

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.



Tuesday, February 9, 2016.

Met at twelve minutes past eleven o'clock A.M. (Mr. Rodrigues 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. Rodrigues), 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:

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
OFFICE OF THE PRESIDENT

February 8, 2016

William F. Welch
Clerk of the Senate
24 Beacon Street Room 335
Boston, MA 02133

Dear Mr. Clerk,

Under Senate Rule 5A, because of the snow emergency, I cancel the Senate session scheduled for today at 11:00 a.m., and I reschedule it for tomorrow, Tuesday, February 9, 2016, at 11:00 a.m.

Sincerely,
STANLEY C. ROSENBERG,
President of the Senate

Communication from the Massachusetts Office for Victim Assistance (pursuant to Section 47 of Chapter 260 of the Acts of 2014) to notify that the Special Commission to Study Shelter and Housing Options for Domestic and Sexual Violence Victims will be submitting the recommendation report later than the January 31, 2016 deadline (received February 5, 2016); and

Communication from the Office of Worcester District Attorney Joseph D. Early, Jr. (pursuant to Section 32 of Chapter 12 of the General Laws) submitting its calendar year 2015 Community Based Juvenile Justice Program report (received February 5, 2016).

Reports.

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

Report of the Office of Community Corrections (pursuant to Section 5 of Chapter 211F of the General Laws) submitting its utilization of community corrections centers annual statistical report for fiscal year 2015 (received February 3, 2016); and

Report of the Department of Elementary and Secondary Education (pursuant to Section 89(kk) of Chapter 71 of the General Laws) submitting its annual report on the make-up of the student enrollment of each charter school in the Commonwealth (received February 5, 2016).

Petitions.

Petitions were severally presented and referred as follows:

By Ms. Gobi, a petition (accompanied by bill) (subject to Joint Rule 12) of Anne M. Gobi and Todd M. Smola for legislation to establish a sick leave bank for Colleen Russo, an employee of the Department of Developmental Services;

By Mr. Joyce, a petition (accompanied by bill) (subject to Joint Rule 12) of Brian A. Joyce for legislation relative to the protection of family violence victims in family relations matters; and

By Mr. Lewis, a petition (accompanied by bill) (subject to Joint Rule 12) of Jason M. Lewis and Michael S. Day for legislation relative to the energy facilities siting board;

Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

PAPERS FROM THE HOUSE

A Bill relative to funding public libraries and the Centerville-Osterville-Marston Mills fire district (House, No. 3535,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

A Bill relative to the charter of the town of Harwich (House, No. 3708,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Communication was received from the Clerk of the House of Representatives, informing the Senate that Representative Walsh of Framingham had submitted the following communication:

I was unable to be present in the House Chamber on February 3, 2016 due to a family medical emergency. Had I been present for House Yea and Nay Nos. 196 and 197, I would have voted in the negative, in both instances.

Communication.

The Clerk read the following communication:

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE

February 4, 2016.

Senate Clerk William F. Welch
State House, Room 335
Boston, MA 02133

Dear Senate Clerk,

Due to scheduling conflicts, I was unable to vote on the following items during session on January 28th, 2016. If I were present, I would have voted in the following manner.

I ask that my votes be recorded in the affirmative for:

- Roll Call 229 — H.3599 – Question on passing the bill to be enacted (2/3) Senate
- Roll Call 230 — H.3762 – Question on passing the bill to be enacted (2/3) Senate
- Roll Call 231 — H.3819 – Question on passing the bill to be enacted (2/3) Senate
- Roll Call 233 — S.2092 – Question on Adoption of the Amendment
- Roll Call 234 — S.2092 – Question on passing the bill to be engrossed Senate

I ask that my votes be recorded the negative for:

- Roll Call 232 — S.2092 – Question on Adoption of the Amendment.

If you have any further questions feel free to contact my office.

Sincerely,
LINDA DORCENA FORRY
State Senator.

On motion of Mr. Tarr, the above communication was ordered printed in the Journal of the Senate.

Order Adopted.

Ms. Spilka offered the following order, to wit:

Ordered, That notwithstanding any other orders previously adopted, further amendments offered to the Senate Bill to modernize firm leadership structures (Senate, No. 1168) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft, Senate, No. 2126) and the Senate Bill enhancing the enforcement of illegal hunting practices (Senate, No. 2069) (the committee on Ways and Means having recommended that the bill ought to pass, with an amendment), shall have their deadlines extended to 5:00 P.M., on Tuesday, February 9, 2016.

