

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, October 11, 2012.

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

Communication.

A communication from the Division of Health Care Financing and Policy submitting notice of copy of the Administrative Bulletin 12-31, relative to proposed fee schedule changes for All-Payer Claims Database data, as well as, a copy of the notice of public hearing regarding such fee schedule changes (Copies will be forwarded as required to the Committee on Health Care Financing) (received October 9, 2012),-- **was placed on file.**

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4471) of Thomas P. Conroy and James B. Eldridge (by vote of the town) to increase the membership of the board of selectmen in the town of Sudbury,-- **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Bills

Designating a certain parcel of land in the city of Revere as the Peter E. McCauley Memorial Plaza (House, No. 4456,-- on petition);

Designating certain pavilions in the city of Revere as the Norman Gautreau Memorial Pavilions (House, No. 4457,-- on petition); and

Protecting the health and safety of people in restaurants (House, No. 4469,-- on House, No. 1462);

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 Mrs. O'Connell of Taunton to serve as his designee on the special independent commission established (under Section 5 of Chapter 161 of the Acts of 2012) to study and report on the development of a cashless payment system in using electronic benefit transfer, or EBT, cards.

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Noelle Champoux-Olson, an employee of the Department of Youth Services (see House, No. 4429), 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. Hart) and sent to the House for enactment.

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:- Resolutions (filed by Messrs. Keenan, Donnelly and Hart) "congratulating William James Ostiguy on his retirement from the Boston Fire Department and commending him for his exemplary efforts in the field of substance abuse"; and

Resolutions (filed by Messrs. Richard T. Moore and Brewer) "congratulating the United Way of Southbridge, Sturbridge & Charlton for 75 years of assistance to youth, health and human service programs in the Tri-Community Area."

Report of a Committee.

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 House Bill designating a certain bridge in the town of Billerica as the William G. Greene, Jr. Bridge (House, No. 1802). **There being no objection, the rules were suspended, on motion of Mr. Timilty, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

PAPERS FROM THE HOUSE.

The Senate Bill establishing standards for long-term care insurance (Senate, No. 2359, amended),-- **came from the House passed to be engrossed, in concurrence with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4348, amended in section 2, in line 274, by inserting after the word "misrepresentation" the words "alone but may be contested only upon a showing that the insured knowingly and intentionally misrepresented relevant facts relating to the insured's health".** **The rules were suspended, on motion of Mr. Timilty, the House amendment was considered forthwith and adopted, in concurrence (as corrected BTR).**

Engrossed Bills.

The following engrossed bills (the first of which originated in the Senate), 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. Hart) and laid before the Governor for his approbation, to wit:

Establishing a sick leave bank for Ellen Grady, an employee of the Department of Public Health (see Senate, No. 2418); and Relative to the New Bedford Police Association (see House, No. 4006, amended).

An engrossed Bill validating the proceedings at the annual town meeting and the annual town election in the town of Heath (see House Bill, printed in House, No. 4353) (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, two-thirds of the members present having voted in the affirmative, and signed by the Acting President (Mr. Hart) and laid before the Governor for his approbation.

An engrossed Bill establishing a sick leave bank for Noelle Champoux-Olson, an employee of the Department of Youth Services (see House, No. 4429) (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. Hart) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Timilty,--

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 Mr. Tarr, at fourteen minutes past eleven o'clock A.M., the Senate adjourned to meet again on Monday next at eleven o'clock A.M.