

**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, May 1, 2014.

Met at two minutes past one o'clock P.M. (Mr. Richard T. Moore in the Chair).

#### *Distinguished Guests.*

There being no objection, the President handed the gavel to Mr. Kennedy for the purpose of an introduction. Mr. Kennedy then introduced, in the rear of the Chamber, the Trinity Catholic Academy Boys Basketball Team. The team was recognized for having won the New England Regional Championship. They were led by Coach Jim Auger and Assistant Coach Domenic Falcetta. The Senate applauded their accomplishments and they withdrew from the Chamber.

There being no objection, the President handed the gavel to Mr. Rosenberg for the purpose of an introduction. Mr. Rosenberg then introduced, in the rear of the Chamber, George Kuo-Liang Hsieh, the youngest member to be elected to Taiwan's Legislative Yuan in 2004 and as Kuomintang Party Whip in 2011. He is currently serving his third term in office. His accomplishments include the passage of the Consumer Debt Clearance Act and key legislation in the areas of drunk driving regulation and judicial reform. Mr. Hsieh is visiting the United States through the Eisenhower Fellowship Program where he will discuss how to build inclusive, responsive and effective law-making institutions with elected officials and representatives of legislative bodies; explore international leadership exchange programs; study U.S.-Taiwan-China relations and visit waterfront development projects. The Senate welcomed him with applause, he signed the guest book and withdrew from the Chamber.

There being no objection, the President handed the gavel to Mr. Donnelly for the purpose of an introduction. Mr. Donnelly then introduced, in the rear of the Chamber, members of the Executive Committee of the American Society of Safety Engineers, the Greater Boston Chapter. Among the group were Thomas A. Rich, Vice President of Member Services, A.S.S.E. Greater Boston Chapter and Scott Herzog, Past President for New England American Industrial Hygiene Association and Boston Chapter Director for Indoor Air Quality Association. They were visiting the State House to recognize next week as North American Safety and Occupational Health Week and May 7th as Occupational Safety and Health Professionals Day. Their goal is to focus employers, employees, partners and the public on the importance of preventing injury and illness in the workplace, at home and in the community. The Senate welcomed them with applause and they withdrew from the Chamber.

#### *Petition.*

Mr. Joyce presented a petition (subject to Joint Rule 12) of Brian A. Joyce for legislation relative to the Registry of Motor Vehicles in the Commonwealth,--and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

#### *Reports of Committees.*

By Mr. Pacheco, for the committee on Environment, Natural Resources and Agriculture on Senate, Nos. 346, 350, 352, 356, 358, 362, 363, 364, 365, 366, 368, 369, 370, 371, 374, 376, 377, 378, 383, 384, 385, 391, 392, 393, 394, 395, 396, 397, 400, 403, 404, 405, 406, 408, 410, 945, 972, 1958 and 1978, an Order relative to authorizing the joint committee on Environment, Natural

Resources and Agriculture to make an investigation and study of certain current Senate documents relative to environment, natural resources and agriculture issues (Senate, No. 2116); and

By Mr. Timilty, for the committee on Public Safety and Homeland Security, on Senate, Nos. 1111, 1112, 1113, 1124, 1133, 1137, 1138, 1139, 1141, 1142, 1144, 1149, 1166, 1167, 1168, 1169, 1173, 1175, 1177 and 1201, an Order relative to authorizing the joint committee on Public Safety and Homeland Security to make an investigation and study of certain current Senate documents relative to public safety and homeland security issues (Senate, No. 2117);

**Severally, under Joint Rule 29, referred to the committees on Rules of the two branches, acting concurrently.**

*Committee 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 Order relative to authorizing the joint committee on Public Health to make an investigation and study of certain current Senate documents relative to public health issues (Senate, No. 2114); and

Of the Senate Order relative to authorizing the joint committee on Public Service to make an investigation and study of certain current Senate documents relative to public service issues (Senate, No. 2113);

And recommending that the same severally be referred to the committee on Ethics and Rules.

