

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, April 4, 2016.

Met at fourteen 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 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 Department of Public Health submitting plans of corrections for the following facilities; the Middlesex County Jail and House of Corrections, Essex County Correctional Facility, Hampshire County Jail and House of Correction and Western MA Women's Correctional Center (received March 30, 2016); and
Communication from the Sheriff of Hampden County submitting its plan of correction for inspection of the Hampden County Jail and House of Correction (received March 31, 2016).

Reports.

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

Report of the Department of Public Health (under the provisions of Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspections of the following institutions - Suffolk County House of Correction; Suffolk County Jail; Essex County Correctional Alternative Center; Worcester County House of Corrections and Jail and Western MA Correctional Alcohol Center (received March 30, 2016);
Report of the Executive Office of Energy and Environmental Affairs (under the provisions of Chapter 211 of the General Laws) submitting its annual progress report on toxic use reduction in Massachusetts (received March 31, 2016);
Report of the Pension Reserves Investment Management Board (pursuant to Section 3 of Chapter 232 of the Acts of 2010) submitting its annual report on PRIM's divestment from Iran restricted securities (received April 1, 2016);
Report of the Department of Transportation (pursuant to Section 11 of Chapter 161A of the General Laws) submitting its net operating investment per passenger mile ratio for fiscal years 2014 and 2015 (received April 1, 2016);
Report of the Massachusetts State Lottery Commission (under the provisions of Section 38 of Chapter 10 of the General Laws) submitting its 2015 annual report for the Charitable Gaming Division (received April 1, 2016); and
Report of MassDevelopment (under the provisions of Section 95 of Chapter 287 of the Acts of 2014) submitting its Designated Port Area Fund Study (received April 1, 2016).

Report of a Committee.

By Mr. Brownsberger, for the committee on the Judiciary, on Senate, Nos. 64, 725, 726, 729, 733, 734, 736, 737, 738, 739, 740, 742, 743, 744, 745, 748, 749, 750, 751, 752, 753, 754, 755, 756, 758, 759, 760, 762, 763, 764, 765, 766, 767, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 796, 797, 798, 799, 800,

801, 802, 803, 804, 805, 806, 807, 808, 809, 811, 812, 813, 815, 816, 817, 818, 819, 820, 821, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 837, 838, 839, 840, 841, 842, 845, 846, 848, 849, 850, 851, 852, 854, 855, 856, 857, 858, 859, 860, 861, 863, 864, 865, 867, 870, 871, 873, 874, 875, 876, 877, 878, 879, 880, 881, 884, 885, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 898, 902, 903, 904, 905, 907, 908, 909, 910, 911, 912, 913, 915, 916, 917, 918, 919, 920, 921, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 941, 942, 943, 944, 945, 946, 947, 948, 949, 952, 1988 and 2026, an Order relative to authorizing the joint committee on the Judiciary to make an investigation and study of certain current Senate documents relative to judicial matters (Senate, No. 2204) [Senator Ross dissenting insomuch as relates to Senate, Nos. 789, 790, 791, 792, 795, 817, 818, 840, 841, 891, 892, 893, 894, 895, 907, 908, 909, 910, 911, 912, 913, 915, 916, 917, 918, 919, 920, 921, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938; Representative Lyons of Andover dissenting]; **Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.**

PAPERS FROM THE HOUSE.

A Bill amending the charter of the city known as the town of Greenfield (House, No. 4003,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

A report of the committee on Labor and Workforce Development, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 976) of James B. Eldridge, Carmine L. Gentile, Barbara L'Italiani and other members of the General Court for legislation to increase injured workers' access to medical care and workers' compensation benefits,-- **and recommending that the same be referred to the committee on Health Care Financing,— was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Notice was received from the House announcing the following appointment by the Minority Leader of the House of Representatives:

That Mary J. Brittan of 325 Fairview Street in Lee, Massachusetts has been appointed to serve as his designee to the Water Infrastructure Advisory Committee established (under Section 12A of Chapter 359 of the Acts of 2014).

