

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.
IN JOINT SESSION.



WEDNESDAY, JUNE 14, 2017

[55]

**JOURNAL OF THE SENATE
IN JOINT SESSION.**

Wednesday, June 14, 2017.

At four minutes past one o'clock P.M, the two branches met in

Joint Session of the
two branches.

JOINT SESSION

and were called to order by the Honorable Stanley C. Rosenberg, who made the following observations:

The Senator from Essex and Middlesex, Mr. Tarr, then led the President, the Speaker, members, guests and staff in the recitation of the pledge of allegiance to the flag.

Pledges of allegiance.

Moment of Silence.

After remarks, at the request of Mr. Tarr, the members, guests and staff joined in a moment of silent reflection for those who were injured in the senseless shooting in Alexandria, Virginia earlier today.

Moment of silence.

Proposal for an Initiative amendment to the Constitution to provide resources for education and transportation through an additional tax on incomes in excess of one million dollars (see Senate, No. 10 of 2017) [see **House, No. 3933, of 2016**],-- was read, the question being on again agreeing to the amendment.

The Proposal was as follows:--

ARTICLE OF AMENDMENT

Amendment Article XLIV of the Massachusetts Constitution is hereby amended by adding the following paragraph at the end thereof:

Millionaire's tax.

To provide the resources for quality public education and affordable public colleges and universities, and for the repair and maintenance of roads, bridges and public transportation, all revenues received in accordance with this paragraph shall be expended, subject to appropriation, only for these purposes. In addition to the taxes on income otherwise authorized under this Article, there shall be an additional tax of 4 percent on that portion of annual taxable income in excess of \$1,000,000 (one million dollars) reported on any return related to those taxes. To ensure that this additional tax continues to apply only to the commonwealth's highest income residents, this \$1,000,000 (one million dollar) income level shall be adjusted annually to reflect any increases in the cost of living by the same method used for federal income tax brackets. This paragraph shall apply to all tax years beginning on or after January 1, 2019.

After debate, on the question on again agreeing to the amendment, the sense of the Joint Session was taken by a call of the yeas and nays, as required by the Constitution, at seventeen minutes before three o'clock P.M., as follows to wit (yeas 134 — nays 55) [**Senate Yeas and Nays No. 47**] [**House Yeas and Nays No. 67**]:

UNCORRECTED PROOF.

YEAS.

Senators.

Barrett, Michael J.	Lesser, Eric P.
Boncore, Joseph A.	Lewis, Jason M.
Brady, Michael D.	Lovely, Joan B.
Brownberger, William N.	McGee, Thomas M.
Chandler, Harriette L.	Montigny, Mark C.
Chang-Diaz, Sonia	Moore, Michael O.
Creem, Cynthia Stone	O'Connor, Patrick M.
Cyr, Julian	Pacheco, Marc R.
DiDomenico, Sal N.	Rodrigues, Michael J.
Donoghue, Eileen M.	Rosenberg, Stanley C.
Eldridge, James B.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Hinds, Adam G.	Timilty, Walter F.
Jehlen, Patricia D.	Welch, James T. – 29.
Keenan, John F.	

YEAS.

Representatives.

Atkins, Cory	Kocot, Peter V.
Ayers, Bruce J.	Koczera, Robert M.
Balsler, Ruth B.	Kulik, Stephen
Barber, Christine P.	Lawn, John J., Jr.
Benson, Jennifer E.	Lewis, Jack Patrick
Brodeur, Paul	Linsky, David Paul
Cabral, Antonio F. D.	Livingstone, Jay D.
Cahill, Daniel	Madaro, Adrian C.
Calter, Thomas J.	Mahoney, John J.
Campbell, Linda Dean	Malia, Elizabeth A.
Cantwell, James M.	Mark, Paul W.
Carvalho, Evandro C.	Matias, Juana B.
Cassidy, Gerard	McGonagle, Joseph W., Jr.
Chan, Tackey	McMurtry, Paul
Collins, Nick	Meschino, Joan
Connolly, Mike	Miceli, James R.
Coppinger, Edward F.	Michlewitz, Aaron
Crighton, Brendan P.	Mom, Rady
Cronin, Claire D.	Moran, Frank A.
Cullinane, Daniel	Moran, Michael J.
Cutler, Josh S.	Murphy, James M.
Day, Michael S.	Murray, Brian P.
Decker, Marjorie C.	Naughton, Harold P., Jr
DeLeo, Robert A.	O'Day, James J.
Dempsey, Brian S.	Parisella, Jerald A.
DiZoglio, Diana	Peake, Sarah K.
Donahue, Daniel M.	Peisch, Alice Hanlon
Donato, Paul J.	Pignatelli, Smitty
Driscoll, William J.	Provost, Denise
DuBois, Michelle M.	Rogers, David M.
Dykema, Carolyn C.	Rogers, John H.
Ehrlich, Lori A.	Roy, Jeffrey N.