**Under Senate Rule 36, the reports were severally considered forthwith and accepted.**

Mr. Welch, for the committee on Health Care Financing, reported, asking to be discharged from further consideration

Of the Senate Bill to update the drug Class A schedule (Senate, No. 914);

Of the Senate Bill to define methylenedioxy methamphetamine (Senate, No. 915);

Of the Senate Bill relative to the drug Salvinorin (Senate, No. 916);

Of the Senate Bill to update the definition of cocaine (Senate, No. 1934);

**And recommending that the same be referred to the committee on the Judiciary;**

**Under Senate Rule 36, the report was considered forthwith and accepted.**

**Severally sent to the House for concurrence in the discharge of the joint committee.**

**PAPERS FROM THE HOUSE.**

A Bill providing incentives for productive workers compensation audits (House, No. 1771,-- on petition),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill designating a certain underpass in the town of Mansfield as the Patrolman Walter P. Langley Memorial Underpass (House, No. 3922, amended,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

There being no objection, at three minutes past one o'clock P.M., the Chair (Mr. Richard T. Moore) declared a recess subject to the call of the Chair; and, at a quarter before two o'clock P.M., the Senate reassembled, the President in the Chair.

The President, members, guests and staff then recited the pledge of allegiance to the flag.

*Communication.*

The Clerk read the following communication:

COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE

*May 1, 2014*

Senate President Therese Murray  
State House, Suite 332  
Boston, MA 02133

Dear President Murray:

I am writing to inform you that Senator Mike Rush is currently on naval training for the period of April 27th to May 11th, 2014. Therefore, he will not be present for the formal sessions that have been scheduled for May 1st, 2014 and May 8th, 2014.

*Sincerely,*  
John T. Regan

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

*Report of a Committee.*

By Mr. Brewer, for the committee on Ways and Means, on House, No. 4026, reported, in part, a "Bill restoring the minimum wage and providing unemployment insurance reforms" (Senate, No. 2123)

**The bill was read. There being no objection, the rules were suspended, on motion of Mr. Brewer, and the bill was read a second time.**

Pending the question on ordering the bill to a third reading, Messrs. Tarr, Hedlund, Ross and Humason moved that bill be amended by inserting the text of Senate document numbered 2125, relative to minimum wage and unemployment reform. Pending the question on adoption of the amendment, Mr. Humason moved that the amendment (Tarr et al) be amended by inserting at the end thereof the following new section:-

"SECTION XX. Section 1 of chapter 151 of the General Laws, as so appearing, is hereby further amended by adding the following:—

Notwithstanding the provisions of this section, wages paid to workers under the age of 18 for their initial 400 hours worked or their initial 90 calendars days of employment, whichever first occurs, shall not be considered oppressive or unreasonable if said wage per hour is lower than the wage in effect under this section by not more than 20 percent, unless the commissioner has expressly approved or shall expressly approve the establishment and payment of a lesser wage under the provisions of sections seven and nine. Provided further, however, that any wage lower than \$8.00 per hour shall conclusively be presumed to be oppressive and unreasonable, unless the commissioner has expressly approved or shall expressly approve the establishment and payment of a lesser wage under the provisions of sections seven and nine."

After remarks, the amendment was *rejected*.

After debate, the question on adoption of the pending amendment (Tarr, et al) was determined by a call of the yeas and nays, at seven minutes before three o'clock P.M., on motion of Mr. Tarr, as follows, to wit (*yeas 5 — nays 33*) [**Yeas and Nays No. 290**]:

**YEAS.**

Hedlund, Robert L.	Ross, Richard J.
Humason, Donald F., Jr.	Tarr, Bruce E. — 5.
Rodrigues, Michael J.	

**NAYS.**

Barrett, Michael J.	Keenan, John F.
Brewer, Stephen M.	Kennedy, Thomas P.
Brownsberger, William N.	Lewis, Jason
Candaras, Gale D.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
Chang-Diaz, Sonia	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.

DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, Anthony
Eldridge, James B.	Rosenberg, Stanley C.
Finegold, Barry R.	Spilka, Karen E.
Flanagan, Jennifer L.	Timilty, James E.
Forry, Linda Dorcena	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 33.
Joyce, Brian A.	

**ABSENT OR NOT VOTING.**

Rush, Michael F. – 1.

The yeas and nays having been completed at three minutes before three o'clock P.M., the amendment was *rejected*.

Mr. Tarr moved that the bill be amended by inserting, after section \_\_, the following new section:-

“SECTION \_\_. Section 6(h) of chapter 62 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking, in lines 239 and 243, the figure “15” and inserting in place thereof the following figure:- “30”.

Pending the question on adoption of the amendment, the President made a ruling on the amendment, as follows:

The Massachusetts Constitution says: “All money bills shall originate in the house of representatives....”

