

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 9, 2010.

Met at two minutes past eleven o'clock A.M. (Mr. Donnelly 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. Donnelly), members, guests and employees then recited the pledge of allegiance to the flag.

Communications.

The following communications were severally read and placed on file:

A communication from the Honorable Therese Murray, President of the Senate announcing the appointment of Admiral Richard Gurnon, President of Massachusetts Maritime Academy, to the Special Commission established (pursuant to Section 162 of Chapter 131 of the Acts of 2010) relative to In-State Tuition Retention.

A communication from the Board of Higher Education (under the provisions of Section 7 of Chapter 150E of the General Laws) submitting a copy of a request for an appropriation to fund certain Fiscal Year 2010 and 2011 incremental cost items contained in a collective bargaining agreement executed by and between the Board of Higher Education and Local 1067 of Council 93 of the American federation of State, County and Municipal Employees.

Report.

A report of the Dukes County Registry of Deeds (under the provisions Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure from the County Registers Technological Fund (copies having been forwarded as required to the Senate Committees on Ways and Means and Post Audit and Oversight) (received February, July 29, 2010),-- **was placed on file.**

Petition.

By Mr. O'Leary, a petition (accompanied by bill, Senate, No. 2603) of Robert A. O'Leary (by vote of the town) for legislation to establish a sewer construction fund for the town of Barnstable [Local approval received];

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

Reports of Committees.

By Mr. Panagiotakos, for the committee on Ways and Means, that the Senate Bill to eliminate racial and ethnic health disparities in the Commonwealth (Senate, No. 810),-- **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2593);**

Under Senate Rule 26, referred to the committee on Ethics and Rules.

By Mr. McGee, for the committee on Public Service, on the recommitted petition, a Bill relative to creditable service for teachers (Senate, No. 1106);

Read and, under Senate Rule 27, referred to the committee on Ways and Means.

Committees Discharged.

Mr. Berry, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration

Of the Senate Order relative to authorizing the joint committee on Financial Services to make an investigation and study of certain current Senate documents relative to financial services (Senate, No. 2594);

Of the Senate Order relative to authorizing the joint committee on Municipalities and Regional Government to make an investigation and study of certain current Senate documents relative to municipal government (Senate, No. 2598);

Of the Senate Order relative to authorizing the joint committee on State Administration and Regulatory Oversight to make an investigation and study of certain current Senate documents relative to state administration (Senate, No. 2597); and

Of the Senate Order relative to authorizing the joint committee on Transportation to make an investigation and study of certain current Senate documents relative to transportation (Senate, No. 2596);

And recommending that the same severally be referred to the Senate committee on Ethics and Rules.

Under Senate Rule 36, the reports were severally considered forthwith and accepted.

PAPER FROM THE HOUSE.

A Bill authorizing the town of Westborough to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4736,-- 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. Baddour) "honoring Bill Torrence's legacy of service to the Merrimack Valley Branch of the National Association for the Advancement of Colored People on the solemn occasion of his passing"; and

Resolutions (filed by Ms. Spilka) "honoring Chief Probation Officer Mr. Charles Ashe on the occasion of his retirement from the Framingham District Court."

Bill Returned by Governor With His Objections Thereto.

A message from His Excellency the Governor, returning, with his disapproval of Sections 134 through 138, inclusive and 202 contained in the engrossed Bill relative to economic development reorganization (see Senate, No. 2582) which, on Saturday, July 31, 2010, had been laid before the Governor for his approbation, and which, at five minutes past one o'clock A.M., on Thursday, August 5, 2010, had been returned by His Excellency, under Article LXIII of the Amendments to the Constitution, to the Senate Clerk, together with his objections thereto in writing insomuch as relates to Sections 134 through 138, inclusive and 202.

The message (Senate, No. 2602) was read and, under Senate Rule 27, referred to the committee on Ways and Means.

Report of a Committee.

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 establishing a board of certification of community health workers (House, No. 4692, amended) (the committee on Ethics and Rules recommending that the bill be amended in section 2, by striking out clause (o) of the proposed section 108 of chapter 13 of the General Laws (inserted by amendment by the House).

There being no objection, the rules were suspended, on motion of Mr. Ross, and the bill was read a second time and was amended, as recommended by the committee on Ethics and Rules.

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.

Sent to the House for concurrence in the amendment.

Engrossed Bills.

The following engrossed bills (all of which originated in the House), 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. Donnelly) and laid before the Governor for his approbation, to wit:

Designating the city of Salem as the birthplace of the National Guard (see House, No. 1145, amended, changed);

Authorizing the Department of Transportation to erect certain signs regarding the Southwick Zoo (see House, No. 3213);

Relative to postpartum depression (see House, No. 4859, amended);
Relative to the registration and inspection of street rods and custom vehicles (see House, No. 4871, amended);
Abolishing the Board of Public Works in the town of Hopkinton (see House, No. 4882);
Authorizing the granting of licenses for the sale of wine at auctions (see House, No. 4908); and
Protecting our natural resources (see House, No. 4943).

Order Adopted.

On motion of Mr. Ross,

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 same Senator, at fourteen minutes past eleven o'clock A.M., the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.