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Fernandes, Dylan
Fiola, Carole A.
Garballey, Sean
Garlick, Denise C.
Gentile, Carmine L.
Goldstein-Rose, Solomon
González, Carlos
Gordon, Kenneth I.
Haddad, Patricia A.
Hay, Stephan
Hecht, Jonathan
Heroux, Paul R.
Higgins, Natalie
Hogan, Kate
Holmes, Russell E.
Honan, Kevin G.
Hunt, Daniel J.
Kafka, Louis L.
Kaufman, Jay R.
Keefe, Mary S.
Khan, Kay

Rushing, Byron
Ryan, Daniel J.
Sánchez, Jeffrey
Scaccia, Angelo M.
Schmid, Paul A., III
Scibak, John W.
Silvia, Alan
Smizik, Frank I.
Speliotis, Theodore C.
Stanley, Thomas M.
Straus, William M.
Tucker, Paul F.
Tyler, Chynah
Ultrino, Steven
Vega, Aaron
Vincent, RoseLee
Wagner, Joseph F.
Walsh, Chris
Walsh, Thomas P.
Williams, Bud L. – 105.

NAYS.

Senators.

deMacedo, Viriato M.
Fattman, Ryan C.
Flanagan, Jennifer L.
Gobi, Anne M.

Humason, Donald F., Jr.
Ross, Richard J.
Tarr, Bruce E. – 7.

NAYS.

Representatives.

Barrows, F. Jay
Berthiaume, Donald R., Jr.
Boldyga, Nicholas A.
Campanale, Kate D.
Crocker, William J., Jr.
D'Emilia, Angelo L.
DeCoste, David F.
Diehl, Geoff
Dooley, Shawn
Durant, Peter J.
Dwyer, James J.
Ferguson, Kimberly N.
Ferrante, Ann-Margaret
Finn, Michael J.
Frost, Paul K.
Galvin, William C.
Garry, Colleen M.
Gifford, Susan Williams
Golden, Thomas A., Jr.
Gregoire, Danielle W.
Harrington, Shelia C.

Jones Bradley H., Jr.
Hannah, Kane
Kelcourse, James M.
Kuros, Kevin J.
Lyons, James J., Jr.
Mariano, Ronald
Markey, Christopher M.
McKenna, Joseph D.
Mirra, Leonard
Muradian, David K., Jr.
Muratore, Mathew
Nangle, David M.
O'Connell, Shaunna L.
Orrall, Keiko M.
Petroliati, Thomas M.
Poirier, Elizabeth A.
Puppolo, Angelo J., Jr.
Smola, Todd M.
Velis, John C.
Vieira, David T.
Whelan, Timothy R.

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Hill, Bradford
Howitt, Steven S.
Hunt, Randy

Whipps, Susannah M.
Wong, Donald H.
Zlotnik, Jonathan D. – 48.

ABSENT OR NOT VOTING.

Senators.

L'Italien, Barbara A.

O'Connor Ives, Kathleen – 2.

ABSENT OR NOT VOTING.

Representatives.

Arciero, James
Ashe, Brian M.
Cariddi, Gailanne M.
Cusack, Mark J.

Farley-Bouvier, Tricia
Lombardo, Marc T.
Tosado, José F. – 7.

The yeas and nays having been completed at eight minutes before three o'clock P.M., the Initiative amendment was again agreed to, more than a quarter of all members elected having voted in the affirmative.

In accordance with the requirements of the Constitution, the Initiative amendment was transmitted to the Secretary of the Commonwealth.

Subsequently a statement of Ms. O'Connor Ives was spread upon the records of the Joint Session, as follows:

Statement of
Senator Kathleen
O'Connor Ives.

MR. PRESIDENT: I would like to call to the attention of the Joint Session the fact that on the previous roll call I was absent from the Chamber. Had I been present, I would have voted in the affirmative on the following roll call:- Senate Bill, No. 10, Roll Call 47.

Subsequently a statement of Ms. L'Italien was spread upon the records of the Joint Session, as follows:

Statement of
Senator Barbara A.
L'Italien.

MR. PRESIDENT: I would like to call to the attention of the Joint Session the fact that on the previous roll call I was absent from the Chamber due to a legislative conference. Had I been present, I would have voted in the affirmative on the S.10.

Subsequently, a statement of Mrs. Haddad of Somerset concerning Mr. Ashe of Longmeadow was spread upon the records of the Joint Session, as follows:

MR. PRESIDENT: I would like to call to the attention of the Joint Session the fact that one of our colleagues, Representative Ashe of Longmeadow, is unable to be present in the Chamber for today's Constitutional Convention due to a medical concern. If he could be present today for the vote on the question on again agreeing to the amendment on the Proposal for an Initiative Amendment to the Constitution to provide resources for education and transportation through an additional tax on incomes in excess of one million dollars (see Senate, No. 10), he would vote in the negative. His missing of roll calls today is due entirely to the reason stated.

Statement concerning
Mr. Ashe of
Longmeadow.

Subsequently, a statement of Mr. Rushing of Boston concerning Mr. Arciero of Westford was spread upon the records of the Joint Session, as follows:

MR. PRESIDENT: I would like to call to the attention of the Joint Session the fact that one of our colleagues, Representative Arciero of Westford, is unable to be present in the Chamber for today's Constitutional Convention due to the serious illness of his mother. His missing of roll calls today is due entirely to the reason stated.

Statement concerning
Mr. Arciero of
Westford.

UNCORRECTED PROOF.

Without further action on the matters duly and constitutionally assigned for consideration, on motion of Ms. Chandler, at seven minutes before three o'clock P.M., the joint session was recessed until one o'clock P.M., on Wednesday, November 8, 2017; and the Senate withdrew from the House Chamber under the escort of the Sergeant-at-Arms.