

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, August 5, 2013.

Met according to adjournment at eleven o'clock A.M. (Mr. Rosenberg in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

The Senator from Norfolk, Bristol and Middlesex, Mr. Ross, then led the Chair (Mr. Rosenberg), members, guests and staff in the recitation of the pledge of allegiance to the flag.

Petition.

Mr. Brewer presented a petition (accompanied by bill, Senate, No. 1844) of Stephen M. Brewer, Denise Andrews and Anne M. Gobi (by vote of the town) for legislation to authorize the town of Petersham to borrow outside the debt limit for a certain town project [Local approval received];

Under Senate Rule 20, referred to the committee on Municipalities and Regional Government.

Sent to the House for concurrence.

Committee Discharged.

Mr. McGee, for the committee on Transportation, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1713) of Bruce E. Tarr, Bradley H. Jones, Jr. and Michael R. Knapik for legislation to include federal law enforcement officers as police officers,-- **and recommending that the same be referred to the committee on the Public Safety and Homeland Security;**

Under Senate Rule 36, the report was considered forthwith and accepted.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE

A Bill establishing a sick leave bank for Dwight Melvin Seams, an employee of the Trial Court (House, No. 3599,-- on petition),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill designating a certain bridge in the City of Fitchburg as the George J. Bourque Memorial Bridge (House, No. 3042,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

A Bill relative to betterments and assessments for sewer projects in the town of Barnstable (House, No. 3372,-- on petition) [Local approval received],-- **was 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 severally considered forthwith and adopted, as follows:-

Resolutions (filed by Mr. Ross) "congratulating Anthony Alfred Achin on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Ross) "congratulating Nicholas Tobichuk on the occasion of his retirement";

Resolutions (filed by Mr. Ross) “congratulating Christopher Robert Weir on his elevation to the rank of Eagle Scout”;
Resolutions (filed by Ms. Spilka and Mr. Ross) “honoring the memory of Dennis Michael Poteat on the dedication of the Dennis Michael Poteat Square in the town of Natick”;
Resolutions (filed by Ms. Spilka) “congratulating the Edward M. Kennedy Community Health Center on its celebration of National Health Center Week 2013”; and
Resolutions (filed by Mr. Timilty) “congratulating the historic Jacob Hill Inn on its two hundred and ninetieth anniversary.”

Reports of Committees.

Mr. Rosenberg, 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 Senate Bill relative to the release of a body by a medical examiner to a person charged with an offense which resulted in the death of the deceased (Senate, No. 1099).

There being no objection, the rules were suspended, on motion of Mr. Richard T. Moore, and the bill was read a second time.

Pending the question on ordering the bill to a third reading, Ms. Spilka presented an amendment in section 1, in lines 5 and 6, by striking out the words “if such person is aged 18 years old or older.”.

The amendment was adopted.

The bill (Senate, No. 1099, amended) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill authorizing the conveyance of a certain parcel of land in the town of Wellesley (House, No. 3513),-- **ought to pass.**

There being no objection, the rules were suspended, on motion of Mr. Ross, and the bill was read a second time.

Pending the question on ordering the bill to a third reading, Ms. Creem presented an amendment in section 1 by striking out the words, “Notwithstanding the provisions of any general or special law to the contrary” and inserting in place thereof the following words:- “Notwithstanding section 4 of chapter 267 of the acts of 2002 or any other general or special law to the contrary,”.

The amendment was adopted.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act authorizing the town of Wellesley to convey a certain parcel of land”.

Sent to the House for concurrence in the amendment.

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 O. Moore and Paul K. Frost (by vote of the town) for the adoption of resolutions relative to prudent banking [Local approval received];

Senate Rule 36 was suspended, on motion of Mr. Richard T. Moore, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by resolutions) was referred to the committee on Financial Services.

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 O. Moore and Paul K. Frost for legislation to establish a sick leave bank for Jeanette Cruz, an employee of the Department of Unemployment Assistance.

Senate Rule 36 was suspended, on motion of Mr. Richard T. Moore, 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.

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 O. Moore and Paul K. Frost for legislation to establish Ataxia Awareness Day.

Senate Rule 36 was suspended, on motion of Mr. Richard T. Moore, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight.

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 O. Moore for legislation relative to transparency in private utility construction contracts.

Senate Rule 36 was suspended, on motion of Mr. Richard T. Moore, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Telecommunications, Utilities and Energy.

Severally sent to the House for concurrence.

PAPER FROM THE HOUSE

A petition (accompanied by bill, House, No. 3608) of Geoff Diehl and others for legislation to establish a tax amnesty program,--
was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Revenue.

Resolutions.

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

Resolutions (filed by Mr. Tarr) "congratulating Susan Testaverde on the occasion of her retirement."

PAPERS FROM THE HOUSE

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. Rosenberg) and laid before the Governor for his approbation, to wit:

Authorizing the city of Lynn to establish a program for enforcement against illegal dumping (see Senate, No. 1784); and

Authorizing the town of Bellingham to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (see House, No. 3374).

An engrossed Bill validating the date of incorporation of the town of Oxford (see House Bill, printed in House, No. 3465) (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. Rosenberg) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Richard T. Moore,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday 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. Ross, at twenty-one minutes past eleven o'clock A.M., the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.