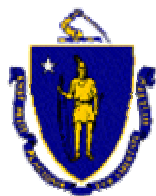


**NOTICE:** - While reasonable efforts have been made to assure the accuracy of the data herein, this is **NOT** the official version of Senate Journal. It is published to provide information in a timely manner, but has **not** been proofread against the events of the session for this day. All information 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, November 2, 2009.*

Met at four minutes past eleven o'clock A.M. (Mr. Petruccelli in the Chair).

The Chair (Mr. Petruccelli), members, guests and employees then recited the pledge of allegiance to the flag.

### *Communication.*

A communication from the Honorable Martin J. Benison, Comptroller of the Commonwealth, announcing that the closeout report for FY2009 would be filed in the Clerks offices on November 4, 2009 (received in the Office of the Clerk of the Senate on Friday, October 30, 2009, at five minutes before twelve o'clock noon),— **was placed on file.**

### *Report of a Committee.*

By Ms. Flanagan, for the committee on Mental Health and Substance Abuse, on petition, a Bill to create a jail diversion program (Senate, No. 749);

**Referred, under Joint Rule 1E, to the committee on Health Care Financing.**

## PAPERS FROM THE HOUSE.

A message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to authorizing a special meeting of the town council of the city known as the town of Randolph for the purpose of selecting a town manager (House, No. 4299),— **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

A Bill preserving publicly assisted affordable housing (House, No. 4298, amended,— on House, Nos. 1201, 3463, 3573, 3689, 3810, 3812 and 4088),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

*Resolutions.*

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

Resolutions (filed by Mr. Knapik) “congratulating James ‘Bud’ Finn on being recognized as the Easthampton Veterans Council’s Veteran of the Year”; and

Resolutions (filed by Mr. Richard T. Moore) “congratulating the National Sleep Foundation on its observance of the week of November 2, 2009 to November 8, 2009 as Drowsy Driving Prevention Week.”

*Reports of Committees.*

Mr. Berry, 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 House Bill relative to the Vietnam Veterans Memorial Skating Rink in the city of North Adams (House, No. 3550).

**There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act designating the Vietnam Veterans Memorial Skating Rink in the city of North Adams as the Peter W. Foote Vietnam Veterans Memorial Skating Rink”.**

By Mr. Berry, 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, Anne M. Gobi and Denis E. Guyer for legislation relative to trenches on private property.

**The rules were 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 Safety and Homeland Security.**

**Sent to the House for concurrence.**

**PAPERS FROM THE HOUSE.**

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

Petition (accompanied by bill, House, No. 4308) of Martin J. Walsh, Michael F. Rush and others relative to federal write-in absentee ballots for uniformed services and overseas voters;

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

Petition (accompanied by bill, House, No. 4307) of F. Jay Barrows and James E. Timilty for legislation to establish the MFN waste water district in the towns of Mansfield, Foxborough and Norton;

**Under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.**

*Recess.*

There being no objection at thirteen minutes past eleven o’clock A.M., the Chair (Mr. Petruccelli) declared a recess subject to the call of the Chair; and, at fourteen minutes past four o’clock P.M., the

Senate reassembled, Mr. Petruccelli in the Chair (having been appointed by the President, under authority conferred in Senate Rule 4, to perform the duties of the Chair).

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

Authorizing the city of Westfield to convert a seasonal license for the sale of all alcoholic beverages not to be drunk on the premises to an annual license for the sale of all alcoholic beverages not to be drunk on the premises (see Senate, No. 2161);

Authorizing the town of Harvard to grant licenses for the sale of wines and malt beverages not to be drunk on the premises (see House, No. 1127, amended);  
Relative to the tenure of the city clerk, city collector and city engineer in the city of Revere (see House, No. 3708, amended); and

Authorizing the town of Montague to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4240).

*Order Adopted.*

On motion of Mr. Tarr,—

*Ordered,* That when the Senate adjourns today, it adjourn to meet again on Wednesday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

On motion of the same Senator, at sixteen minutes past four o'clock P.M., the Senate adjourned to meet again on Wednesday next at eleven o'clock A.M.