Resolutions.

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

Resolutions (filed by Mr. Brownsberger) "commending the Armenian Genocide Education Committee of Merrimack Valley for its contributions to the commemoration of the Armenian Genocide";

Resolutions (filed by Mr. Brownsberger) "commending Dusty Rhodes and Conventures, Inc. on their contributions to the commemoration of the Armenian Genocide.;" and

Resolutions (filed by Mr. Brownsberger) "commending the Knights of Vartan, Ararat Lodge 1 of the City of Boston for its contributions to the commemoration of the Armenian Genocide."

Communication.

The Clerk read the following communication:

THE COMMONWEALTH OF MASSACHUSETTS MASSACHUSETTS SENATE

March 31 2016

William Welch
Clerk of the Senate
State House
Boston, MA 02133

Dear Mr. Clerk:

On Thursday, February 11, I was unable to attend the formal session. I would like the following vote to be recorded with regard to S. 2069 – An Act regulating the enforcement of illegal hunting practices.

Had I been present for roll call #242 on the passing of the bill to be engrossed, I would have voted in the affirmative.

I respectfully request that a copy of this correspondence be printed in the journal during the next session. Thank you in advance for your assistance in this matter.

Thank you for making this communication part of the record.

Sincerely,
EILEEN DONOGHUE
State Senator
First Middlesex District.

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

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 the next session:

The Senate Bill regarding Huntington's Disease (Senate, No. 1654) (the committee on Rules having recommended that the bill be amended 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 designate the month of May as Huntington's Disease Awareness month, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

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

The bill (Senate, No. 1654, amended) was then ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: An Act regarding Huntington's Disease Awareness Month".

Sent to the House for concurrence.

Mr. Montigny, for the committee on Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The House Bill designating a certain bridge in the city of Boston as The Paul C. McLaughlin Bridge (House, No. 3636, changed) (the committee on Rules having recommended that the bill be amended 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 designate a certain bridge in the city of Boston, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

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

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: An Act designating a certain bridge in the West Roxbury section of the city of Boston as The Paul C. McLaughlin Bridge".

Sent to the House for concurrence in the amendment.

PAPERS FROM THE HOUSE.

A Bill relative to the South Essex Sewerage District (House, No. 4007,-- on petition),-- **was read.**

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.

A petition (accompanied by bill, House, No. 4160) of Paul W. Mark and others for the adoption of resolutions by the General Court relative to debt-free higher education at public colleges and universities,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Higher Education.**

Engrossed Bill.

An engrossed Bill further regulating survivors' pension benefits and qualified domestic relations orders (see House, No. 3971) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, after debate, was passed to be enacted and signed by the President 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.

Adjourn In Memory of former Senator Charles E. Shannon

The Senator from Middlesex, Ms. Jehlen, moved that when the Senate adjourns today, it adjourn in memory of memory of former Senator Charlie Shannon who died eleven years ago after a long battle with cancer.

Shannon represented the Second Middlesex District for over fourteen years.

Shannon first became involved in government when he was appointed to the Winchester Board of Assessors in 1987 and was later elected to the post in 1989. He served as its chairman from 1989-1990.

During this time, he was also a Town Meeting member.

Also, during his 20 years of service with the Lexington Police Department, he had received two commendations for bravery.

During his State House service, he served as the chairman of Ethics and Rules, as well as vice chairman of Bills in Third Reading. He had also served as the vice chairman for Municipalities and Regional Government, as well as State Administration and Regulatory Oversight.

Senator Shannon's commitment to public safety and young people is memorialized in the Shannon Grants which promote youth development and combat violence.

His commitments to the environment and to recreation are memorialized at the Shannon Beach on the Mystic Lakes.

His service and his friendship live on in the memories of colleagues and the people he served.

Accordingly, as a mark of respect in memory of former Senator Charles E. Shannon, at twenty-three 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.