

**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, January 30, 2014.*

Met at three minutes past one o'clock P.M. (Mr. McGee 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. McGee), members, guests and staff then recited the pledge of allegiance to the flag.

#### *Petitions.*

Petitions were severally presented and referred, as follows:

By Ms. Creem, a petition (accompanied by bill, Senate, No. 1991) of Cynthia S. Creem and Ruth B. Balsler (with the approval of the mayor and city council) for legislation to authorize the temporary use of certain park lands in the city of Newton [Local approval received]; and

By Mr. Rosenberg, a petition (accompanied by bill, Senate, No. 1994) of Stanley C. Rosenberg and Paul W. Mark (with the approval of the mayor and city council) for legislation to amend the charter of the city known as the Town of Greenfield [Local approval received];

**Severally, under Senate Rule 20, to the committee on Municipalities and Regional Government.  
Severally sent to the House for concurrence.**

Mr. Rush presented a petition (subject to Joint Rule 12) of Michael F. Rush, Bruce J. Ayers, Edward F. Coppinger, Claire D. Cronin and other members of the General Court for legislation relative to home modifications for seniors,-- **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. Eldridge, for the committee on Housing, on Senate No. 610 and House No. 1116, a Bill relative to manufactured housing communities (Senate, No. 1992);

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

By Mr. Eldridge, for the committee on Housing, on petition, a Bill relative to creating a statutory housing restriction and providing remedies related to statutory housing (Senate, No. 595);

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

By Mr. Eldridge, for the committee on Housing, on petition, a Bill to clarify condominium priority liens (Senate, No. 603); and

By the same Senator, for the same committee, on petition, a Bill relative to compliance of condominium associations (Senate, No. 621);

**Severally read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

*Committee Discharged.*

Ms. Forry, for the committee on Municipalities and Regional Government, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 960) of Richard T. Moore for legislation to empower zoning boards of appeals,-- **and recommending that the same be referred to the committee on the Housing; Under Senate Rule 36, the report was considered forthwith and accepted.**

#### PAPERS FROM THE HOUSE

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

Petition (accompanied by bill, House, No. 3874) of John M. McCaul (with the approval of the mayor and municipal council) that the city of Taunton be authorized to issue additional licenses for the sale of all alcoholic beverages and wine and malt beverages not to be drunk on the premises;

**To the committee on Consumer Protection and Professional Licensure.**

Petition (accompanied by bill, House, No. 3875) of Domenic J. Sarno and Wayman Lee (with the approval of the mayor and city council) that the city of Springfield be authorized to eliminate a special reserve fund for extraordinary expenditures;

**To the committee on Municipalities and Regional Government.**

Petition (accompanied by bill, House, No. 3876) of Stephen Kulik and Benjamin B. Downing (by vote of the town) that Robert Baker be authorized to serve on the fire department and that Ronald Hawkes be authorized to serve on the fire and police departments of the town of Conway;

**To the committee on Public Service.**

A Bill authorizing the town of Stoneham to grant five additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 3786,-- on House, No. 3742) [Local approval received on House, No. 3742],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

#### *Motion to Reconsider.*

On motion of Mr. DiDomenico, the Senate reconsidered the vote by which, at a previous session, it had concurred in the referral to the committee on State Administration and Regulatory Oversight the House petition (accompanied by bill, House, No. 3879) of Eugene L. O'Flaherty relative to a certain parcel of land in the Charlestown neighborhood of the city of Boston.

**Pending the recurring question on concurrence in the referral to the joint committee, on motion of Ms. Lovely, the further consideration thereof was postpone until the next session.**

#### *Resolutions.*

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

Resolutions (filed by Mr. Brewer) "congratulating Sergeant Scott E. Haley on his retirement from the Palmer Police Department"; and

Resolutions (filed by Ms. Candaras) "commending the American Heart Association on the Go Red for Women Campaign."

#### PAPER FROM THE HOUSE

##### *Emergency Preamble Adopted.*

An engrossed Bill establishing a sick leave bank for Joseph W. Teta, an employee of the Trial Court (see House, No. 3781, 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 4 to 0. The bill was signed by the Acting President (Mr. McGee) and sent to the House for enactment.**

#### *Matters Taken Out of the Orders of the Day.*

There being no objection, the following matters were taken out of the Orders of the Day and considered as follows:

The Senate Bill to authorize the board of selectmen to exempt certain eco-toilet installations from sewer connections and associated betterments in the town of Falmouth (Senate, No. 1938),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act authorizing the board of selectmen to exempt certain eco-toilet installations from sewer connections and associated betterments in the town of Falmouth".**

**Sent to the House for concurrence.**

The Senate Bill regulating sewer service area betterment assessments in the town of Falmouth (Senate, No. 1939),-- **was read a second time.**

Pending the question on ordering the bill to a third reading, Ms. Murray presented an amendment in section 1, by striking out, in line 5, the word "of", the first time it appears, and inserting in place thereof the following word:- "above".

**The amendment was adopted.**

**The bill (Senate, No. 1939, amended) was then ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act regulating sewer betterment assessments in the town of Falmouth".**

**Sent to the House for concurrence.**

The Senate Bill further amending Chapter 654 of the Acts of 1975 (Senate, No. 1941, changed),-- **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.**

#### *Reports of Committees.*

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Debra Saverse, an employee of the Department of Revenue (Senate, No. 1984),-- **ought to pass.**

**There being no objection, the rules were suspended, on motion of Mr. Richard T. Moore, 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.**

Mr. Rosenberg, for the committee on Ethics and Rules, reported, on House, No. 1577, in part, a "Bill further limiting the liability of persons rendering certain emergency medical care" (Senate, No. 1993),-- **and recommending that the matter be placed in the Orders of the Day for the next session:**

**There being no objection, the rules were suspended, on motion of Ms. Lovely, 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.**

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

Petition (accompanied by bill, House, No. 3886) of Louis L. Kafka and James E. Timilty relative to benefits for court officers and county sheriff office employees; and

Petition (accompanied by bill, House, No. 3887) of Louis L. Kafka and James E. Timilty for legislation to authorize Paul Scott Noe, an employee of the Trial Court, to transfer his vacation benefits accrued during his time in the Norfolk County Sheriff's Department;

**Severally, under suspension of Joint Rule 12, to the committee on the Judiciary.**

#### *Emergency Preamble Adopted.*

An engrossed Bill establishing a sick leave bank for Maria A. DeCoste, an employee of the office of Medicaid (see Senate, No. 1983), 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 4 to 0.**

**The bill was signed by the Acting President (Mr. McGee) 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 (Mr. McGee) and laid before the Governor for his approbation, to wit:

Establishing a sick leave bank for Maria A. DeCoste, an employee of the office of Medicaid (see Senate, No. 1983);

Authorizing the town of Westborough to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 3471, changed and amended); and

Establishing a sick leave bank for Joseph W. Teta, an employee of the Trial Court (see House, No. 3781, amended).

#### *Order Adopted.*

On motion of Mr. Hedlund,--

*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 twenty-six minutes past one o'clock P.M., the Senate adjourned to meet again on Monday next at eleven o'clock A.M.