The parliamentary precedents of the Senate require the President to observe with meticulous care the constitutional prerogatives of the House of Representatives.

Without waiting for a point of order to be raised, she must see that the Senate does not originate a “money bill” in violation of the Constitution. A pending Senate amendment that would convert into a “money bill” a bill that was not a “money bill” it is out of order.

The pending amendment before the Senate, if adopted, would thus convert the bill into a “money bill”. Therefore, the amendment is not in order, and was laid aside.

Mr. Tarr moved that the bill be amended by inserting after section \_\_, the following new section:-

“SECTION \_\_. Chapter 29 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following section:-

‘Section 2JJJJ. There is hereby established and set up on the books of the commonwealth a separate fund to be known as the Living Wage Empowerment Fund, hereinafter called the fund. The fund shall be administered by the commissioner of revenue. Amounts credited to the fund shall be expended, without further appropriation, to taxpayers who receive a tax credit under section 6(h) of chapter 62 and have 1 or more qualifying dependent children.

The commissioner shall provide taxpayers with 1 or more qualifying dependent children 20 per cent of the amount said person qualified for, claimed, and received under section 6(h) of chapter 62.

The department of revenue shall be the administrator of the fund and shall maintain the fund as a separate fund and shall cause it to be audited by an independent accountant on an annual basis in accordance with generally-accepted accounting principles.

There shall be credited to the fund any revenue from appropriations or other monies authorized by the general court and specifically designated to be credited to the fund, and any gifts, grants, private contributions, investment income earned on the fund's assets and all other sources, including federal funds for the temporary assistance to needy families program. Money remaining in the fund at the end of a fiscal year shall not revert to the General Fund.

The fund shall supplement and not replace existing credits received under section 6(h) of chapter 62.”  
The amendment was *rejected*.

Mr. Tarr moved that the bill be amended by inserting after section \_\_, the following new section:-

“SECTION \_\_. Section 1 of chapter 151 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting at the end thereof the following sentence:-

‘Notwithstanding the provisions of this section, no wage more than \$1.00 per hour more than the effective federal minimum rate shall be presumed to be oppressive or unreasonable if the employer provides the wage collector “minimum credible coverage” under section 1 of chapter 111M.’”

The amendment was *rejected*.

Mr. Tarr moved that the bill be amended in section 2, by striking the figure “9.00” and inserting in place thereof the following figure:- “8.75”;

In section 3, by striking the figure “10.00” and inserting in place thereof the following figure:- “9.50”;

By striking section 4 in its entirety;

By inserting the following new sections at the end thereof:-

“SECTION \_ The minimum wage shall be reviewed every two years beginning July 1, 2016, by the secretary of administration and finance, in consultation with the secretary of housing and economic development, and the secretary of labor and workforce development, to recommend to the governor and the general court any changes to the minimum wage, effective January 1st. Such recommendations shall consider but not be limited to the following factors: the rate of inflation, the minimum wage in other states, the commonwealth’s competitiveness, the status of the commonwealth’s labor market, the commonwealth’s teen unemployment, the effectiveness of increasing the minimum wage in helping the target population and there shall be at least 3 public hearings held in various geographic regions in the commonwealth.

SECTION \_ . The secretary of labor and workforce development, in consultation with the secretary of administration and finance and the secretary of housing and economic development, shall study the impact of the minimum wage rate and minimum wage rate increases as they relate to New England City and Town Area’s (NECTAs) and Labor Market Areas (LMAs) in Massachusetts. The study shall analyze the cost of living in said NECTAs and LMAs and the effective minimum wage rate adjusted for the cost of living in said NECTAs and LMAs, detailing the impact of minimum wage rates on employment, the ability of employers to hire additional employees, and the effectiveness of the minimum wage rate at reducing poverty and helping financial independence. The report, together with any legislative recommendations, shall be filed electronically with the clerks of the house of representatives and the senate and the joint committee on labor and workforce development not later than May 15, 2015.

SECTION \_ . There is hereby established a living wage commission to address poverty reduction and ensuring all workers are provided with a wage allowing them to live a healthy and financially independent lifestyle. The commission shall consist of the following members or their appointees: the secretary of labor and workforce development, the secretary of administration and finance, the secretary of housing and economic development, the senate president, the speaker of the house of representatives, the senate minority leader and the minority leader of the house of representatives. The commission shall issue a report on an appropriate wage rate to ensure that employees can afford the cost of living in their geographic area and a healthy and financially independent lifestyle. Said report shall be submitted to the clerks of the house of representatives and the senate and filed not later than June 15, 2015.

