

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, September 9, 2013.

Met at one minute past 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 Plymouth and Norfolk, Mr. Hedlund, then led the Chair (Mr. Rosenberg), members, guests and staff then recited the pledge of allegiance to the flag.

Communication.

The following communications were severally received and placed on file:

Communication from the Honorable Bruce E. Tarr, Senate Minority Leader, announcing his appointment of himself to the Special Commission (established by Section 77 of Chapter 46 of the Acts of 2013) to make an investigation and study of tax fairness in the Commonwealth;

Communication from the Honorable Bruce E. Tarr, Senate Minority Leader, appointing Maureen Flatley of Essex (pursuant to Section 2 of Chapter 38 of the Acts of 2013) to the Adoption Process Task Force;

Communication from the Public Employee Retirement Commission (PERAC) (under the provisions of Section 50 of Chapter 7 of the General Laws) submitting rules and regulations governing retirement of public employees in Massachusetts (840 CMR 3.07); and

Communication from the Public Employee Retirement Commission (PERAC) (under the provisions of Section 50 of Chapter 7 of the General Laws) submitting rules and regulations governing retirement of public employees in Massachusetts (840 CMR 3.08).

Report.

A report of the District Attorney of Suffolk County (under the provisions of Section 99 of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2009,-- **was placed on file.**

PAPERS FROM THE HOUSE

Petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No. 3642) of James Arciero and James B. Eldridge (by vote of the town) that the town of Littleton be authorized to convey a certain parcel of land in said town;

To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 3643) of Brian R. Mannal and Cleon H. Turner (by vote of the town) that the town of Barnstable be authorized to appoint special police officers, notwithstanding the maximum age requirement;

To the committee on Public Service.

A communication (accompanied by bill, House, No. 3644) from the Division of Energy Resources of the Executive Office of Energy and Environmental Affairs (under the provisions of section 12 of Chapter 25A of the General Laws) submitting amendments to 225 CMR 10, Energy Management Services (EMS) Contract ("EMS Regulations"),-- **was referred, in concurrence, to the committee on Telecommunications, Utilities and Energy.**

Resolutions.

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

Resolutions (filed by Messrs. Brewer and Brownsberger, Ms. Chandler, Ms. Clark, Ms. Creem, Messrs. DiDomenico, Donnelly, Downing and Eldridge, Ms. Flanagan, Ms. Forry, Messrs. McGee, Montigny, Michael O. Moore and Richard T. Moore, Ms. Murray, Messrs. Rodrigues and Ross, Ms. Spilka and Messrs. Tarr, Timilty and Welch) "commending the Admetech Foundation on Hosting the Fifth Annual Prostate Cancer Awareness Day at the Massachusetts State House on September 12, 2013";

Resolutions (filed by Mr. Hedlund) "congratulating Jeffrey Lawrence Murray on his elevation to the rank of Eagle Scout"; and

Resolutions (filed by Mr. Richard T. Moore) "congratulating the Healthcare Information Management and Systems Society on its observation of 'National Health It Week 2013'."

Matters Taken Out of the Orders of the Day

There being no objection, the following matters were taken out of the Orders of the Day and considered as follows:

The Senate Bill providing for the recall of elected officials in the town of Ipswich (Senate, No. 1801),-- **was read a second time. Pending the question on ordering the bill to a third reading, Mr. Tarr presented an amendment in section 1, by inserting after the word "felony", in line 9, the following words:- "while in office"; in said section 1, by inserting after the word "Laws", in line 10, the following words:- ", while in office"; in said section 1, by striking out, in line 12, the words "while presently in office"; and in said section 1, by striking out, in line 82, the words "within three (3) months after taking" and inserting in place thereof the following words:- "not sooner than 3 months after such official takes".**

The amendment was adopted

The bill (Senate, No. 1801, amended) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

The House Bill authorizing the town of Fairhaven to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3604),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill expanding juvenile jurisdiction (see House, No. 1432, 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. 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 one o'clock P.M., in a full formal session with a calendar.

On motion of Mr. Hedlund, at seven minutes past eleven o'clock A.M., the Senate adjourned to meet again on Thursday next at one o'clock P.M.