

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, March 27, 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.

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Richard T. Moore, a petition (accompanied by bill, Senate, No. 2066) of Richard T. Moore and Kevin J. Kuros (by vote of the town) for legislation relative to the charter of the town of Bellingham [Local approval received];

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

By Mr. Brewer, a petition (subject to Joint Rule 12) of Stephen M. Brewer and Anne M. Gobi for legislation to authorize the Division of Capital Asset Management and Maintenance to grant to the town of Brookfield 6 easements over certain parcels of land in the town of Brookfield; and

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 others for legislation to recover assets used in the commission of sexual offenses;

Severally, 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 petition, a Bill to facilitate the growth of innovative food enterprises in the Commonwealth (Senate, No. 348);

By the same Senator, for the same committee, on petition, a Bill to reduce solid waste in the Commonwealth (Senate, No. 353);

By the same Senator, for the same committee, on petition, a Bill to eliminate stage II vapor recovery systems (Senate, No. 355);

By the same Senator, for the same committee, on petition, a Bill relative to certain tires (Senate, No. 360);

By the same Senator, for the same committee, on petition, a Bill to increase commercial recycling (Senate, No. 367);

By the same Senator, for the same committee, on petition, a Bill relative to sustainable water conservation practices (Senate, No. 373);

By the same Senator, for the same committee, on petition, a Bill to provide funding for clean energy and energy efficiency measures for the Commonwealth (Senate, No. 390);

By the same Senator, for the same committee, on petition, a Bill relative to regulation of discharge of pharmaceutical and personal care product-laden wastewater into private drinking water wells and municipal drinking water supplies (Senate, No. 399);

By the same Senator, for the same committee, on petition, a Bill relative to the creation of a special commission on coastal erosion (Senate, No. 407);

By the same Senator, for the same committee, on petition, a Bill relative to the stewardship council of the Department of Conservation and Recreation (Senate, No. 414);

By the same Senator, for the same committee, on petition, a Bill to establish a Massachusetts Seafood Marketing Program (Senate, No. 1979);

By the same Senator, for the same committee, on petition, a Bill to provide for the establishment of a comprehensive adaptation management plan in response to climate change (Senate, No. 2028);

By Mr. Petruccelli, for the committee on Financial Services, on petition, a Bill to ensure full compliance with good funds statute (Senate, No. 417);

By the same Senator, for the same committee, on petition, a Bill relative to the licensure of insurance adjusters in the Commonwealth (Senate, No. 435);

By the same Senator, for the same committee, on petition, a Bill to provide additional protections against insurance fraud in the repair of damaged vehicles (Senate, No. 475);

By the same Senator, for the same committee, on petition, a Bill to authorize conversions by Massachusetts-chartered banks or credit unions to federal or other charters (Senate, No. 478); and

By Mr. Brownsberger, for the committee on Public Service, on petition, a Bill to establish a sick leave bank for Maria Elaskar-Stack, an employee of the Department of Children and Families (Senate, No. 2062);

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

By Mr. Pacheco, for the committee on Environment, Natural Resources and Agriculture, on petition, a Bill relative to privately operated animal shelters and rescue organizations (Senate, No. 375); and

By Mr. Petruccelli, for the committee on Financial Services, on petition, a Bill relative to liability coverage under the Massachusetts Property Insurance Underwriting Association (Senate, No. 465);

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

By Mr. Brownsberger, for the committee on Public Service, on petition, a Bill relative to the disability retirement of Woburn police officer Robert DeNapoli (Senate, No. 2042) [Local approval received];

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

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 Financial Services to make an investigation and study of certain current Senate documents relative to financial services issues (Senate, No. 2064); and

Of the House Bill to revise the reporting date for the task force on the prevention of unnecessary vacancies following foreclosures (House, No. 3969);

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.

