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 14, 2014.

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

Petition.

Mr. Tarr presented a petition (subject to Joint Rule 12) of Bruce E. Tarr for legislation relative to pesticide applications,-- **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Reports of Committees.

By Ms. Donoghue, for the committee on Community Development and Small Business, on Senate No. 67 and House No. 170, a Bill relative to smart growth housing trust fund (Senate, No. 2090);
By Ms. Chang-Diaz, for the committee on Education, on Senate No. 226 and House Nos. 393 and 518, a Bill relative to the composition of the Board of Elementary and Secondary Education (Senate, No. 2091);
By Mr. Pacheco, for the committee on Environment, Natural Resources and Agriculture, on petition (accompanied by bill, Senate, No. 342), a Bill relative to water conservation (Senate, No. 2092);
By Mr. Brownsberger, for the committee on Public Service, on petition, a Bill to establish a sick leave bank for Alexis Baez, an employee of the Worcester Recovery Center and Hospital (Senate, No. 2088);
By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1217), a Bill relative to dual service (Senate, No. 2093); and
By Mr. Donnelly, for the committee on State Administration and Regulatory Oversight, on Senate No. 1514 and House Nos. 2804 and 3752, a Bill to promote American manufacturing (Senate, No. 2094);
Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

Committees Discharged.

Mr. Rosenberg, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration of the Senate Bill to establish a commission on the status of children and youth (Senate, No. 2080),-- **and recommending that the same be referred to the committee on Ethics and Rules.**
Under Senate Rule 36, the report was considered forthwith and accepted.

PAPERS FROM THE HOUSE

A Bill establishing a sick leave bank for Christine Green, an employee of the Worcester Recovery Center and Hospital (House, No. 3957,-- on petition),-- was read and, under Senate Rule 27, referred to the committee on Ways and Means.

Bills
Relative to Quincy College (House, No. 3814, amended,-- on petition) [Local approval received]; and
Relative to the Harbormaster in the city of New Bedford (House, No. 3896,-- on petition) [Local approval received];
Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Resolutions.

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

Resolutions (filed by Ms. Jehlen) "on the observance of National Healthcare Decisions Day"; and
Resolutions (filed by Messrs. Michael O. Moore and Richard T. Moore) "commending Harold D. Gould, Jr. on 40 years of dedicated service to the town of Northbridge."

Report of a Committee.

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

The Senate Bill relative to subdivision bonds (Senate, No. 958).
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, read a third time and passed to be engrossed.
Sent to the House for concurrence.

PAPERS FROM THE HOUSE

The Senate Bill to create an annual Service and Volunteerism Day (Senate, No. 2071),-- **came from the House passed to be engrossed, in concurrence with an amendment in line 6 by striking out the word "commonwealth".**
The rules were suspended, on motion of Mr. Tarr, and the House amendment was considered forthwith and adopted, in concurrence.

A petition (accompanied by bill, House, No. 4044) of Mark J. Cusack relative to immunizations against the influenza virus to all inpatients 65 years of age and older,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Health.**

The House Bill relative to bullying in schools (House, No. 3909, amended),-- came from the House with the endorsement that the House had concurred in the Senate amendments with a further amendment striking out the following subsection (inserted by amendment by the Senate):
"(n) The department may investigate certain alleged incidents of bullying. If, upon completion of investigation by the department, a school district, charter school, approved private day or residential school or collaborative school is found to not have properly implemented its prevention plan as outlined in subsection (d), the department may require the school district, charter school, approved private day or residential school or collaborative school to properly implement the plan or take other actions to address the findings of the investigation.".
The rules were suspended, on motion of Mr. Tarr, and the further House amendment was adopted, in concurrence.

Emergency Preambles Adopted.

An engrossed Bill relative to unemployment insurance rates (see House, No. 4036), 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, after remarks, 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 (Ms. Flanagan) and sent to the House for enactment.

An engrossed Bill relative to a Massachusetts Boston Strong license plate (see House, No. 3664, 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 (Ms. Flanagan) and sent to the House for enactment.

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 (Ms. Flanagan) and laid before the Governor for his approbation, to wit:

Designating a certain bridge in the town of Andover as the Andover Veterans of the Iraq and Afghanistan Wars Memorial Bridge (see Senate, No. 1967);
Relative to a Massachusetts Boston Strong license plate (see House, No. 3664, amended);
Authorizing the establishment of the Mashpee Water and Sewer District (see House, No. 3767, amended);
Authorizing the granting of easements at Northern Essex Community College in the city of Haverhill (see House, No. 3905, amended);
Reviving and continuing the task force on the prevention of unlawful and unnecessary foreclosures (see House, No. 3969); and
Relative to unemployment insurance rates (see House, No. 4036).

Order Adopted.

On motion of Mr. Tarr,--

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

Adjournment in Memory of Richard Finn Burke.

The Senator from Plymouth and Norfolk, Mr. Hedlund, requested that when the Senate adjourns today, it adjourn in memory of Richard Finn Burke.

Mr. Burke, 88 years old and born in Brooklyn, New York, died peacefully at his home in Hingham on Tuesday, April 1. He was a devoted and loving husband of Claire (Norton) Burke for 59 years.

Mr. Burke attended Boston College High School, Kings Point and graduated from Boston College in 1950. He continued his education at Bentley University and Babson Graduate School.

He served valiantly in the US Army during WWII and the Korean Conflict.

Mr. Burke was a gentleman in every sense of the word who always made everyone smile. He was a financial controller for 28 years, an investment advisor and entrepreneur. He enjoyed summers on Cape Cod with his family, sailing, golfing, and reading. He was an avid runner and proud to have achieved first place in his 80+ age bracket in the July 4th Hingham road race.

Mr. Burke was the loving and proud father of Richard, Kathy, Charles, John, Jay and Mary Claire, as well as the adoring grandfather to twelve loving grandchildren.

Accordingly, as a mark of respect to the memory of Richard Flynn Burke, at twenty-eight minutes past eleven o'clock A.M., on motion of Mr. Tarr, the Senate adjourned to meet again tomorrow at eleven o'clock A.M.