

# Journal of the House

Monday, June 15, 2009

## *Papers from the Senate.*

A Bill providing for the uniform prudent management of institutional funds (Senate, No. 2078, amended by striking out section 8 and inserting in place thereof the following:— “This chapter modifies, limits and supersedes the Electronic Signature in Global and National Commerce Act, 15 U.S.C. Section 7001 et seq., but does not modify, limit or supersede Section 101(c) or authorize electronic delivery of any of the notices described in Section 103 of said act, 15 U.S.C. Section 7003 (b).”) (on Senate, No. 1783), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

# Journal of the House

Thursday, June 25, 2009

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Bill providing for the uniform prudent management of institutional funds (Senate, No. 2078, amended) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

# Journal of the House

Monday, June 29, 2009

...

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House: The Senate Bill providing for the uniform prudent management of institutional funds (Senate, No. 2078, amended); ...

# Journal of the House

Tuesday, June 30, 2009

Prior to the noon recess,— the Senate Bill providing for the uniform prudent management of institutional funds (Senate, No. 2078, amended) was read a second time; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. O'Flaherty of Chelsea, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After remarks on the question on passing the bill to be engrossed, in concurrence, Mr. Pedone of Worcester moved to amend it by inserting before the enacting clause the following emergency preamble:

*"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith, provide for uniform prudent management of institutional funds, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."*

The amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Mr. O'Flaherty; and on the roll call 152 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 163 in Supplement.]**

Therefore the bill (Senate, No. 2078, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

...

The engrossed Bill providing for the uniform prudent management of institutional funds (see Senate, No. 2078, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 2 to 0.

Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate.

Yea and Nay Supplement  
**JOURNAL OF THE HOUSE.**

Tuesday, June 30, 2009.

Yea and Nay No. 163

On passing to be engrossed, in concurrence, the Senate Bill providing for the uniform prudent management of institutional funds (Senate, No. 2078).

Y	Mr. Speaker	Y	Driscoll	Y	Linsky	Y	Spiliotis
Y	Vallea	Y	Dwyer	Y	L'Italian	Y	Spellane
Y	Mariano	Y	Dykema	Y	Madden	Y	Speranzo
Y	Haddad	Y	Ehrlich	Y	Malia	Y	Spiliotis
Y	Petrolati	Y	Fagan	Y	McCarthy	Y	Stanley, H.L.
Y	Aguiar	Y	Fallon	Y	McMurtry	Y	Stanley, T.M.
Y	Alicea	Y	Falzone	Y	Miceli	Y	St., Fleur
Y	Allen	Y	Fennell	Y	Moran	Y	Story
Y	Arciero	Y	Fernandes	Y	Murphy, C.A.	X	Straus
Y	Ash	Y	Ferrante	Y	Murphy, J.	Y	Sullivan
Y	Atkins	Y	Finegold	Y	Murphy, K.J.	Y	Swan
Y	Atsalis	Y	Flynn	Y	Nangle	Y	Timilty
Y	Ayers	Y	Forry	Y	Naughton	X	Tobin
Y	Balser	Y	Fox	Y	Nyman	Y	Toomey
Y	Basile	Y	Fresolo	Y	O'Day	Y	Torrissi
Y	Benson	Y	Galvin	Y	O'Flaherty	Y	Turner
Y	Binienda	Y	Garballey	Y	Patrick	Y	Wagner
Y	Bosley	X	Garry	Y	Peake	Y	Wallace
X	Bowles	Y	Gobi	Y	Pedone	Y	Walsh, M.J.
Y	Bradley	Y	Golden	Y	Peisch	Y	Walsh, S.
Y	Brady	Y	Grant	Y	Pignatelli	Y	Walz
Y	Brownberger	Y	Greene	Y	Provost	Y	Welch
Y	Cabral	Y	Gregoire	Y	Puppolo	Y	Wolf
Y	Callahan	Y	Guyar	Y	Quinn	Y	Jones
Y	Calter	Y	Harkins	Y	Reinstein	Y	Peterson
Y	Campbell	Y	Hecht	Y	Rice	Y	Hill
Y	Canavan	Y	Hogan	Y	Richardson	Y	Poirier
Y	Canessa	Y	Honan	Y	Rodrigues	Y	Barrows
Y	Cantwell	Y	Kafka	Y	Rogers	Y	deMacedo
Y	Clark	Y	Kane	Y	Rosa	Y	Evangelidis
Y	Coakley-Rivera	Y	Kaufman	Y	Rush	Y	Frost
Y	Conroy	Y	Keenan	Y	Rushing	Y	Gifford
Y	Costello	Y	Khan	Y	Sanchez	X	Hargraves
Y	*Creedon	Y	Kocot	Y	Sandlin	Y	Humason
X	Curran	Y	Koczera	Y	Sannicandro	Y	Perry
Y	D'Amico	Y	Koutoujian	Y	Scaccia	Y	Polito
X	Dempsey	Y	Kujawski	Y	Scibak	Y	Ross
Y	DiNatale	Y	Kulik	Y	Sciortino	Y	Smola
Y	Donato	Y	Lantigua	Y	Smith	Y	Webster
Y	Donelan	Y	Lewis	Y	Smizik	Y	

YEAS: 152

NAYS: 0

N-V: 7

P=PRESENT

X=NOT VOTING

\*=AFTER VOTE

JOURNAL OF THE SENATE.

Tuesday, June 30, 2009

Met according to adjournment at one o'clock A.M. (Mr. Rosenberg in the Chair).

The Senate Bill providing for the uniform prudent management of institutional funds (Senate, No. 2078, amended),-- came from the House passed to be engrossed, in concurrence *with an amendment* inserting before the enacting clause the following emergency preamble:

*"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith provide for uniform prudent management of institutional funds, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."*

The rules were suspended, on motion of Mr. O'Leary, and the amendment was considered forthwith.

After remarks, the question on concurring in the House amendment was determined by a call of the yeas and nays, at twenty minutes past three o'clock P.M., on motion of Mr. O'Leary, as follows, to wit (*yeas 38- nays 0*) [**Yeas and Nays No. 87**]:

Insert Roll Call "87"

**The yeas and nays having been completed at twenty-five minutes past three o'clock P.M., the House amendment was adopted, in concurrence (as corrected BTR).**

An engrossed Bill providing for the uniform prudent management of institutional funds (see Senate, No. 2078, 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 President and sent to the House for enactment.**

*Engrossed Bills.*

The following engrossed bills (both 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 President and laid before the Governor for his approbation, to wit:

Mobilizing economic recovery in the Commonwealth (see Senate, No. 2061, printed as amended,

amended); and Providing for the uniform prudent management of institutional funds (see Senate, No. 2078, amended).