SECTION \_ . Notwithstanding any general or special law to the contrary, following any increase in the minimum wage the secretary of labor and workforce development shall report on the impact of said increase on employment in the commonwealth, impacts on businesses, particularly small businesses in the commonwealth, and success of increasing the minimum wage in helping the target population. Said report shall be submitted to the clerks of the house and senate, and the joint committee on labor and workforce development within one year of an increase in the minimum wage.”;

By striking section 43 in its entirety and inserting in place thereof the following Section:-

“SECTION 43. Sections 6 and 7 shall take effect on July 1, 2014.”;

In section 44, by striking the words “July 1, 2015” and inserting in place thereof the words “January 1, 2016”;

By striking section 45 in its entirety and inserting in place thereof the following section:-

“SECTION 45. Section 5 shall take effect on July 1, 2016.”; and

By inserting at the end thereof the following new section:-

“SECTION \_\_. Section 2 shall take effect on January 1, 2015.”

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at ten minutes past three o’clock P.M., on motion of Mr. Tarr, as follows, to wit (*yeas 7 — nays 31*) [**Yeas and Nays No. 291**]:

**YEAS.**

Hedlund, Robert L.

Rodrigues, Michael J.

Humason, Donald F., Jr.            Ross, Richard J.  
Moore, Michael O.                Tarr, Bruce E. – 7.  
Moore, Richard T.

**NAYS.**

Barrett, Michael J.                Joyce, Brian A.  
Brewer, Stephen M.                Keenan, John F.  
Brownsberger, William N.        Kennedy, Thomas P.  
Candaras, Gale D.                Lewis, Jason  
Chandler, Harriette L.            Lovely, Joan B.  
Chang-Diaz, Sonia                McGee, Thomas M.  
Creem, Cynthia Stone            Montigny, Mark C.  
DiDomenico, Sal N.                O'Connor Ives, Kathleen  
Donnelly, Kenneth J.                Pacheco, Marc R.  
Donoghue, Eileen M.              Petruccelli, Anthony  
Downing, Benjamin B.            Rosenberg, Stanley C.  
Eldridge, James B.                Spilka, Karen E.  
Finegold, Barry R.                Timilty, James E.  
Flanagan, Jennifer L.            Welch, James T.  
Forry, Linda Dorcena              Wolf, Daniel A. – 31.  
Jehlen, Patricia D.

**ABSENT OR NOT VOTING.**

Rush, Michael F. – 1.

The yeas and nays having been completed at fourteen minutes past three o'clock P.M., the amendment was *rejected*.

Mr. Tarr moved that the bill be amended by striking section 5 in its entirety.  
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at a quarter past three o'clock P.M., on motion of Mr. Tarr, as follows, to wit (*yeas 11 — nays 27*) **[Yeas and Nays No. 292]**:

**YEAS.**

Donoghue, Eileen M.	O'Connor Ives, Kathleen
Hedlund, Robert L.	Rodrigues, Michael J.
Humason, Donald F., Jr.	Ross, Richard J.
Lovely, Joan B.	Tarr, Bruce E.
Moore, Michael O.	Timilty, James E. — <b>11.</b>
Moore, Richard T.	

**NAYS.**

Barrett, Michael J.	Jehlen, Patricia D.
Brewer, Stephen M.	Joyce, Brian A.
Brownsberger, William N.	Keenan, John F.
Candaras, Gale D.	Kennedy, Thomas P.
Chandler, Harriette L.	Lewis, Jason
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	Pacheco, Marc R.
Donnelly, Kenneth J.	Petrucelli, Anthony
Downing, Benjamin B.	Rosenberg, Stanley C.
Eldridge, James B.	Spilka, Karen E.
Finegold, Barry R.	Welch, James T.
Flanagan, Jennifer L.	Wolf, Daniel A. — <b>27.</b>

Forry, Linda Dorcena

**ABSENT OR NOT VOTING.**

Rush, Michael F. – 1.

The yeas and nays having been completed at eighteen minutes past three o'clock P.M., the amendment was *rejected*.

