

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, December 15, 2014.

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

Communications.

The following communications were severally received and placed on file:

Communication from the Honorable Therese Murray, President of the Senate, announcing the appointments of Messrs. Michael Lenihan of Foxborough and Eric F. Bourassa of Arlington to the Special Commission established (pursuant to Section 61 of Chapter 259 of the Acts of 2014) to make an investigation and study to improve coordination among utility providers and municipalities to reduce unnecessary or duplicative roadway construction related to underground utilities;

Communication from the Honorable Martin J. Benison, Comptroller, (pursuant to Section 2E of Chapter 165 of the Acts of 2014) submitting the Fiscal Year 2015 transfer schedule for item 1595-7066, Massachusetts Science, Technology Engineering, and Mathematics Pipeline Fund (received November 10, 2014); and

Communication from the Honorable Martin J. Benison, Comptroller, (pursuant to Section 2E of Chapter 38 of the Acts of 2013) submitting a revised Fiscal Year 2014 transfer schedule for item 1595-6368 (Transportation) (received November 10, 2014).

Reports.

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

Reports of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of:

The Essex County Correctional Facility, the Dukes County Jail and House of Correction; and

The Barnstable County Correctional Facility and MCI-Cedar Junction (received December 11, 2014); and

Report of the Department of Transportation, Rail and Transit Division, (under the provisions of Section 62 of Chapter 118 of the Acts of 2012) submitting its 2014 report on the Green Line Extension Project (received December 12, 2014).

Petitions.

Petitions were severally presented and referred, as follows:

By Ms. Murray, a petition (accompanied by bill, Senate, No. 2412) of Therese Murray, David T. Vieira and Timothy R. Madden (by vote of the town) for legislation to authorize the town of Falmouth to expend borrowed funds to offset certain costs [Local approval received]; and

Under Senate Rule 20, to the committee on Municipalities and Regional Government.

By Mr. Humason, a petition (accompanied by bill, Senate, No. 2409) of Donald F. Humason, Jr. and William Smitty Pignatelli (by vote of the town) for legislation to authorize the town of Tolland to continue the employment of police officer Lester M. Walker [Local approval received];

**Under Senate Rule 20, to the committee on Public Service.
Severally sent to the House for concurrence.**

Reports of a Committee.

By Ms. Forry, for the committee on Municipalities and Regional Government, on petition, a Bill relative to redevelopment in the Roxbury area of the city of Boston (Senate, No. 2400);

Read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Ms. Forry, for the committee on Municipalities and Regional Government, on petition, a Bill relative to the financial condition of the town of Winchendon (Senate, No. 2405) [Local approval received];

Read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4550) of Thomas A. Golden, Jr., Eileen M. Donoghue and David M. Nangle (with the approval of the mayor and city council) relative to the financial conditions in the city of Lowell,-- **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Bills

Promoting housing and support services to unaccompanied homeless youth (House, No. 4517, amended,-- on House, No. 135);
Authorizing the Massachusetts Water Resources Authority to release an easement upon certain real property in the city of Quincy (House, No. 4525,-- on petition);

Establishing 6-year career plans for all Massachusetts public school students (House, No. 4527, amended,-- on House, No. 460);
and

Relative to licensing massage therapists (House, No. 4551,-- on House, No. 185);

Were severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

Bills

Exempting real property owned by Develop Springfield from taxation (House, No. 3537,-- on petition) [Local approval received];

Authorizing the town of Bellingham to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises.(House, No. 3636,-- on petition) [Local approval received]; and

Authorizing the town of Provincetown to designate a check-off box on its tax bills (House, No. 4534,-- on petition) [Local approval received];

Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Report of a Committee.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill establishing a task force to protect Massachusetts children against child sexual abuse (House, No. 4305),-- **ought to pass, with an amendment by striking out, in line 28, the figure "2014" and inserting in place thereof the following figure:- "2015".**

There being no objection, the rules were suspended, on motion of Mr. Tarr, 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. Sent to the House for concurrence in the amendment.

