

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.

Friday, June 28, 2013.

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

Petition.

Mr. Downing presented a petition (accompanied by bill, Senate, No. 1807) of Benjamin B. Downing and Gailanne M. Cariddi (by vote of the town) for legislation to authorize the town of Adams to grant an additional license for the sale of alcoholic beverages to be drunk on the premises [Local approval received];

**Under Senate Rule 20, referred to the committee on Consumer Protection and Professional Licensure.
Sent to the House for concurrence.**

Report of a Committee.

By Ms. Clark, for the committee on the Judiciary, on petition, a Bill to establish a sick leave bank for Jonathan Palermo, an employee of the Massachusetts Trial Court (Senate, No. 1782);

Read and, under Senate Rule 27, referred to the committee on Ways and Means.

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 amending the charter of the town of Westborough (House, No. 1835) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Report of Committees.

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 Michael J. Rodrigues and Paul A. Schmid, III for legislation to authorize the State Retirement Board to grant creditable service to Marion Ishimoto-Yuille.

**Senate Rule 36 was suspended, on motion of Mr. Ross, 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

Emergency Preamble Adopted.

An engrossed Bill relative to documents of title and secured transactions (see House, No. 28, amended), 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. Petrucci) and sent to the House for enactment.

The House Bill making appropriations for fiscal year 2013 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3522),— **came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate, No. 1814, and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Dempsey of Haverhill, Kulik of Worthington and Beaton of Shrewsbury had been appointed the committee on the part of the House.**

On motion of Mr. Ross, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Brewer, Flanagan and Knapik were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

Engrossed Bill.

An engrossed Bill relative to documents of title and secured transactions (see House, No. 28, 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. Petrucci) and laid before the Governor for his approbation.**

The House Bill relative to implementing the Affordable Care Act and providing further access to affordable health care (printed in House, No. 3452, amended),-- came from the House with the endorsement that the House had concurred in the Senate amendments with further amendments striking out section 58 and inserting in place thereof the following section:-

“SECTION 58. Said section 1 of said chapter 176O is hereby further amended by striking out the definition of ‘Office of patient protection’, as so appearing, and inserting in place thereof the following definition:-

‘Office of patient protection’, the office in the health policy commission established by section 16 of chapter 6D, responsible for the administration and enforcement of sections 13, 14, 15 and 16.”; and

By striking out section 98 and inserting in place thereof the following section:-

“SECTION 98. Said first paragraph of said section 271 of said chapter 127 is hereby further amended by striking out clause (i), as amended by section 227 of said chapter 224 of the acts of 2012, and inserting in place thereof the following clause:-

(i) participants in the Senior Pharmacy program, so-called, pursuant to section 16B of chapter 118E of the General Laws.”

The rules were suspended on motion of Mr. Ross, and the further House amendments were adopted, in concurrence.

Recess.

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

PAPERS FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill implementing the affordable care act and providing further access to affordable health care (see House Bill, printed in House, No. 3452, amended), 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. Petrucci) 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. Petrucci) and laid before the Governor for his approbation, to wit:

Amending the charter of the town of Westborough (see House, No. 1835); and

Implementing the affordable care act and providing further access to affordable health care (see House Bill, printed in House, No. 3452, amended).

Order Adopted.

On motion of Mr. Ross,--

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 without a calendar.

On motion of the same Senator, at thirteen minutes before three o'clock P.M., the Senate adjourned to meet again tomorrow at eleven o'clock A.M.