (filed by Mr. Montigny) “congratulating the Honorable Elizabeth O’Neill Lastaiti on the occasion of her retirement from the Bristol County Probate and Family Court”;

Resolutions (filed by Mr. Richard T. Moore) “congratulating Major General Wayne F. Wagner on being named a recipient of the 2011 ‘Outstanding Citizen of the Blackstone Valley Award’”; and

Resolutions (filed by Ms. Murray) “commending the Massachusetts Organization for Addiction Recovery on its celebration of Recovery Month.”

Orders of the Day.

The Orders of the Day were considered, as follows:

Bills

Relative to the contributions of certain employees in the town of Plymouth (Senate, No. 1346);

To authorize the town of Foxborough to establish an age limit for original appointment to the positions of police officer (Senate, No. 1887);

Exempting the position of police chief in the town of Marblehead from the civil service law (Senate, No. 1929);

Relative to the civil service requirement for Antonio F. Dinis (Senate, No. 1942);

Relative to the water commissioners in the town of Freetown (House, No. 1164);

Providing a simplified procedure for municipal acceptance of subdivision roads in the town of Franklin (House, No. 1459);

Exempting certain positions in the town of Burlington from the civil service law (House, No. 3488);

Relative to the town of Burlington representative town meeting form of government (House, No. 3501);

Authorizing the town of Canton to remove the position of deputy police chief from civil service (House, No. 3506);

Exempting the position of inspector of buildings, also known as the building commissioner, of the town of Natick from the provisions of the civil service law (House, No. 3507); and

Exempting the position of fire chief of the town of Natick from the provisions of the civil service law (House, No. 3508);

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

The House Bill relative to the geographic limits of fire district No. 2 in the Town of South Hadley (House, No. 3485, amended),-- **was read a second time and ordered to a third reading. At the request of Mr. Rosenberg, the rules were suspended and the bill was 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 relative to the geographic limits of Fire District No. 2 in the town of South Hadley”.**

The House Bill authorizing the town of West Tisbury to place a certain question on the ballot relative to the issuance of licenses for the sale of wines and malt beverages in restaurants, inns and hotels and the issuance of a 1 day license for the sale of wines and malt beverages at events (House, No. 3687),-- **was read a second time.**

Pending the question on ordered the bill to a third reading, Mr. Wolf presented an amendment inserting in section 1 after the word “election”, in line 3, the following words:- “held at least 35 days after the effective date of this act”; by inserting after section 1 the following section:-

“SECTION 2. Notwithstanding any general or special law, rule or regulation to the contrary, if this act is not in effect on or after March 6, 2012, the state secretary shall print on the official state election ballot for the town of West Tisbury the ballot question proposed in section 1 at the next biennial state election held at least 60 days after the effective date of this legislation. The question shall appear on the official state election ballot below all other candidates and binding questions required by law to be included on such ballot and shall take the form in section 1.

The question may be followed by a summary which the town of West Tisbury may furnish to the state secretary not later than September 7, 2012.

Approval of this question at the state election shall have the same force and effect as approval at a general or special town election of the town of West Tisbury.”; and by striking out, in line 25, the number “2” and inserting in place thereof the following number:- “3”.

**The amendment was adopted.
The bill, as amended, was then ordered to a third reading.**

Matters Taken Out of the Notice Section of the Calendar

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

The Senate Bill providing for the establishment of a fire department in the town of Newbury (Senate, No. 1941),-- **was read a second time.**

Pending the question on ordering the bill to a third reading, Mr. Tarr moved that the bill be amended by striking out, in line 11 and 12, the words "there shall remain in place two fire companies within the jurisdictional limits of the town of Newbury" and inserting in place thereof the following words:- "2 fire companies within the jurisdictional limits of the town of Newbury may provide services to the town".

The amendment was adopted.

The bill (Senate, No. 1941, amended) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

The Senate Bill increasing the exemption for certain residential real property in the city of Malden (Senate, No. 1895) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed. Sent to the House for concurrence.**

PAPER FROM THE HOUSE

A Bill authorizing the city clerk of the city of Haverhill to arrange the names of candidates for municipal elective office by random drawing (House, No. 3705,-- on petition) [Local approval received],-- **was read.**

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

Reports of a Committee.

By Mr. Brewer, for the committee on Ways and Means, on petition (accompanied by bill, Senate, No. 1739), a Bill relating to the improvement of Route 2, Crosby's Corner Interchange in the towns of Lincoln and Concord (Senate, No. 2022),-- **was read.**

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.

Sent to the House for concurrence.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Louceta Hodge, an employee of the Department of Revenue (Senate, No. 1931),-- **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2023).**

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2023) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

Petition.

On motion of Mr. Tarr, Senate Rule 20 and Joint Rule 12 were suspended on the Senate petition, presented by Mr. Tarr, (accompanied by bill) of Bruce E. Tarr, James E. Vallee, Michael R. Knapik, Cory Atkins and other members of the General Court for legislation to recognize those in military service,-- **and the same was referred to the committee on Transportation. Sent to the House for concurrence.**

Order Adopted.

On motion of Mr. Tarr,--

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

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