

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, February 3, 2014.

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

Reports.

Report of the Secretary of the Commonwealth (pursuant to Section 4 of Chapter 4 of the Acts of 2003) submitting copies of the Registers Technological Fund Spending Plan. (Copies having been forwarded as requested to the Senate Committees on Ways and Means and Post Audit and Oversight) (received January 30, 2014),-- **was placed on file.**

Report of the Attorney General (under the provisions of Section 99 of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2013 (received January 30, 2014),-- was read and sent to the House for its information.

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Brewer, a petition (accompanied by bill, Senate, No. 1999) of Stephen M. Brewer and Anne M. Gobi (by vote of the town) for legislation to authorize the town of Oakham to continue the employment of Fire Chief Thomas Snay [Local approval received];

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

By Mr. Pacheco, a petition (subject to Joint Rule 12) of Marc R. Pacheco, Frank I. Smizik, Stanley C. Rosenberg, Michael Barrett and other members of the General Court for legislation to provide for the establishment of a comprehensive adaptation management plan in response to climate change; and

By Mr. Tarr, a petition (subject to Joint Rule 12) of Bruce E. Tarr, Richard J. Ross, Donald F. Humason, Jr., James E. Timilty and other members of the General Court for legislation relative to juvenile life with parole;

Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of a Committee.

By Mr. Joyce, for the committee on Bonding, Capital Expenditures and State Assets, that the Senate Bill to authorize the Massachusetts Department of Transportation to acquire certain parcels of land in the city of Fall River (Senate, No. 1847),-- **ought to pass;** and

By the same Senator, for the same committee, that the Senate Bill to direct the Division of Capital Asset Management and Maintenance to transfer certain parcels of land in the town of Medfield (Senate, No. 1889),--**ought to pass;**

Severally, 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 relative to manufactured housing communities (Senate, No. 1992),-- **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 financing improvements to the Commonwealth's transportation system (House, No. 3882,-- on House, No. 3327, in part)-- **was read and, under Senate Rule 26C, referred to the committee on Bonding, Capital Expenditures and State Assets.**

A Bill authorizing the West Barnstable Fire District to fund library services for the Whelden Memorial Library (House, No. 3648,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

Reports

Of the committee on Consumer Protection and Professional Licensure, asking to be discharged from further consideration Of the petition (accompanied by bill, House, No. 214) of Sean Garballey and others for legislation to provide for the distribution of lottery funds to invest in water and sewer infrastructure; and

Of the petition (accompanied by bill, House, No. 235) of Jay R. Kaufman and others for legislation to establish a process to identify toxic chemical substances used in consumer products;

And recommending that the same severally be referred to the committee on Environment, Natural Resources and Agriculture;

Of the committee on Financial Services, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 485) of Michael J. Rodrigues, Angelo J. Puppolo, Jr., Michael O. Moore, Christine E. Canavan and other members of the General Court for legislation to provide volunteer firefighters with a local option real estate tax exemption,-- **and recommending that the same be referred to the committee on Revenue; and**

Of the committee on Municipalities and Regional Government, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3624) of Christopher M. Markey (by vote of the town) relative to insurance eligibility of certain part time officials in the town of Dartmouth,-- **and recommending that the same be referred to the committee on Public Service;**

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.

Resolutions.

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

Resolutions (filed by Ms. Lovely) "honoring the heroic and valiant actions of Salem Firefighter Michael Buonfiglio."

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 House Bill authorizing the town of Orleans to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 3622) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

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,-- **was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.**

Reports of a Committee.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Richard Maynard, an employee of the Trial Court (Senate, No. 1974),-- **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2000).**

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 (Senate, No. 2000) 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 transferring the care and custody of a parcel of land in the city of Northampton (House, No. 2844, amended),-- ought to pass, with amendments striking out, in line 5, the words "northwest corner of the"; by inserting, after the word "thereon", in line 7, the following words:- "for use by the Northampton Rotary Club to be used only for the construction of a public park or other recreation or open space purposes"; and by inserting after the word "conveyance", in line 9, the following words:- ", lease or transfer".

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, with the amendments, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act authorizing the conveyance or lease of a parcel of land in the city of Northampton for park, recreation or open space purposes".

Sent to the House for concurrence in the amendments.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Carol L. Clark, an employee of the Department of Developmental Services (House, No. 3830),-- ought to pass, with an amendment inserting after the word "Clark", in line 4, the following words:- "to care for her father".

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, with the amendment.

Sent to the House for concurrence in the amendment.

PAPERS FROM THE HOUSE

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

Petition (accompanied by bill, House, No. 3889) of Ellen Story and others that the Division of Medical Assistance provide coverage of screenings for postpartum depression;

Under suspension of Joint Rule 12, to the committee on Public Health.

Petition (accompanied by bill, House, No. 3890) of Ryan C. Fattman and George N. Peterson, Jr. that the Division of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land in the town of Sutton to Tim and Tammy Mahoney; and

Petition (accompanied by bill, House, No. 3891) of Danielle W. Gregoire for legislation to authorize the commissioner of capital asset management and maintenance to convey a certain parcel of land in the town of Marlborough;

Severally, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Petition (accompanied by bill, House, No. 3892) of Paul McMurtry and others for legislation to expand the hours of motor vehicle operation for junior operators;

Under suspension of Joint Rule 12 to the committee on Transportation.

Engrossed Bill

An engrossed Bill establishing the childhood vaccine program (see Senate, No. 1971) (which originated in the Senate), 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 Acting President (Mr. Petrucci) and laid before the Governor for his approbation.

Recess.

There being no objection, at twelve minutes past eleven o'clock A.M., the Chair (Mr. Petrucci) declared a recess subject to the call of the Chair; and, at seventeen minutes past four o'clock P.M., the Senate reassembled, Mr. Petrucci in the Chair.

Report of a Committee.

By Mr. Brewer, for the committee on Ways and Means, under the provisions of Senate Rule 19, a Committee Bill relative to unemployment insurance reforms (Senate, No. 2001).

The bill was read.

Order Adopted.

Mr. Brewer offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Committee Bill relative to unemployment insurance reforms (Senate, No. 2001) (the committee on Ways and Means having reporting out said committee bill under Senate Rule 19) shall be placed in the Orders of the Day for a second reading on Thursday, February 6, 2014.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 2:00 P.M., on Wednesday, February 5, 2014. All such amendments shall be second-reading amendments to Committee Bill (Senate, No. 2001) but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

Under the rules, referred to the committee on Ethics and Rules.

Subsequently, Mr. Rosenberg, for the said committee, reported, recommending that the order ought to be adopted.

The rules were suspended, on motion of Mr. Tarr, and the order was considered forthwith.

The committee bill was placed in the Orders of the Day for Thursday, February 6, 2014.

Order Adopted.

On motion of Mr. Tarr,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday next at one o'clock P.M., in a full formal session with a calendar.

On motion of the same Senator, at nineteen minutes past four o'clock P.M., the Senate adjourned to meet again on Thursday next at one o'clock P.M.