Mr. Tarr moved that the bill be amended by striking section 7 in its entirety and inserting in place thereof the following sections:-  
“SECTION 7. Section 7 of said chapter 151, as so appearing, is hereby further amended by striking out, in lines 30 and 31, inclusive, the words ‘the cash wage required to be paid such an employee on July 1, 1999’ and inserting in place thereof the following:- ‘\$2.89; provided, however, that if an employer certifies with the department that its tipped employees receive at least twice the wage in effect under section 1, then the amount paid to such employee by the employer shall be an amount equal to: (1) the cash wage paid such employee which for purposes of such determination shall be not less than the cash wage required to be paid such an employee on July 1, 1999; and (2) an additional amount on account of the tips received by such employee which amount is equal to the difference between the wage specified in clause (1) and twice the wage in effect under section 1’.

“SECTION 7A. Said Section 7 of said chapter 151, as so appearing, is hereby amended by striking out the figure ‘\$2.89’, inserted by section 6, and inserting in place thereof the following figure:- ‘\$3.15’.”;

By striking section 43 in its entirety and inserting in place thereof the following Section:-

“SECTION 43. Sections 2 and 6 shall take effect on July 1, 2014.”; and

By inserting at the end thereof the following new sections:-

“SECTION \_\_. Section 7 shall take effect on January 1, 2015.

SECTION \_\_. Section 7A shall take effect on January 1, 2016.”

The amendment was *rejected*.

Mr. Tarr moved that the bill be amended by inserting at the end of section 7 the following:- “provided, however, that if an employer certifies with the department that its tipped employees receive at least twice the wage in effect under section 1, then the amount paid to such employee by the employer shall be an amount equal to: (1) the cash wage paid such employee which for purposes of such determination shall be not less than the cash wage required to be paid such an employee on July 1, 1999; and (2) an additional amount on account of the tips received by such employee which amount is equal to the difference between the wage specified in clause (1) and twice the wage in effect under section 1.”

After remarks, the amendment was *rejected*.

Mr. Tarr moved that the bill be amended in section 43 by striking the figure “2014” and inserting in place thereof the following:- “2015”; in section 44, by striking the figure “2015” and inserting in place thereof the following:- “2016”; and in section 45, by striking the figure “2016” and inserting in place thereof the following:- “2017”.

The amendment was *rejected*.

**The bill (Senate, No. 2123) was then ordered to a third reading and read a third time.**

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at twenty-one minutes past three o'clock P.M., on motion of Mr. Tarr, as follows, to wit (*yeas 34 — nays 5*) [**Yeas and Nays No. 293**]:

**YEAS.**

Barrett, Michael J.

Keenan, John F.

Brewer, Stephen M.

Kennedy, Thomas P.

Brownsberger, William N.

Lewis, Jason

Candaras, Gale D.

Lovely, Joan B.

Chandler, Harriette L.

McGee, Thomas M.

Chang-Diaz, Sonia	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	Murray, Therese
Donoghue, Eileen M.	O'Connor Ives, Kathleen
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Petruccelli, Anthony
Finegold, Barry R.	Rosenberg, Stanley C.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 34.

**NAYS.**

Hedlund, Robert L.	Ross, Richard J.
Humason, Donald F., Jr.	Tarr, Bruce E. – 5.
Rodrigues, Michael J.	

**ABSENT OR NOT VOTING.**

Rush, Michael F. – 1.

**The yeas and nays having been completed at twenty-five minutes past three o'clock P.M., the bill was passed to be engrossed.  
Sent to the House for concurrence.**

**PAPERS FROM THE HOUSE.**

The following House Orders (approved by the committees on Rules of the two branches, acting concurrently) were considered as follows:

*Ordered*, that notwithstanding the provisions of Joint Rule 10, the committee on Election Laws be granted until Wednesday, July 30, 2014, within which time to make its final report on current Senate document numbered 321, and House document numbered 651.

**The rules were suspended, on motion of Mr. Finegold, and the order was considered forthwith; and, after remarks, was adopted, in concurrence.**

*Ordered*, that notwithstanding the provisions of Joint Rule 10, the committee on Election Laws be granted until Wednesday, July 30, 2014, within which time to make its final report on current Senate document numbered 2040.

**The rules were suspended, on motion of Mr. Finegold, and the order was considered forthwith; and, was adopted, in concurrence.**

*Ordered*, that notwithstanding the provisions of Joint Rule 10, the committee on Public Safety and Homeland Security shall be granted until Thursday, May 15, 2014, within which to report on current House documents numbered 47, 2124, 2127, 2131, 2142, 2144, 2148, 2150, 2153, 2155, 2157, 2163, 2164, 2165, 2181, 2182, 2183, 2184, 2188, 2190, 2192, 2198, 2199, 2202, 3235, 3236, 3237, 3238, 3244, 3245, 3247, 3249, 3250, 3251, 3252, 3253, 3254, 3255, 3256, 3257, 3263, 3264, 3265, 3266, 3267, 3268, 3269, 3270, 3271, 3272, 3273, 3274, 3275, 3276, 3279, 3282, 3315, 3316, 3362, and 3430.

