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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Thursday, November 10, 2016.

Met at three 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 Guest

There being no objection, the Chair (Mr. Boncore) handed the gavel to Mr. Fattman for the purpose of an introduction. Mr. Fattman then introduced, in the rear of the Chamber, Attorney Nicoletta Montefusco. Attorney Montefusco began her career in 2004. After her service as an Intern Judicial Law Clerk in the State of Utah, she focused her practice on State and Federal criminal defense in both Utah and California. Following the U.S. Supreme Court Decision, *Padilla vs. Kentucky*, she expanded her practice in regard to specifically advocating against the consequences to immigrants resulting from criminal activity. This in turn, inspired her work in human rights, in particular against human trafficking and other abuses such as forced marriages and forced pregnancies. Her earnest dedication to service against these harms brought her to consular practice in Europe in 2010 and to become a licensed Italian attorney in 2015. The Senate applauded her accomplishments and she withdrew from the Chamber. She was also a guest of Senator Tarr.

Communications.

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

Communication from the Honorable Benjamin B. Downing in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Monday, November 7, 2016 at ten minutes past two o'clock P.M.); and

Communication from the Office of the Comptroller (pursuant to Section 2E of Chapter 133 of the Acts of 2016) submitting a Fiscal Year 2017 revised transfer schedule for the following account: 1595-1067 Delivery System Transformation Initiatives Trust Fund (received November 7, 2016).

Report.

Report of the Department of Elementary and Secondary Education (pursuant to Section 1J(a) of Chapter 69 of the General Laws) submitting its proposed technical amendments to 603 CMR 2.00, Accountability and Assistance for School Districts and Schools Regulations (received November 8, 2016),-- **was placed on file.**

Petitions.

Petitions were severally presented and referred as follows:

By Ms. Donoghue, a petition (accompanied by bill) (subject to Joint Rule 12) of Eileen M. Donoghue for legislation to establish a sick leave bank for Richard Hasbrouck, an employee of the Department of Correction;

By Mr. Fattman, a petition (accompanied by bill) (subject to Joint Rule 12) of Ryan C. Fattman for legislation to establish a sick leave bank for Audrey Graham Smith, an employee of the Executive Office of Health and Human Services; and
By Ms. Flanagan, a petition (accompanied by bill) (subject to Joint Rule 12) of Jennifer L. Flanagan for legislation to establish a sick leave bank for Kristine Schneider, an employee of the Department of Transitional Assistance;
Under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Order.

Ms. Lovely presented an Order relative to granting the committee on State Administration and Regulatory Oversight until June 10, 2016, within which time to make its final report on current House document numbered 3889,-- and the same was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4724) of Robert A. DeLeo (by vote of the town) that the town of Winthrop be authorized to exempt the position of deputy police chief from the provisions of the civil service law,-- **was referred, in concurrence, to the committee on Public Service.**

Bills

Relative to snow removal penalties in the city of Boston (House, No. 3326, amended,-- on petition) [Local approval received];
Relative to the safe handling of hazardous drugs (House, No. 3995,-- on House, No. 1960); and
Were severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

A Bill relative to annual observance of Massachusetts Women's Defense Corps Remembrance Day (House, No. 4726,-- on House, No. 4074),- was read and, under Senate Rule 26, referred to the committee on Rules.

Resolutions.

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

Resolutions (filed by Messrs. deMacedo and Wolf) "honoring Edward Merigan on his retirement as Director of the Veterans' Services district office in the town of Barnstable"; and
Resolutions (filed by Mr. deMacedo) "recognizing November 17th as 'World Pancreatic Cancer Day' in the Commonwealth".

PAPERS FROM THE HOUSE.

A Bill authorizing the town of Reading to establish a means-tested senior citizen property tax exemption (House, No. 4703,-- on petition) [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.

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

Petition (accompanied by bill, House, No. 4728) of Paul McMurtry and Michael F. Rush for legislation to establish a sick leave bank for Hua Tan, an employee of the Department of Public Health; and

Petition (accompanied by bill, House, No. 4729) of Tackey Chan and John F. Keenan for legislation to establish a sick leave bank Theresa Casey, an employee of the Massachusetts Rehabilitation Commission;

Severally, under suspension of Joint Rule 12, to the committee on Public Service.

Reports of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill promoting electric vehicle adoption (Senate, No. 2266),-- ought to pass, with an amendment substituting a new draft entitled "An Act promoting zero emission vehicle adoption" (Senate, No. 2505).

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 (Senate, No. 2505) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Mary Katherine Sheehan, an employee of the Trial Court (House, No. 4704),-- 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.

PAPERS FROM THE HOUSE.

Engrossed Bills.

An engrossed Bill validating the results of a certain election in the town of East Longmeadow (see House Bill, printed in House, No. 4382) (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, two-thirds of the members present having voted in the affirmative, and signed by the Acting President (Mr. Boncore) and laid before the Governor for his approbation.

An engrossed Bill further regulating the lease of a certain parcel of land in the town of Plymouth (see House, No. 3966) (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. Boncore) and laid before the Governor for his approbation.

Petition.

A petition (accompanied by bill, House, No. 4730) establishing a sick leave bank for Alicia Harmon, an employee of the Massachusetts Rehabilitation Commission State Wide Head Injury Program (SHIP),-- was referred in concurrence, under suspension of Joint Rule 12, to the committee Public Service.

Order Adopted.

On motion of Mr. Fattman,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday 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 a quarter past eleven o'clock A.M., the Senate adjourned to meet again on Monday next at eleven o'clock A.M.