PAPERS FROM THE HOUSE

A petition (accompanied by bill, House, No. 3980) of Antonio F. D. Cabral and others (with the approval of mayor and city council) that the city of New Bedford be authorized to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises,-- **was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.**

Bills

Relative to the transfer of the employees of the Franklin Regional Council of Governments to the state employees' retirement system (House, No. 3872,--on House, No. 2374);

Establishing a sick leave bank for Anne Federico, an employee of the Department of Public Health (House, No. 3958,-- on petition); and

Relative to establishing a sick leave bank for Carmen Mahone, an employee of the Trial Court (House, No. 3981,-- on House, No. 3934);

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

Bills

Relative to the filing deadline for residential exemption, personal exemptions and tax deferrals in the city of Boston (House, No. 2603,-- on petition) [Local approval received]; and

Relative to the Nantucket Memorial Airport Fuel Revolving Account (House, No. 3626,-- on petition) [Local approval received];

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

Resolutions.

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

Resolutions (filed by Ms. Candaras) “commending the New England Women in Real Estate Organization on its working relationship with Frauen In Der Immobilienwirtschaft and urging members of the General Court to advance international collaboration between the groups”; and

Resolutions (filed by Mr. Richard T. Moore) “congratulating the Blackstone Lions Club on the fifty-fifth anniversary of its charter.”

Petitions.

On motion of Mr. Tarr, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Ms. Chandler, (accompanied by bill) of Harriette L. Chandler and John J. Mahoney for legislation to establish a sick leave bank for Leonard DeMauro, an employee of the Department of Youth Services,— **and the same was referred to the committee on Public Service.**
Sent to the House for concurrence.

On motion of Mr. Tarr, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Mr. Richard T. Moore, (accompanied by bill) of Richard T. Moore for legislation to designate a certain intersection in the town of Uxbridge in honor of Edward Sullivan,— **and the same was referred to the committee on Transportation.**
Severally sent to the House for concurrence.

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 Michael O. Moore for legislation relative to transparency in political contributions by corporations.

The rules were suspended, on motion of Mr. Richard T. Moore, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Election Laws.

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, James R. Miceli, Matthew A. Beaton, Shawn Dooley and other members of the General Court for legislation relative to the expenditure of certain municipal and district monies.

The rules were suspended, on motion of Mr. Richard T. Moore, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government.

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, James R. Miceli, Matthew A. Beaton, Shawn Dooley and other members of the General Court for legislation to increase the amount that can be appropriated from the balance of a capital project fund.

The rules were suspended, on motion of Mr. Richard T. Moore, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government.

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 Harriette L. Chandler and Mary S. Keefe for legislation to establish a sick leave bank for Alexis Baez, an employee of the Worcester Recovery Center and Hospital.

The rules were suspended, on motion of Mr. Richard T. Moore, 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.

Matter Taken Out of the Orders of the Day.

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

The Senate Bill authorizing the temporary use of certain park lands in the city of Newton (Senate, No. 1991),-- **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.

Mr. Rosenberg, for the committee on Ethics and Rules, reported that the following matters be placed in the Orders of the Day for the next session:

The Senate Bill to create an annual Service and Volunteerism Day (Senate, No. 1563) (the committee on Ethics and Rules

recommending that the bill be amended by substituting a new draft with the same title (Senate, No. 2071).

There being no objection, the rules were suspended, on motion Mr. Tarr, and the bill was read a second time and was amended, as recommended by the committee on Ethics and Rules.

The bill (Senate, No. 2071) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

The House Bill designating a certain bridge in the city of Revere as the Rita Singer Bridge (House, No. 3649).

There being no objection, the rules were suspended, on motion 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, in concurrence.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill relative to a Massachusetts Boston Strong license plate (House, No. 3664),-- **ought to pass, with an amendment striking out all after the enacting clause and inserting the text of Senate document numbered 2072.**

There being no objection, the rules were suspended, on motion 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 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. 3991) of Garrett J. Bradley and Jennifer L. Flanagan for legislation to create a better life experience for individuals with disabilities program;

Under suspension of Joint Rule 12, to the committee on Children, Families and Persons with Disabilities.

Petition (accompanied by bill, House, No. 3992) of Paul W. Mark relative to exempting municipalities from the annual compliance assurance fee;

Under suspension of Joint Rule 12, to the committee on Environment, Natural Resources and Agriculture.

Petition (accompanied by bill, House, No. 3993) of Paul W. Mark relative to the protection of employees and former employees against retaliatory actions by employers;

Under suspension of Joint Rule 12, to the committee on Labor and Workforce Development.