**The rules were suspended, on motion of Mr. Timilty, and the order was considered forthwith; and, after remarks, was adopted, in concurrence.**

*Ordered*, that notwithstanding the provisions of Joint Rule 10, the committee on Housing be granted until Wednesday, May 2, 2014, within which time to make its final report on current Senate documents numbered 592, 593, 602, 604, 612, 613, and 619, and House documents numbered 44, 1094, 1102, 1103, 1104, 1109, 1120, 1141, 1145, 1146, 1152, 1155, 1156, 1159, 3364, and 3392.

**The rules were suspended, on motion of Mr. Eldridge, and the order was considered forthwith; and, after remarks, was adopted, in concurrence.**

*Ordered*, that notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Tuesday, June 3, 2014, within which time to make its final report on current Senate documents numbered 80, 82, 91, 93, 94, 96, 100, 102, 103, 106, 109, 117, 128, 135, 144, 160, 162, and 165, and House documents numbered 177, 182, 183, 190, 194, 199, 201, 203, 213, 230, 231, 234, 236, 239, 243, 244, 248, 256, 258, 260, 262, 267, 270, 286, 291, 293, 294, 296, 299, 300, 3305, 3419, 3466, 3575, 3913, 3948, and 3949.

**The rules were suspended, on motion of Mr. Kennedy and the order was considered forthwith; and, after remarks, was adopted, in concurrence.**

#### *Resolutions.*

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

Resolutions (filed by Mr. Barrett) “recognizing Waltham's Mary Anne Durkee and Kelly Durkee-Erwin for their extraordinary support of Massachusetts Army National Guard members and their families”;

Resolutions (filed by Mr. Hedlund) “congratulating Steven L. Bekerian on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. Richard T. Moore) “congratulating the Jacob Edwards Library in the town of Southbridge on its one hundredth anniversary”;

Resolutions (filed by Mr. Pacheco) “congratulating Christopher Belbin on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. Pacheco) “congratulating Richard W. Butts on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. Pacheco) “congratulating Sean T. Roe on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. Pacheco) “congratulating Michael Gay on 30 years of dedicated service with the Taunton Gazette”;

Resolutions (filed by Mr. Pacheco) “congratulating Douglas Jacinto on his retirement from the Wareham Police Department”;

Resolutions (filed by Mr. Ross and Ms. Creem) “congratulating Kenyon Robert Alexander on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. Ross and Ms. Creem) “congratulating Christopher Edward Brown on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. Ross and Ms. Creem) “congratulating Matthew Edward Hornung on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. Ross and Ms. Creem) “congratulating Tyler John Piazza on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. Ross and Ms. Creem) “congratulating Cole Haberly Smith on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. Ross and Ms. Creem) “congratulating Max Thomas Sours on his elevation to the rank of Eagle Scout”;

and

Resolutions (filed by Mr. Ross, Ms. Jehlen, Ms. Lovely and Messrs. McGee and Tarr) “commending the Massachusetts Academy of Trial Attorneys on its observance of the Month of April, 2014 as Distracted Driving Awareness Month.”

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

##### *Engrossed Bill.*

An engrossed Bill relative to the appointment of special police officers in the city of Newton (see House, No. 3864) (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 President and laid before the Governor for his approbation.

A petition (accompanied by bill, House, No. 4058) of Sheila C. Harrington and others relative to the care and protection of children,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on the Judiciary.**

*Reports of Committees.*

By Mr. Rosenberg, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Bruce E. Tarr for legislation relative to pesticide applications.

**Senate Rule 36 was suspended, on motion of Mr. Rosenberg, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture.**

By Mr. Rosenberg, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Sal N. DiDomenico and Daniel Ryan for legislation to establish a sick leave bank for Margaret Poindexter, an employee of the Massachusetts Department of Transportation.

**Senate Rule 36 was suspended, on motion of Mr. Rosenberg, 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. Rosenberg, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of John F. Keenan and Bruce J. Ayers for legislation to establish a sick leave bank for Kyle Melvin, an employee of the Department of Correction.

