

**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.

*Thursday, September 1, 2016.*

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

#### *Distinguished Guests.*

There being no objection, the Chair (Mr. Boncore) introduced, in the rear of the Chamber, George Anderson from Winthrop. George was enjoying his last days of summer before starting 4th grade next week. He was accompanied by his grandmother, Denise LoConte. The Senate welcomed them with applause and they withdrew from the Chamber.

#### *Reports.*

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

Report from the Department of Unemployment Assistance (pursuant to Section 14F of Chapter 151A of the General Laws) submitting its August 2016 Unemployment Insurance Trust Fund Report (received September 1, 2016);  
Report of the Massachusetts Commission Against Discrimination (pursuant to Section 4(a) of Chapter 134 of the Acts of 2016) submitting its Gender Identity Guidance promulgated by the Commissioners and associated correspondence (received September 1, 2016); and  
Report of the Office of the Attorney General (pursuant to Section 4(a) of Chapter 134 of the Acts of 2016) submitting its Gender Identity Guidance for public accommodations.

#### *Petition.*

Ms. Gobi presented 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 Karen Tavernier, an employee of the Department of Transportation;  
**Referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

#### *Report of a Committee*

**By Mr. McGee, for the committee on Transportation, on petition, a Bill designating a certain bridge in the city of Fall River as the Tom Tetrault Bridge (Senate, No. 2480);  
Read and, under Senate Rule 26, referred to the committee on Rules.**

### PAPERS FROM THE HOUSE

A message from His Excellency the Governor recommending legislation relative to establishing a sick leave bank for Timothy McCarthy, an employee of the Division of Capital Asset Management and Maintenance (House, No. 4597),-- **was referred, in concurrence, to the committee on Public Service.**

A Bill establishing a sick leave bank for Jose Valencia, an employee of the Department of Mental Health (House, No. 4579),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A petition (accompanied by bill, House, No. 4596) of Stephen Kulik (by vote of the town) that the town of Deerfield be authorized to grant certain authority to the Deerfield Economic Development Industrial Corporation for commercial, business and housing development purposes,-- **was referred, in concurrence, to the committee on Economic Development and Emerging Technologies.**

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

That Richard C. Lord had been appointed as his designee to the special commission (under Section 9 of Chapter 115 of the Acts of 2016) to review variation in price among providers.

That Representative Vieira of Falmouth had been appointed as his designee to the working group established (under Section 19 of Chapter 121 of the Acts of 2016) to review and evaluate the application of the public records law as it relates to law enforcement.

That Representative Orrall of Lakeville had been appointed to the special commission established (under Section 5 of Chapter 177 of the Acts of 2016) to investigate, analyze and study the factors, causes and impact of pay disparity based on race, color, religious creed, national origin, gender identity, sexual orientation, genetic information as defined in section 1 of chapter 151B, ancestry, disability, and military status

#### *Report of a Committee*

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Jamie Mascarello, an employee of the Office of the Commissioner of Probation (House, No. 4481, amended),-- **ought to pass. There being no objection, the rules were suspended, on motion of Mr. Fattman, 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 the committee on Bills in the Third Reading as follows: "An Act establishing a sick leave bank for Jamie Mascarello, an employee of the Trial Court".**

#### *Matters Taken Out of the Orders of the Day*

There being no objection, the following matters were taken out of the Orders of the Day and considered as follows:  
The House Bill relative to special police officers in the city of Newton (House, No. 3885),-- **was read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to the disability retirement of Jared Macdonald, a police officer in the town of Bourne (House, No. 4359, amended),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence**

#### *Report of a Committee*

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing Massachusetts Farm-to-School Month and commending farm-to-school programs (House, No. 2782),-- ought to pass, with 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 set apart the month of October as Massachusetts Farm-to-School Month in recognition of the vital role agriculture plays in the culture, heritage and economy of the commonwealth, 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. Fattman, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

**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.**

#### **PAPERS FROM THE HOUSE**

A Bill authorizing the town of Sharon to abate certain real property taxes (House, No. 4339,-- on petition) [Local approval received],-- **was read.**

**There being no objection, the rules were suspended, on motion of Mr. Timilty, and the bill was read a second time and ordered to a third reading.**

A Bill authorizing the town of Fairhaven to issue an additional license for the sale of wine and malt beverages to be drunk on the premises (House, No. 4528,-- on House, No. 4444) [Local approval received],-- **was read.**  
**There being no objection, the rules were suspended, on motion of Mr. Fattman, and the bill was read a second time and ordered to a third reading.**

*Reports of Committees*

By Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Sonia Chang-Diaz and Angelo M. Scaccia for legislation to establish a sick leave bank for Guerda Henry, an employee of the Department of Public Health.  
**The rules were suspended, at the request of Mr. Fattman, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service.**

By Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Richard J. Ross and Elizabeth A. Poirier for legislation to establish a sick leave bank for Aaron Paul, an employee of the Department of Corrections.  
**The rules were suspended, at the request of Mr. Fattman, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service.**  
**Severally sent to the House for concurrence.**

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

Authorizing the town of Southwick to continue the employment of police chief David A. Ricardi (see Senate, No. 2189, amended); and  
Relative to the town administrator in the town of Hingham (see House, No. 4316).

*Emergency Preamble Adopted; Engrossed Bill Enacted.*

An engrossed Bill establishing a sick leave bank for Jamie Mascarello, an employee of the Trial Court (see House, No. 4481, 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 Acting President, (Mr. Boncore) and sent to the House for enactment.**  
**Subsequently, the bill, which originated in the House, came from the House with the endorsement that it had been enacted in that branch.**  
**The Senate then passed the bill to be enacted; and it was signed by the Acting President (Mr. Boncore) and laid before the Governor for his approbation.**

*Order Adopted.*

On motion of Mr. Fattman,--

*Ordered.* That when the Senate adjourns today, it adjourn to meet again on Tuesday 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 twenty minutes before twelve o'clock Noon, the Senate adjourned to meet again on Tuesday next at eleven o'clock, A.M.