Petition (accompanied by bill, House, No. 3994) of David Paul Linsky and Richard J. Ross relative to the collection of municipal taxes;

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

Recess.

There being no objection, at eleven minutes past eleven o'clock A.M., the Chair (Ms. Donoghue) declared a recess subject to the call of the Chair; and, at nine minutes past two o'clock P.M., the Senate reassembled, Ms. Donoghue in the Chair.

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill relative to veterans' allowances, labor, outreach and recognition (see Senate, No. 2052) (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 (Ms. Donoghue) and laid before the Governor for his approbation.

Report of a Committee.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill relative to natural gas leaks (House, No. 3873),-- **ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2073.**

Order Adopted.

Mr. Brewer offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill relative to natural gas leaks (House, No. 3873, amended) (the committee on Ways and Means having recommended that the bill be amended by striking out all after

the enacting clause and inserting in place thereof the text of Senate document numbered 2073) shall be placed in the Orders of the Day for a second reading on Thursday, April 3, 2014.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 2:00 P.M., on Friday, March 28, 2014. All such amendments shall be second-reading amendments to the recommended Senate Ways and Means new text (Senate, No. 2073) 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 on Ethics and Rules, reported, recommended, that the order ought to be adopted.

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

Pending the question on adoption of the order, Mr. Tarr moved that the order be amended by striking out "2:00 P.M." and inserting in place thereof the following: "12:00 noon".

The amendment was adopted.

The order, as amended was then adopted.

The bill was placed in the Orders of the Day for Thursday, April 3 for a second reading with the amendment pending.

Time of Meeting.

On motion of Mr. Tarr,--

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.

Adjourn In Memory of Michael J. Vendetti

The Senator from Worcester and Norfolk, Mr. Richard T. Moore, moved that when the Senate adjourns today, it do so in memory of Michael J. Vendetti of Dudley.

Michael J. Vendetti of Dudley, a former professor, coach and athletic director at Nichols College, died on Thursday, March 20, 2014.

Mr. Vendetti served as an Associate Professor and Director of Physical Education at Nichols College from 1962 to 1975. He then became the Director of Athletics at Nichols from 1975 to 1986, when he retired.

As a football coach, he began as an assistant at Leominster High School, proceeded to become a line coach and counselor for players at Boston University, and then assistant coach and recruiter at the University of Vermont from 1959 to 1962. From 1962 to 1986, he was the head football coach, head track coach and director of intramurals at Nichols College. His teams won five New England Football Conference titles over a six year span in the 1970's.

He was New England Football Conference Coach of the Year in 1973, 1974, 1975, 1976, and 1978. He was awarded the Honorary Alumnus Award of Nichols College in 1982. Additionally, in 1996, he was inducted into the Nichols College Athletic Hall of Fame for his success as a football coach and athletic director. Finally, in 2005, Nichols College renamed their multi-purpose athletic stadium in his honor as the Michael J. Vendetti Field.

He leaves 3 sons, Michael J. Vendetti, Jr. and his wife Kelly of Fairhaven, New Jersey, Mark J. Vendetti and his wife Theresa of Columbus, Ohio, and Paul A. Vendetti and his wife Catherine of Bloomington, Illinois; 7 grandchildren, Paul, Alexandra, Regina, Isabella, twins Michelle and Steven, and Tyler.

is beloved wife of 54 years, Joan F. Vendetti, died in 2011.

Adjourn In Memory of Lieutenant Edward Walsh and Firefighter Michael Kennedy

The Senator from Norfolk and Suffolk, Mr. Rush, moved that when the Senate adjourns today, it adjourn in memory of Lieutenant Edward Walsh of West Roxbury and Firefighter Michael Kennedy of Hyde Park.

They were among the first at the scene of an explosive nine-alarm fire on Beacon Street in Boston on Wednesday.

Lieutenant Walsh was 43 years old, married with three children – two boys and a girl all under the age of 10. He was a nine-year veteran of the Boston Fire Department.

Firefighter Kennedy was 33 years old and a U.S. marine who served in Iraq. He was a six-year veteran of the Boston Fire Department.

Accordingly, as a mark of respect in memory of Lt. Edward Walsh, Michael Kennedy and Michael J. Vendetti, at twenty minutes past two o'clock PM, on motion of Mr. Rush, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.