**Senate Rule 36 was suspended, on motion of Mr. Rosenberg, 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. Rosenberg, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Marc R. Pacheco and Patricia A. Haddad for legislation to establish a sick leave bank for Denise Frost, an employee of the Department of Developmental Services.

**Senate Rule 36 was suspended, on motion of Mr. Rosenberg, 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. Rosenberg, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Anthony W. Petrucci for legislation to provide for the abandonment of a certain water line easement in Revere and Malden.

**Senate Rule 36 was suspended, on motion of Mr. Rosenberg, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight.**

**Severally sent to the House for concurrence.**

The following report was laid before the Senate, the time within which the said committee was required to report having expired:—

Of the committee on Health Care Financing, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 537) of Richard T. Moore for legislation relative to Masshealth enrollment for persons leaving correctional facilities. **On motion of Mr. Welch, the petition was recommitted to the Joint Committee on Health Care Financing.**

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 further regulating town meeting notices (Senate, No. 975).

**There being no objection, the rules were suspended, on motion Mr. Rodrigues, and the bill was read a second time Pending the question on ordering the bill to a third reading, Messrs. Rodrigues and Tarr moved that the bill be amended by substituting a new draft with the same title (Senate, No. 2121).**

**The amendment was adopted.**

**The bill (Senate, No. 2121) was then ordered to a third reading, read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

*Orders of the Day.*

The Orders of the Day were considered, as follows:

*Bills*

Authorizing the town of Dartmouth to establish an enterprise fund (House, No. 3623); and  
Relative to Quincy College (House, No. 3814, amended);

**Were severally read a second time and ordered to a third reading.**

*Reports of a Committee.*

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill authorizing the Massachusetts Highway Department to grant certain easements in the town of Petersham (Senate, No. 1927),-- ought to pass, with an amendment substituting a new draft entitled "An Act authorizing the Massachusetts Department of Transportation to grant an interest in land in the town of Petersham" (Senate, No. 2124).

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

**The bill (Senate, No. 2124) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.**

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill to ensure access to the Hampden County courts in the city of Springfield (Senate, No. 2032),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2122).

**There being no objection, the rules were suspended, on motion of Ms. Candaras, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

**The bill (Senate, No. 2122) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.**

By Mr. Brewer, for the committee on Ways and Means, that the House Bill providing the terms of certain bonds encouraging the improvement, expansion and development of military installations in the Commonwealth (House, No. 3982),-- ought to pass.

**There being no objection, the rules were suspended, on motion Mr. Brewer, 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 by the committee on Bills in the Third Reading to read as follows: "An Act providing for the terms of certain bonds to be issued by the Commonwealth for the improvement, expansion and development of military installations".**

*Order Adopted.*

On motion of Mr. Barrett,--

*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.

*Moment of Silence.*

At the request of the President, the members, guests and staff stood in a moment of silence and reflection to the memory of Francis "Pop" Lynch.

*Adjourn In Memory of Francis "Pop" Lynch*

The Senator from Suffolk, Ms. Forry, moved that when the Senate adjourns today, it do so in memory of Francis "Pop" Lynch.

Francis 'Pop' Lynch peacefully passed away on April 1 surrounded by his family. Mr. Lynch served his country in the United States Army serving in the African, Middle East and European theaters during World War II. Pop Lynch was also a proud 60 year member of Ironworkers Local 7 helping build some of Boston's most iconic buildings including the John Hancock Tower and the Prudential Building.

Mr. Lynch is survived by his wife and best friend of 68 years, Ann Havlin Lynch and his children; Congressman Stephen Lynch and his wife Margaret, Jeanne "Lynda" Lynch and her husband Larry Quigley, Karen O'Leary and her husband Joseph, Shelia Lynch and her friend Kevin Ronan, Nancy Conroy and her husband Kevin and Donna Lynch Bohan and her husband Michael. Pop is also survived by six loving grandchildren and many nieces and nephews.

Mr. Lynch was actively involved in his community serving as a member of the Castle Island Association, the Old Dorchester Post, the South Boston Bowling League and an honorary member of the "Pugs." As Congressman Lynch said of his father, "Pop taught us all what true success in life is about - faith, family, friendship."

Accordingly, as a mark of respect in memory of Francis "Pop" Lynch, at thirteen minutes before four o'clock P.M., on motion of Ms. Forry, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.