

**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, December 2, 2013.*

Met at three minutes past eleven o'clock A.M. (Mr. Richard T. Moore 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. Richard T. Moore), members, guests and staff then recited the pledge of allegiance to the flag.

#### *Communications.*

The following communications were severally received and placed on file, to wit:

Communication from the Honorable Martin J. Benison, Comptroller, submitting a report on "Settlements and Judgments" for the BFY2013 and first quarter BFY2014, as of September 30, 2013 (pursuant to Section 2H of Chapter 29 of the General Laws, as most recently amended by Section 37 of Chapter 68 of the Acts of 2011) (received in the Office of the Clerk of the Senate on Friday, November 22, 2013, at twelve minutes past one o'clock P.M.);

Communication from the Honorable Martin J. Benison, Comptroller, submitting the quarterly report on the status of federal funds applied for, received and expended (pursuant to Section 6B of Chapter 29 of the General Laws) (received in the Office of the Clerk of the Senate on Monday, November 25, 2013, at twenty-nine minutes past ten o'clock A.M.); and

Communication from the Honorable Martin J. Benison, Comptroller, submitting notice of the certification of MBTA Dedicated Sales Tax Revenues for the Fiscal Year Ending June 30, 2014 (pursuant to Section 35T of Chapter 10 of the General Laws) (received in the Office of the Clerk of the Senate on Monday, November 25, 2013, at a quarter past two o'clock P.M.)

#### *Petition.*

Petitions were severally presented and referred, as follows:

By Mr. Richard T. Moore, a petition (accompanied by bill, Senate, No. 1945) of Richard T. Moore and Ryan C. Fattman (by vote of the town) for legislation to authorize the town of Webster to issue one additional all alcoholic beverages to be drunk on the premises of 41 Worcester Road [Local approval received];

By the same Senator, a petition (accompanied by bill, Senate, No. 1946) of Richard T. Moore and Ryan C. Fattman (by vote of the town) for legislation to authorize the town of Webster to issue five additional all alcoholic beverages to be drunk on the premises designated for use in the downtown's "slum and blight" Main Street area [Local approval received]; and  
**Severally, under Senate Rule 20, to the committee on Consumer Protection and Professional Licensure.**

By Mr. Rush, a petition (accompanied by bill, Senate, No. 1943) of Michael F. Rush (by vote of the town) for legislation to exempt Barry Canavan from the maximum age requirement as a firefighter in the town of Westwood [Local approval received]; and

By the same Senator, a petition (accompanied by bill, Senate, No. 1944) of Michael F. Rush (by vote of the town) for legislation to exempt the police department of the town of Westwood from the provisions of the civil service law [Local approval received];

**Severally, under Senate Rule 20, to the committee on Public Service.  
Severally sent to the House for concurrence.**

Mr. Keenan presented a petition (subject to Joint Rule 12) of John F. Keenan, Jennifer L. Flanagan, Elizabeth A. Malia, Bruce E. Tarr and other members of the General Court for legislation to reduce prescription drug tampering and abuse,--**and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

#### **PAPERS FROM THE HOUSE.**

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 3791) of Jason M. Lewis and Katherine M. Clark (by vote of the town) that the town of Winchester be authorized to continue the employment of police chief Kenneth C. Albertelli;

Petition (accompanied by bill, House, No. 3792) of Tom Sannicandro, Karen E. Spilka and others (by vote of the town) for legislation to authorize the town of Framingham to continue the employment of police officer Robert Tibor;

Petition (accompanied by bill, House, No. 3794) of Paul McMurtry and Michael F. Rush (by vote of the town) for legislation to exempt the police department of the town of Westwood from the provisions of civil service law; and

Petition (accompanied by bill, House, No. 3795) of Paul McMurtry and Michael F. Rush (by vote of the town) relative to the appointment of Barry Canavan as a fire fighter in the town of Westwood, notwithstanding the maximum age requirement;

**Severally, to the committee on Public Service.**

#### *Resolutions.*

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:-  
Resolutions (filed by Ms. Jehlen) "congratulating M. Theresa Cardoso on the occasion of her retirement from the Somerville School Committee."

#### *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 authorizing the town administrator of Southborough to sign warrants (House, No. 3549),-- **was read a second time, ordered to a third reading, 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 Stephen M. Brewer and Todd M. Smola for legislation to establish a sick leave bank for Katrina Aliengena, an employee of the Department of Developmental Services.

**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. 3798) of Colleen M. Garry relative to the penalties for operating a motor vehicle while under the influence of alcohol or controlled substances;

**Under suspension of Joint Rule 12, to the committee on the Judiciary.**

Petition (accompanied by bill, House, No. 3799) of Antonio F. D. Cabral, Paul A. Schmid, III and Robert M. Koczera for legislation to establish a fire prevention tax credit for historic building;

**Under suspension of Joint Rule 12, to the committee on Revenue.**

Petition (accompanied by bill, House, No. 3800) of Colleen M. Garry (by vote of the town) that the secretary of energy and environmental affairs be directed to release an agricultural preservation restriction on a certain parcel of land held jointly by the Commonwealth and the town of Dracut; and

Petition (accompanied by bill, House, No. 3801) of Timothy R. Madden (by vote of the town) for legislation to authorize the conveyance of certain property by the county and town of Nantucket, notwithstanding the uniform procurement law;

**Severally under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.**

Petition (accompanied by bill, House, No. 3802) of Tackey Chan and Barry R. Finegold relative to the distribution of renewable energy contracts;

**Under suspension of Joint Rule 12, to the committee on Telecommunications, Utilities and Energy.**

#### *Engrossed Bill.*

An engrossed Bill authorizing the Board of Selectmen of the town of Milford to appoint the town treasurer (see House, No. 3740) (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. Richard T. Moore) and laid before the Governor for his approbation.

*Order Adopted.*

On motion of Mr. Humason,--

*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. DiDomenico, at seven minutes past eleven o'clock A.M., the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.