

**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, July 1, 2013.*

Met at two minutes past one o'clock P.M. (Mr. Richard T. Moore in the Chair).

#### PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 3537) of Benjamin Swan (with the approval of the mayor and city council) relative to providing that real property owned by Develop Springfield shall be exempt from taxation in the city of Springfield,-- **was referred, in concurrence, to the committee on Revenue.**

A Bill establishing a sick leave bank for Nancy LeBlanc, an employee of the Department of Public Health (House, No. 3502,-- on petition),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill establishing a three-member board of selectmen of the town of Ayer (House, No. 3356,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

There being no objection, at three minutes past one o'clock P.M., the Chair (Mr. Richard T. Moore) declared a recess subject to the call of the Chair; and, at sixteen minutes past two o'clock P.M., the Senate reassembled, the President in the Chair.

The President, members, guests and staff then recited the pledge of allegiance to the flag.

#### *Communications.*

The Clerk read the following communication:

COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE  
STATE HOUSE, BOSTON, MA 02133-1053

*June 27, 2013*

William Welch, Senate Clerk  
Office of the Clerk of the Senate  
State House, Room 335  
Boston, MA 02133

Dear Mr. Clerk:

Unfortunately, I was unable to be present in the Senate Chamber for the final roll call vote on June 26, 2013. Had I been present, I would have voted in the affirmative for the engrossment of the Affordable Health Care Act.

*Sincerely,*  
SENATOR SAL DIDOMENICO  
*Middlesex and Suffolk District.*

On motion of Mr. Richard T. Moore, the above communication was ordered printed in the Journal of the Senate.

**PAPER FROM THE HOUSE.**

A petition (accompanied by bill, House, No. 3542) of Paul R. Heroux relative to the investment of funds by fraternal benefit societies,-- was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Financial Services.

*Resolutions.*

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

Resolutions (filed by Mr. Finegold) "congratulating Anne Ziaja on being named the recipient of the 2013 Kevin B. Harrington Award for Excellence in Democracy Education from the National Conference of State Legislatures"; and

Resolutions (filed by Mr. Wolf) "congratulating Jared B. Jasie on receiving the Eagle Award of the Boy Scouts of America."

At eighteen minutes past two o'clock P.M., Mr. Tarr doubted the presence of a quorum; but a quorum was deemed present.

**PAPERS FROM THE HOUSE**

*Committee of Conference Report.*

A report of the committee of conference of the disagreeing votes of the two branches, with reference to the Senate amendments to the House Bill relative to making appropriations for the fiscal year 2014 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 3401) (amended by the Senate by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 1800), reported in part, the accompanying bill (House, No. 3538),-- **came from the House, and was read.**

**The rules were suspended, on motion of Mr. Brewer, and the report was considered forthwith.**

After remarks, the question on acceptance of the report of the committee of conference, in concurrence, was determined by a call of the yeas and nays, at three o'clock P.M., on motion of Mr. Brewer, as follows, to wit (*36 yeas – 3 nays*) [**Yeas and Nays No. 99**]:

**YEAS.**

Barrett, Michael J.	Kennedy, Thomas P.
Brewer, Stephen M.	Knapik, Michael R.
Brownsberger, William N.	Lovely, Joan B.
Candaras, Gale D.	McGee, Thomas M.
Chandler, Harriette L.	Montigny, Mark C.
Clark, Katherine M.	Moore, Michael O.
Creem, Cynthia Stone	Moore, Richard T.
DiDomenico, Sal N.	Murray, Therese
Donnelly, Kenneth J.	O'Connor Ives, Kathleen

Donoghue, Eileen M.

Pacheco, Marc R.

Downing, Benjamin B.

Petrucelli, Anthony

Eldridge, James B.

Rodrigues, Michael J.

Finegold, Barry R.

Rosenberg, Stanley C.

Flanagan, Jennifer L.

Rush, Michael F.

Forry, Linda Dorcena

Spilka, Karen E.

Jehlen, Patricia D.

Timilty, James

Joyce, Brian A.

Welch, James T.

Keenan, John F.

