

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, March 24, 2014.

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

Petitions.

Petitions were severally presented and referred as follows:

By Ms. Chandler, a petition (accompanied by bill, Senate, No. 2065) of Harriette L. Chandler and James J. O'Day for legislation relative to the board of health in the city of Worcester [Local approval received];

**Under Senate Rule 20, to the committee on Municipalities and Regional Government.
Sent to the House for concurrence.**

By Mr. Tarr, a petition (subject to Joint Rule 12) of Bruce E. Tarr, Robert L. Hedlund, Donald F. Humason, Jr., Richard J. Ross and other members of the General Court for legislation to ensure compliance and equity in state reimbursement;

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

Reports of Committees.

By Mr. Petrucci, for the committee on Financial Services, on Senate, Nos. 415, 416, 418, 419, 420, 421, 423, 424, 425, 426, 427, 428, 429, 431, 432, 433, 434, 437, 438, 439, 441, 442, 443, 445, 446, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 462, 463, 464, 466, 467, 468, 469, 470, 472, 473, 476, 480, 481, 482, 484, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 1785 and 1824, an Order relative to authorizing the joint committee on Mental Health and Substance Abuse to make an investigation and study of certain current Senate documents relative to mental health and substance abuse issues (Senate, No. 2064);

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

By Mr. Keenan, for the committee on Public Health, on petition, a Bill to protect patients from breakthrough seizures (Senate, No. 986);

By the same Senator, for the same committee, on Senate Nos. 988, 1024, 1044 and 1058 and House Nos. 1934, 1972 and 2107, a Bill relative to infectious disease control (Senate, No. 988);

By the same Senator, for the same committee, on petition, a Bill relative to health care work force centers (Senate, No. 993);

By the same Senator, for the same committee, on petition, a Bill to establish an advanced dental hygiene practitioner level of practice (Senate, No. 998);

By the same Senator, for the same committee, on petition, a Bill relative to maternity patient rights (Senate, No. 1020);

By the same Senator, for the same committee, on Senate No. 1032 and House No. 2065, a Bill relative to the in-office sales of medical devices and products (Senate, No. 1032);

By the same Senator, for the same committee, on Senate No. 1062 and House No. 2109, a Bill relative to cimex lectularius (Senate, No. 1062);

By the same Senator, for the same committee, on petition, a Bill to reduce the risks associated with allergic reactions (Senate, No. 1100); and

By the same Senator, for the same committee, on petition, a Bill relative to the pronouncement of death in a rest home (Senate, No. 1109);

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Keenan, for the committee on Public Health, on petition, a Bill relative to special education evaluation and referral (Senate, No. 221);

By the same Senator, for the same committee, on Senate No. 1059 and House No. 1947, a Bill relative to labeling of fish (Senate, No. 1059);

By the same Senator, for the same committee, on petition, a Bill to establish the Massachusetts Cemeteries Board of Oversight (Senate, No. 1098);

By Mr. Donnelly, for the committee on State Administration and Regulatory Oversight, on petition, a Bill to increase transparency in public construction (Senate, No. 1499);

By the same Senator, for the same, on petition, a Bill to authorize reprinting of the document "Art in the Massachusetts State House" (Senate, No. 1517); and

By Ms. O'Connor Ives, for the committee on Tourism, Arts and Cultural Development, on petition, a Bill relative to cultural facilities grants (Senate, No. 1624);

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

By Mr. Donnelly, for the committee on State Administration and Regulatory Oversight, on petition, a Bill relative to debarment in public contracts (Senate, No. 1476); and

By the same Senator, for the same committee, on petition, a Bill relative to sleep deprivation avoidance and promotion of good sleeping practices (Senate, No. 1511);

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

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 Order relative to authorizing the joint committee on Tourism, Arts and Cultural development to make an investigation and study relative to the treatment of elephants (Senate, No. 2050),-- **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.