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 Richard J. Ross and Jeffrey N. Roy for legislation to establish a sick leave bank for Marc Glazebrook, an employee of the Department of Correction.

The rules were suspended, on motion of Mr. Tarr, 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.

A petition (accompanied by bill, House, No. 4552) of Aaron Michlewitz relative to the transfer of innholder liquor licenses,-- **was referred in concurrence, under suspension of Joint Rule 12, to the committee on Consumer Protection and Professional Licensure.**

Emergency Preambles Adopted

An engrossed Bill establishing a sick leave bank for Emily Coollick-Burgess, an employee of the Massachusetts Rehabilitation Commission (see Senate, No. 2373), 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. Donoghue) and sent to the House for enactment.

An engrossed Bill establishing a sick leave bank for Jessica R. Brand, an employee of the Division of Capital Asset Management and Maintenance (see Senate, No. 2396), 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. Donoghue) and sent to the House for enactment.

An engrossed Bill establishing a sick leave bank for April Bylund, an employee of the Department of Youth Services (see House, No. 4532), 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. Donoghue) and sent to the House for enactment.

Engrossed Bills.

The following engrossed bills (the first four 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. Donoghue) and laid before the Governor for his approbation, to wit:

To increase the number of all alcohol licenses for restaurants in the town of Arlington (see Senate, No. 2177);

Authorizing the town of Freetown to pay a certain unpaid bill (see Senate, No. 2353);

Authorizing the city of Salem to grant an additional liquor license for the sale of wines and malt beverages not to be drunk on the premises (see Senate, No. 2376, amended);

Relative to discontinuing the fluoride supplementation of the Rockport Water Supply (see Senate, No. 2388, amended);

Designating a certain state owned bridge in the town of Randolph as the Charles L. Bowley Memorial Bridge (see House, No. 3158);

Relative to licenses issued by the Division of Marine Fisheries (see House, No. 3821);

Relative to shellfish aquaculture license fees in the town of Fairhaven (see House, No. 4127);

Relative to confidentiality in financial examinations (see House, No. 4324, amended); and

Relative to the town clerk in the town of Edgartown (see House, No. 4340).

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 House Bill providing equitable treatment for post-acute care hospitals (House, No. 1986).

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

Pending the question on ordering the bill to a third reading, the same Senator moved that the bill be amended by adding the following section :-

“SECTION 2. Notwithstanding any general or special law to the contrary, the office of performance management and oversight, as established under subsection (i) of section 16G of chapter 6A of the General Laws, shall conduct a review of the Center of Health Information and Analysis’s annual expenses, cost growth and the assessment methodology and make recommendations on how to improve the effectiveness and efficiency of the agency.

The office of performance management and oversight shall submit a report along with any recommendations about legislation to the clerks of the house and senate, the house and senate committee on ways and means and the joint committee on health care financing, not later than March 15, 2015.”

After remarks, the amendment was *rejected*.

The bill was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Order Adopted.

On motion of Mr. Tarr,--

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

Adjourn In Memory of Stephen J. Murphy, Jr.

The Senator from Suffolk and Norfolk, Mr. Rush, moved that when the Senate adjourns today, it do so in memory of Stephen J. Murphy, Jr. of Hyde Park.

Stephen J. Murphy Jr. of Hyde Park passed away on, December 6, 2014 at age 83. Stephen served his country as a Korean War Veteran. He was a former Assistant District Attorney for the Barnstable County, in addition to being a member of the Boston Police Department for 14 years.

He was the loving husband of Marjorie, father of Boston City Councilor Stephen J. Murphy, Diane, Kathleen, and Michael.

Accordingly, as a mark of respect in memory of Stephen J. Murphy, Jr., at four minutes before twelve o'clock noon, on motion of Mr. Tarr, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.