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, April 8, 2013.

Met at one minute past eleven o'clock A.M. (Ms. Flanagan in the Chair).

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

Petitions.

Petitions were severally presented and referred, as follows:

By Mr. McGee, a petition (accompanied by bill, Senate, No.1765) of Thomas M. McGee, Robert F. Fennell, Steven M. Walsh, Lori A. Ehrlich and other members of the General Court for legislation relative to the adjustment of disability retirement benefits to Lynn police officer Gregory LeBlanc [Local approval received];
Under Senate Rule 20, referred to the committee on Public Service.
Sent to the House for concurrence.

By Mr. Michael O. Moore, a petition (subject to Joint Rule 12) of Michael O. Moore for legislation relative to indictments and proceedings before trial;
Referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of a Committee.

By Mr. Timilty, for the committee on Public Safety and Homeland Security, on petition, a Bill to require health care employers to develop and implement programs to prevent workplace violence (Senate, No. 1187);
Referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Timilty, for the committee on Public Safety and Homeland Security, on petition, a Bill to implement a blue alert system in the Commonwealth (Senate, No. 1114);
By the same Senator, for the same committee, on petition, a Bill to establish the 104th fighter wing fire department (Senate, No. 1145);
By the same Senator, for the same committee, on petition, a Bill relative to voluntary towing reform (Senate, No. 1150);
By the same Senator, for the same committee, on petition, a Bill relative to hazardous materials response (Senate, No. 1180);
By the same Senator, for the same committee, on petition, a Bill relative to the oversight of inspections (Senate, No. 1181);
By the same Senator, for the same committee, on petition, a Bill relative to the Architectural Access Board (Senate, No. 1183);
By the same Senator, for the same committee, on petition, a Bill relative to the Massachusetts Military Reservation Fire Department (Senate, No. 1188); and
By the same Senator, for the same committee, on petition, a Bill to establish the Massachusetts Law Enforcement Memorial Fund (Senate, No. 1191);
Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Mr. Timilty, for the committee on Public Safety and Homeland Security, on petition, a Bill relative to the interstate compact warrant (Senate, No. 1119);
By the same Senator, for the same committee, on petition, a Bill relative to medical examinations in correctional facilities (Senate, No. 1123); and
By the same Senator, for the same committee, on petition, a Bill relative to rock wall climbing safeguards (Senate, No. 1146);
Severally read and, under Senate Rule 26, referred to the committee on Ethics and Rules.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 3386) of Kathi-Anne Reinstein and Anthony V. Petruccelli (with the approval of the mayor and city council) for legislation relative to the issuance of secondhand dealers licenses in the city of Revere,-- **was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.**

Bills
Establishing a sick leave bank for Deane Smith, an employee of the Department of Correction (House, No. 2292,-- on petition); and
Establishing a sick leave bank for Richard Slayman, also known as Rick, an employee of the Department of Transportation (House, No. 3378,-- on petition);
Were severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

Reports

Of the committee on Environment, Natural Resources and Agriculture, asking to be discharged from further consideration
Of the petition (accompanied by bill, House, No. 724) of Danielle W. Gregoire for legislation relative to the liability insurance requirements for owners of underground storage tanks,-- and recommending that the same be referred to the committee on Financial Services;
Of the petition (accompanied by bill, House, No. 708) of Sean Garballey for legislation that the Boston Metropolitan Area Planning Council conduct a study of potential flood storage at the site of the former Metropolitan District Commission's skating rink bordering the towns of Arlington and Belmont;
Of the petition (accompanied by bill, House, No. 790) of Kathi-Anne Reinstein for legislation to prohibit licensing by the Department of Environmental Protection of a third burner at the Wheelabrator facility in the town of Saugus; and
Of the petition (accompanied by bill, House, No. 791) of Kathi-Anne Reinstein for legislation relative to the licensing of a third burner at the Wheelabrator facility in the town of Saugus;
And recommending that the same be severally referred to the committee on Municipalities and Regional Government;

Of the petition (accompanied by bill, House, No. 727) of Steven S. Howitt for legislation relative to exempting barber shops from certain system sewage flow design criteria; and
Of the petition (accompanied by bill, House, No. 807) of Frank I. Smizik and others for legislation to promote efficiency in the use of certain natural resources;
And recommending that the same be severally referred to the committee on Public Health;

Of the petition (accompanied by bill, House, No. 768) of Michael J. Moran for legislation relative to a boat house land lease in the city of Boston;
Of the petition (accompanied by bill, House, No. 769) of Michael J. Moran for legislation relative to the lease of Boston University Sailing Pavilion and youth programs;
Of the petition (accompanied by bill, House, No. 770) of Michael J. Moran for legislation relative to the lease of Northeastern University Henderson boat house and youth access; and
Of the petition (accompanied by bill, House, No. 771) of Michael J. Moran for legislation relative to the lease of Northeastern University Henderson boat house and youth programs;
And recommending that the same be severally referred to the committee on State Administration and Regulatory Oversight; and

Of the petition (accompanied by bill, House, No. 720) of Colette Whitby for legislation relative to excessive noise in residential areas,-- **and recommending that the same be referred to the committee on Telecommunications, Utilities and Energy.**
Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.

Resolutions.

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

Resolutions (filed by Messrs. Richard T. Moore and Michael O. Moore) "congratulating the Whitinsville Social Library on the centennial anniversary of its Church Street building in the town of Northbridge."

Communication.

The Clerk read the following communication:

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

April 4, 2013

Clerk William F. Welch
Office of the Clerk of the Senate
State House, Room 335
Boston, MA 02133

RE: Formal Session, March 28, 2013

Dear Mr. Clerk:

On Thursday, March 28, 2013, I was absent from the Chamber during formal session. A roll call vote was taken on Senate bill 1758, An Act further regulating mercury management. Had I been present, I would have voted NO on the matter.
I would appreciate if this could be printed in the Senate journal. Thank you.

Sincerely,
JAMES B. ELDRIDGE
State Senator
Middlesex and Worcester District.

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

Report of a Committee.

By Mr. Rosenberg, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Thomas P. Kennedy for legislation to establish a sick leave bank for Robert James Boucher, an employee of the Department of Correction.
Senate Rule 36 was 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. 3409) of Anne M. Gobi, Stephen M. Brewer and Peter J. Durant for legislation relative to the financial condition of the Spencer-East Brookfield Regional School District;
Under suspension of Joint Rule 12, to the committee on Education.

Petition (accompanied by bill, House, No. 3410) of Leonard Mirra and Kathleen O'Connor Ives for legislation establishing a sick leave bank for Marjorie Pettoruto, an employee of the Highway Division of the Massachusetts Department of Transportation;
Under suspension of Joint Rule 12, to the committee on Public Service.

A petition (accompanied by bill, Senate, No. 1755) of Benjamin B. Downing and William Smitty Pignatelli for legislation to provide for the establishment and administration of rent regulations and the control of evictions in mobile home accommodations in the town of West Stockbridge [Local approval received],-- **came from the House with endorsement that the House concurred in the suspension of Joint Rule 12; and had NON-concurred in the reference to the committee on Municipalities and Regional Government. The petition bore the further endorsement that the matter had been referred to the committee on Housing.**
On motion of Mr. Tarr, the Senate receded from its reference to the committee on Municipalities and Regional Government and concurred in the reference to the committee on Housing.

Order Adopted.

On motion of Mr. Tarr,--

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow at eleven o'clock A.M.

On motion of the same Senator, at five minutes past eleven o’clock A.M. the Senate adjourned to meet again tomorrow next at eleven o’clock A.M.