

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, November 7, 2011.

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

Engrossed Bill — Laid Before the Governor.

An engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 3778, published as amended) (which originated in the House), having been passed to be enacted and signed by the Acting President (Mr. Donnelly) on Thursday, November 3, 2011,— **was laid before the Governor for his approbation on Friday, November 4, 2011.**

Petition.

By Mr. Montigny, a petition (subject to Joint Rule 12) of Mark C. Montigny for legislation to establish a sick leave bank for Kevin W. Rose, an employee of the Bristol County Sheriff's office;

Under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

PAPERS FROM THE HOUSE.

A Bill relative to a Cable PEG Access Enterprise Fund (House, No. 1451,— on petition),- **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

Bills

Authorizing the town of Lincoln to grant a single license for the sale of wines and malt beverages not to be drunk on the premises (House, No. 3532,— on petition) [Local approval received]; and

Relative to the human resource department of the town of Arlington Groton (House, No. 3651,— on petition) [Local approval received];

Were severally 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 considered forthwith and adopted, as follows:-

Resolutions (filed by Mr. Hedlund) "congratulating Brendan Guinan on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Ross) "congratulating Thomas J. Leary on the occasion of his retirement as Chief of Police the town of Needham"; and

Resolutions (filed by Mr. Ross and Ms. Spilka) "honoring the Arthur family on the dedication of the Arthur Brothers Square in the town of Natick."

Matters 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 Senate Bill relative to the administrative organization of financial officers in the city of Malden (Senate, No. 1990) (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.**

Report of Committees.

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 Richard T. Moore, John V. Fernandes, Bruce E. Tarr, George N. Peterson, Jr. and other members of the General Court for legislation to enhance community safety.

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 the Judiciary. Sent to the House for concurrence.

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 3792) of Ellen Story and Stanley C. Rosenberg for legislation to authorize the Department of Transportation to acquire certain parcels of land in the town of Amherst,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.**

Recess.

There being no objection, at nineteen minutes past eleven o'clock A.M., the Chair (Mr. DiDomenico) declared a recess subject to the call of the Chair; and at twenty-five minutes past two o'clock P.M., the Senate reassembled, Mr. DiDomenico in the Chair.

Report of a Committee.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill relative to the parole board (Senate, No. 728),-- ought to pass with an amendment substituting a new draft entitled "An Act relative to habitual offenders, sentencing, improving law enforcement tools" (Senate, No. 2054).

Order Adopted.

Mr. Brewer offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, Senate Bill relative to the parole board (Senate, No. 728), with the pending Ways and Means new draft "An Act relative to habitual offenders, sentencing and improving law enforcement tools" (Senate, No., 2054) shall be placed in the Orders of the Day for a second reading on Thursday, November 10, 2011.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 12:00 noon, on Wednesday, November 9, 2011. All such amendments shall be second-reading amendments to the Ways and Means new draft (Senate, No. 2054) but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

Under the rules, referred to the committee on Ethics and Rules.

Subsequently, Mr. Berry, for the said committee, reported, recommending that the order ought to be adopted.

The rules were suspended, on motion of Mr. Tarr, and the order was considered forthwith and adopted. The bill (Senate, No. 728) was placed in the Orders of the Day for Thursday, November 10, 2011, for a second reading with the Ways and Means new draft (Senate, No. 2054) pending.

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill amending the home rule charter of the city of Easthampton (see House, No. 3505, 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. DiDomenico) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Tarr,--

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 twenty-eight minutes before three o'clock P.M., the Senate adjourned to meet again on Thursday next at one o'clock P.M.