Wolf, Daniel A. – **36.**

#### **NAYS.**

Hedlund, Robert L.

Tarr, Bruce E.

Ross, Richard J. – **3.**

#### **ABSENT OR NOT VOTING**

Chang-Diaz, Sonia – **1.**

**The yeas and nays having been completed at three minutes past three o'clock P.M., the report was accepted, in concurrence.**

A report of the committee of conference of the disagreeing votes of the two branches, with reference to the Senate amendments to the House Bill making appropriations for the fiscal year 2013 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3522) (amended by the Senate by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 1814, reported, in part, the accompanying bill (House, No. 3539),-- **came from the House, and was read.**

The rules were suspended, on motion of Mr. Brewer, and the report was considered forthwith. After remarks, the question on acceptance of the report of the committee of conference, in concurrence, was determined by a call of the yeas and nays, at nine minutes past three o'clock P.M., on motion of Mr. Brewer, as follows, to wit (*yeas 39- Nays 0*) [**Yeas and Nays No. 100**]:

#### **YEAS.**

Barrett, Michael J.

Kennedy, Thomas P.

Brewer, Stephen M.

Knapik, Michael R.

Brownsberger, William N.

Lovely, Joan B.

Candaras, Gale D.	McGee, Thomas M.
Chandler, Harriette L.	Montigny, Mark C.
Clark, Katherine M.	Moore, Michael O.
Creem, Cynthia Stone	Moore, Richard T.
DiDomenico, Sal N.	Murray, Therese
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, Anthony
Eldridge, James B.	Rodrigues, Michael J.
Finegold, Barry R.	Rosenberg, Stanley C.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Jehlen, Patricia D.	Timilty, James
Joyce, Brian A.	Welch, James T.
Keenan, John F.	Wolf, Daniel A. – <b>36.</b>

**NAYS.**

Hedlund, Robert L.	Tarr, Bruce E.
Ross, Richard J. – <b>3.</b>	

**ABSENT OR NOT VOTING.**

Chang-Diaz, Sonia – **1.**

The yeas and nays having been completed at twelve minutes past three o'clock P.M., the report was accepted, in concurrence.

*Recess.*

There being no objection, at thirteen minutes past three o'clock P.M., the President declared a recess subject to the call of the Chair; and, at twenty minutes before four o'clock P.M., the Senate reassembled, Mr. Rosenberg in the Chair, having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair.

## PAPERS FROM THE HOUSE

### *Emergency Preambles Adopted.*

An engrossed Bill making appropriations for the fiscal year 2014 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 3538), 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 (Mr. Rosenberg) and sent to the House for enactment.**

An engrossed Bill making appropriations for the fiscal year 2013 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 3539), 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 (Mr. Rosenberg) and sent to the House for enactment.**

### *Engrossed Bills.*

An engrossed Bill making appropriations for the fiscal year 2014 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 3538) (which originated in the House), 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. Rosenberg).

An engrossed Bill making appropriations for the fiscal year 2013 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 3539) (which originated in the House), 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 President and laid before the Governor for his approbation.

### *Order Adopted.*

On motion of Mr. Tarr,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Wednesday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

### *Moment of Silence.*

At the request of the Chair (Mr. Rosenberg), the members, guests and staff stood in a moment of silence and reflection to the memory of the Granite Mountain Hotshots of Arizona.

### *Adjourn In Memory of the Granite Mountain Hotshots*

The Senator from Worcester and Norfolk, Mr. Richard T. Moore, and the Senator from Middlesex, Mr. Donnelly moved that when the Senate adjourns today it adjourn in memory of the Granite Mountain Hotshots.

Nineteen members of the Prescott, Arizona Fire Department's "Granite Mountain Hotshots", an elite wildfire-fighting force that is the only one in the country organized through a city fire department, lost their lives Sunday, June 30, 2013, while battling a 2,000-acre fire south of the city of Prescott. The tragedy was the highest firefighter death toll in a single U.S. wildfire since 1933.

Accordingly, as a mark of respect in memory of the Granite Mountain Hotshots, at one minute before four o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Wednesday next at eleven o'clock A.M.