Mr. McGee, for the committee on Transportation, reported, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 1651) of Cynthia S. Creem for legislation relative to the penalties for drag racing; and

Of the petition (accompanied by bill, Senate, No. 1681) of Mark C. Montigny for legislation to facilitate the completion of the New Bedford/Fall River commuter rail extension project;

And recommending that the same be referred to the Senate committee on Ways and Means;

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

Bills

Relative to certain loans by the Federal Home Loan Bank (House, No. 3810,--on House, No. 888); and

To eliminate racial and ethnic health disparities in the Commonwealth (House, No. 3888,-- on Senate, No. 985 and House, Nos. 2071 and 3702);

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

A Bill validating certain actions at the annual town meeting held in the town of Swampscott (printed in House, No. 3768,-- being a message from His Excellency the Governor),-- **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

Reports

Of the committee on State Administration and Regulatory Oversight, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 2778) of Carlo Basile for legislation to authorize the combined procurement of owner controlled insurance programs by certain state agencies; and

Of the petition (accompanied by bill, House, No. 2779) of Carlo Basile for legislation to provide that awarding authorities bear the costs and benefits of certain insurance required for projects,-- and recommending that the same severally be referred to the committee on Financial Services

Of the petition (accompanied by bill, House, No. 2834) of Jay R. Kaufman and others for legislation to grant the State Auditor access to certain confidential tax information for use in auditing tax expenditures,-- and recommending that the same be referred to the committee on Revenue.

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

Reports

Of the committee on Veterans and Federal Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3211) of Carl M. Sciortino, Jr. and others for the adoption of resolutions memorializing the Congress of the United States to take certain actions concerning national budgetary matters;

Of the committee on Joint Way and Means, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 3216) of Matthew A. Beaton and others for legislation to require that fiscal notes be attached to legislation providing unfunded mandates on municipal governments;

Of the petition (accompanied by bill, House, No. 3217) of Jay R. Kaufman and others for legislation to require estimated amounts of appropriations for a subsequent fiscal year on appropriation bills;

Of the petition (accompanied by bill, House, No. 3218) of Jay R. Kaufman and others for legislation to establish a legislative budget office;

Of the petition (accompanied by bill, House, No. 3219) of James J. Lyons, Jr. and Marc T. Lombardo for legislation to require the Executive Office for Administration and Finance to prepare a report relative to expenditures in the state budget;

Of the petition (accompanied by bill, House, No. 3220) of James J. Lyons, Jr. and Marc T. Lombardo for legislation to require the Executive Office for Administration and Finance to prepare a report relative to expenditures from the Health Safety Net Program, so-called;

Of the petition (accompanied by bill, House, No. 3221) of James R. Miceli and others relative to allocation to be made from the Sewer Rate Relief Fund; and

Of the petition (accompanied by bill, House, No. 3222) of Cleon H. Turner and Timothy R. Madden relative to the distribution of funds to the Gaming Local Aid Fund and the Local Aid Stabilization Fund;

And recommending that the same be severally referred to the House committee on Ways and Means.

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence, in so much as relates to the discharge of the joint committees.

Reports of Committees.

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 designating June fourteenth as the birthday of the United States Army and June ninth as General Sylvanus Thayer Day (Senate, No. 1963).

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, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act designating June 14 as the birthday of the United States Army and June 9 as General Sylvanus Thayer Day".

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 Financial Services, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 479) of Michael J. Rodrigues and Paul A. Schmid, III for legislation relative to public funds.

On motion of Mr. Tarr, the rules were suspended; and, on further motion of the same Senator, the petition was recommitted to the committee on Financial Services.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 3979) of Carolyn C. Dykema, James B. Eldridge and others for legislation to authorize the commissioner of capital asset management and maintenance to convey certain parcels of land in the town of Westborough,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.**

Engrossed Bills.

The following engrossed bills (all of which originated in the House), 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. DiDomenico) and laid before the Governor for his approbation, to wit:

Relative to insurance proceeds from property claims in the town of Northborough (see House, No. 3509, amended);

Authorizing the town of Burlington to grant additional alcoholic beverage licenses (see House, No. 3688, changed and amended);

and

Authorizing the town of Winchester to continue employment of Police Chief Kenneth C. Albertelli (see House, No. 3791).

Time of Meeting.

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.

On motion of the same Senator, at sixteen minutes past eleven o'clock A.M., the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.