

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, June 2, 2014.

Met at two 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. Joyce, a petition (accompanied by bill, Senate, No. 2166) of Brian A. Joyce (by vote of the town) for legislation to authorize the town of Milton to grant an additional license for the sale of all alcohol beverages to be drunk on the premises [Local approval received];

**Under Senate Rule 20, to the committee on Consumer Protection and Professional Licensure.
Sent to the House for concurrence.**

By Mr. McGee, a petition (subject to Joint Rule 12) of Thomas M. McGee, Donald H. Wong and RoseLee Vincent for legislation to establish a sick leave bank for Anthony Gerniglia, an employee of the Department of Youth Services;

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

Reports of Committees.

By Mr. Brownsberger, for the committee on the Judiciary, on petition (accompanied by bill, House, No. 1366), a Bill relative to uniform adult guardianship and protective proceedings jurisdiction (Senate, No. 2165); and

By Mr. Lewis, for the committee on Public Service, on petition, a Bill to establish a sick leave bank for Kyle Melvin, an employee of the Department of Correction (Senate, No. 2155);

Severally 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 chapter 183A of the General Laws (Senate, No. 602, changed in line 31, by striking after the word "notice" the following "or within such period of time as may be stated in the master deed"; and by striking line 32 and inserting in place thereof the following: "In the event of any conflict between the provisions of this section and the master deed, trust or by-laws or other governing documents of the condominium, this section shall control.");

By Mr. McGee, for the committee on Transportation, on the recommitted petition, a Bill to designate a certain bridge in the town of Barre as the Basil D. Izzi Bridge (Senate, No. 2043); and

By the same Senator, for the same committee, on the recommitted petition, a Bill to designate a certain bridge in the town of Millbury as the Joseph R. Bianculli Bridge (Senate, No. 2070);

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

PAPERS FROM THE HOUSE

A Bill designating PANDAS/PANS awareness day (House, No. 2882,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

Resolutions.

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

Resolutions (filed by Mr. Hedlund) “congratulating the Massachusetts Health Information Management Association on its Tenth Annual Beacon Hill Day”;
Resolutions (filed by Mr. Joyce) “commending Dr. Morton Wolf for 39 years of distinguished public service to the town of Milton”;
Resolutions (filed by Mr. Montigny) “congratulating the residents of the town of Dartmouth on the three hundred and fiftieth anniversary of its incorporation”;
Resolutions (filed by Mr. Pacheco) “congratulating Kyle Dennis Medeiros on his elevation to the rank of Eagle Scout”;
Resolutions (filed by Mr. Spilka) “congratulating Joshua David Bernardo on his elevation to the rank of Eagle Scout”;
Resolutions (filed by Mr. Tarr) “commending Coach Frank Carey for his many years of dedication to North Reading High School baseball”;
Resolutions (filed by Mr. Tarr) “congratulating Conor Fitzpatrick on his elevation to the rank of Eagle Scout”;
Resolutions (filed by Mr. Tarr) “congratulating Benjamin Noelk on his elevation to the rank of Eagle Scout”;
Resolutions (filed by Mr. Tarr) “congratulating Connor O’Grady on his elevation to the rank of Eagle Scout”; and
Resolutions (filed by Mr. Tarr) “congratulating Tyler R. Paul on his elevation to the rank of Eagle Scout.”

Communication.

The Clerk read the following communication:

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE

June 3, 2014

Mr. William F. Welch, Clerk
Massachusetts State Senate
State House, Room 335
Boston, MA 02133

Dear Mr. Clerk,

I was unable to attend the formal session of the Senate on May 15, 2014 as I was attending a regional conference for Women in Government.

Had I been present for roll call #302, I would have voted in the affirmative for H. 4072 relative to the Election Laws Conference Report.

Had I been present for roll call #303 on the adoption of amendment 1 to H. 4081 making supplemental appropriations for fiscal year 2014, I would have voted in the negative.

I respectfully request that a copy of this correspondence be printed in the journal during the next session. Thank you in advance for your assistance in this matter.

Respectfully,
JENNIFER L. FLANAGAN,
State Senator
Worcester & Middlesex District.

On motion of Mr. Tarr, the above communication was ordered printed in the Journal of the Senate.

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 relative to the preparation of certain bilingual ballots in the city of Boston (House, No. 4089),-- **was read a second time.**
Pending the question on ordering the bill to a third reading, on motion of Mr. Tarr, the bill was referred to the committee on Ways and Means.

The Senate Bill relative to the financing and construction of a sanitary sewer extension in the town of Hardwick (Senate, No. 2081),-- **was read a third time and passed to be engrossed.**
Sent to the House for concurrence.

The House Bill authorizing the town of Danvers to grant 6 additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 4052, amended) (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 Bill authorizing the city of Peabody to grant 10 additional licenses for the sale of all alcoholic beverages or wines and malt beverages to be drunk on the premises (House, No. 4053) (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.**

PAPER FROM THE HOUSE

The House Bill authorizing the town of Stoneham to grant 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3786, amended),-- came from the House with the endorsement that the House had concurred in the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2015; and by striking out the title and inserting in place thereof the following title: "An Act authorizing the town of Stoneham to grant 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises.") with a further amendment in section 1, in line 3, by striking out the words "all alcoholic" and inserting in place thereof the words "of wine and malt".
Senate Rule 36 was suspended, on motion of Mr. Tarr, and the Senate NON-concurred in the further House amendment. Sent to the House for its action.

Reports of a Committee.

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 T. Moore and Peter J. Durant for legislation to establish a sick leave bank for Jose Portalatin, an employee of the Department of Correction.

Senate Rule 36 was 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.

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 T. Moore and John V. Fernandes for legislation to establish the Massachusetts paint stewardship program;

Senate Rule 36 was 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 Revenue.

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, Leonard Mirra, Kathleen O'Connor Ives, Diane DiZoglia and others for legislation to designate a certain bridge over the Merrimack River as the Congressman William H. Bates Veterans Memorial Bridge.

Senate Rule 36 was 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 Transportation. Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE

Emergency Preambles Adopted

An engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain property at Northampton State Hospital (see Senate, No. 2006), 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 Anne Marie McDonough, an employee of the Trial Court (see House No. 4056, 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 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 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:

Relative to the Board of Health in the city of Worcester (see Senate, No. 2065); and
Authorizing the city of Newton to plan an advisory question on the ballot (see House, No. 3457).

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 seventeen minutes past eleven o'clock A.M., the Senate adjourned to meet again on Thursday next at one o'clock P.M.