

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 27, 2012.

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

Distinguished Guests.

There being no objection, the Chair (Mr. Welch) recognized, seated in the Senate Gallery, a group of students from Revere High School. They were accompanied by Representative Kathi-Anne Reinstein of Revere.

Communications.

A communication from the Honorable Bruce E. Tarr, Senate Minority Leader, announcing the appointment of Senator Robert L. Hedlund to the Special Commission established (pursuant to Section 5 of Chapter 161 of the Acts of 2012) to make an investigation and study of the development of a cashless payment system in using EBT cards,-- **was placed on file.**

Reports of Committees.

By Mr. Kennedy for the committee on Consumer Protection and Professional Licensure, on Senate, Nos. 81, 86, 87, 89, 90, 91, 92, 93, 95, 96, 101, 107, 110, 111, 113, 116, 117, 118, 119, 120, 121, 122, 129, 130, 132, 133, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 146, 147, 148, 1850, and 2091, an Order relative to authorizing the joint committee on Consumer Protection and Professional Licensure to make an investigation and study of certain current Senate documents relative to consumer protection and professional licensure issues (Senate, No. 2444); and

By Mr. Brownsberger, for the committee on Public Service, on Senate, Nos. 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1283, 1284, 1285, 1286, 1288, 1290, 1291, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1301, 1304, 1305, 1307, 1308, 1309, 1311, 1312, 1313, 1314, 1315, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1326, 1327, 1328, 1331, 1337, 1338, 1342, 1347, 1349, 1350, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1364, 1365, 1366, 1367, 1368, 1370, 1371, 1373, 1374, 1375, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1402, 1403, 1405, 1406, 1407, 1409, 1410, 1853, 1867, 1868, 1912 and 2011, an Order relative to authorizing the joint committee on Public Service to make an investigation and study of certain current Senate documents relative to public service issues (Senate, No. 2443);

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

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 Municipalities and Regional Government to make an investigation and study of certain current Senate documents relative to municipalities and regional government issues

(Senate, No. 2442),-- **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.

Bills

Authorizing the Orleans, Brewster and Eastham groundwater protection district to provide retirement benefits for district employees (House, No. 4175,-- on petition); and

Validating the proceedings at the annual town meeting and the annual town election in the town of Heath (printed in House, No. 4353,-- being a message from his Excellency the Governor);

Were severally read and, under Senate Rule 26, referred to the committee on Ethics and Rules

Notice was received from the House of Representatives announcing the following appointment by the Minority Leader: Appointing Thomas J. Regh of Sterling to serve as his designee to the special energy policy review commission established (under Section 41 of Chapter 209 of the Acts of 2012) to research and review the economic and environmental benefits, as well as, the economic and electricity cost implications of energy and electricity policies in the Commonwealth; and Appointed Mrs. O'Connell of Taunton to serve as his designee on the advisory committee established (under Section 186 of Chapter 139 of the Acts of 2012) for the purpose of arranging for and evaluating an independent analysis of the public and private behavioral health care services available to the residents of the Commonwealth.

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:- Resolutions (filed by Ms. Clark, Mr. Brownsberger, Ms. Chang-Diaz and Messrs. Hart and Rush) "congratulating the Franklin Park Zoo on its one hundredth anniversary";

Resolutions (filed by Mr. Joyce) "congratulating the Community Club of Canton on its one hundredth anniversary";

Resolutions (filed by Mr. Richard T. Moore) "congratulating Saint Joseph Basilica on its one hundred and twenty-fifth anniversary";

Resolutions (filed by Mr. Richard T. Moore) "honoring Tony and Marie St. Pierre for their leadership in establishing and managing the annual Oktoberfest Celebration in the town of Douglas";

Resolutions (filed by Mr. Pacheco) "congratulating Peter A. and Marilyn A. Trucchi on their fiftieth wedding anniversary"; and

Resolutions (filed by Messrs. Wolf and Pacheco) "in recognition of the daring American explorer and Revolutionary War Patriot John Kendrick."

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 establishing a charter for the town of Hubbardston (House, No. 4209),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

PAPER FROM THE HOUSE.

A Bill providing the terms of bonds authorized by Chapter 242 of the Acts of 2012 (printed in House, No. 4399,-- being a message from His Excellency the Governor),-- **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, its title having been changed by the committee on Bills in the Third Reading as follows: "An Act providing the terms of certain bonds to be issued by the Commonwealth to finance improvements to the Commonwealth's transportation system".

Reports of Committees.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Ellen Grady, an employee of the Department of Public Health (Senate, No. 2418),-- **ought to pass.**

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.

Sent to the House for concurrence.

By Mr. Berry, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Marc R. Pacheco and Patricia A. Haddad for legislation to establish a sick leave bank for Gary Vuolo, an employee of the Department of Correction.

The rules were suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4456) of Kathi-Anne Reinstein and Anthony W. Petrucci for legislation to designate a certain parcel of land in the city of Revere as the Peter E. McCauley plaza; and

Petition (accompanied by bill, House, No. 4457) of Kathi-Anne Reinstein and Anthony W. Petrucci for legislation to designate a certain pavilions in the city of Revere as the Norman Gautreau memorial pavilions;

Severally, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Petition (accompanied by bill, House, No. 4458) of Stephen L. DiNatale and Jennifer L. Flanagan for legislation relative to designating a certain bridge in the city of Fitchburg in honor of George J. Bourque;

Under suspension of Joint Rule 12, to the committee on Transportation.

Recess.

There being no objection, at twelve minutes past eleven o'clock A.M., the Chair (Mr. Welch) declared a recess subject to the call of the Chair; and, at twenty-three minutes before twelve o'clock noon, the Senate reassembled, Mr. Welch in the Chair.

PAPERS FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill providing the terms of certain bonds to be issued by the Commonwealth to finance improvements to the Commonwealth's transportation system (see House Bill, printed in House, No. 4399), 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. Welch) and sent to the House for enactment.

Engrossed Bills.

The following engrossed bills (both of which originated in the House), 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. Welch) and laid before the Governor for his approbation, to wit:

Establishing a charter for the town of Hubbardston (see House, No. 4209, amended); and

Providing the terms of certain bonds to be issued by the Commonwealth to finance improvements to the Commonwealth's transportation system (see House Bill, printed in House, No. 4399)

Order Adopted.

On motion of Mr. Tarr,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday 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 nine minutes before twelve o'clock noon, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.