All other procedures stated in the previous orders remain in effect.

Under the rules, referred to the committee on Rules.

Subsequently, Mr. Montigny, for the said committee, reported, recommending that the order ought to be adopted.

The rules were suspended, on motion of Mr. Tarr, and the order was considered forthwith and adopted.

PAPER FROM THE HOUSE

Engrossed Bill – Amended.

An engrossed Bill authorizing the merger of the Annawon Council, Inc., Boy Scouts of America into the Narragansett Council, Boy Scouts of America (see Senate, No. 2041) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- **was laid before the Senate.**

On motion of Mr. Tarr, Senate Rule 49 was suspended.

Mr. Rodrigues moved that the bill be amended by striking out section 1 and inserting in place thereof the following section:-

“SECTION 1. Notwithstanding section 10A of chapter 180 of the General Laws or any other general or special law to the contrary, the Annawon Council, Inc., Boy Scouts of America, a nonprofit charitable corporation and a public charity as defined in said chapter 180, may merge into the Narragansett Council, Boy Scouts of America, a Rhode Island nonprofit charitable corporation.”.

The amendment was adopted.

Sent to the House for concurrence in the Senate amendment.

Reports of a Committee.

Mr. Montigny, for the committee on Rules, reported that the following matter be placed in the Orders of the Day for immediate consideration at the next session on Thursday, February 11, 2016:

The Senate Bill relative to compliance of condominium associations (Senate, No. 723).

The bill was placed in the Orders of the Day for Thursday, February 11, 2016, for a second reading.

Mr. Montigny, for the committee on Rules, reported that the following matter be placed in the Orders of the Day for immediate consideration at the next session on Thursday, February 11, 2016:

The Senate Bill relative to protecting against the transmission of pertussis (Senate, No. 1993) (the committee on Health Care Financing having recommended that the bill be amended by substituting a new draft with the same title, Senate, No. 2074).

The bill was placed in the Orders of the Day for Thursday, February 11, 2016, for a second reading, with the Health Care Financing new draft pending.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by resolve, House, No. 3992) of Alice Hanlon Peisch relative to reviving and continuing the special commission established (under Chapter 449 of the Acts of 2014) to make an investigation and study of the development and implementation process of a six year career plan to be coordinated by licensed school guidance counselors for all students in grades 6 to 12;

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

Petition (accompanied by bill, House, No. 3993) of Ann-Margaret Ferrante and Paul J. Donato relative to the prosecution of persons seeking assistance or treatment for drug related addictions at police stations;

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

Engrossed Bill.

An engrossed Bill further regulating the regional public safety communications and dispatch center for the city of Revere and the town of Winthrop (see House, No. 3365) (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. Rodrigues) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Tarr,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday next at eleven o'clock A.M., in a full formal session with a calendar.

Moment of Silence.

At the request of the Chair (Mr. Rodrigues), the members, guests and staff stood in a moment of silence and reflection to the memory of Joseph Martin Roche.

Adjourn In Memory of Joseph Martin Roche

The Senator from Bristol and Norfolk, Mr. Timilty, requested that when the Senate adjourns today, it adjourn in memory of in memory of Mr. Joseph Martin Roche.

Mr. Roche passed away at the age of 50 on Tuesday, January 12, 2016 after a courageous battle with amyloidosis, a rare blood disease.

Mr. Roche was a resident of the town of Mansfield. He grew up in Norwood and attended Saint Catherine of Siena School. He was a 1987 graduate of Emerson College in Boston. He served the people of Massachusetts as a news assignment editor at WCVB, Channel 5 where he worked tirelessly to keep the public informed. Mr. Roche coached local sports programs in his hometown of Mansfield. He was also a CCD teacher at Saint Mary's in Mansfield and was a member of that parish.

Mr. Roche was the husband of Joanne (Durbano) Roche and the son of Mary Flaherty Roche and Martin Roche (deceased) of Mansfield. He was the father of Brendan, Conor, Ryan and Chiara Roche, all of Mansfield. He was also survived by his sister Patricia.

Mr. Roche was a compassionate, dedicated and beloved member of the community and will long be remembered for the lasting impression he left on those he met.

Accordingly, as a mark of respect in memory of Joseph Martin Roche, at twenty-one minutes past eleven o'clock A.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.