

**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, July 3, 2014.

Met according to adjournment at eleven o'clock A.M. (Ms. Chang-Diaz 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. Chang-Diaz), members, guests and staff then recited the pledge of allegiance to the flag.

#### *Petition.*

Mr. Brownsberger presented a petition (subject to Joint Rule 12) of William N. Brownsberger for legislation relative to the safety of courthouses and remote court proceedings,-- **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

#### *Reports of Committees.*

By Mr. Joyce, for the committee on Bonding, Capital Expenditures and State Assets, that the House Bill providing for the preservation and improvement of land, parks and clean energy in the Commonwealth (House, No. 4150),--ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of the Senate document numbered 2242;

By Mr. Welch, for the committee on Health Care Financing, that the Senate Bill relative to the regulation of skilled nursing facilities (Senate, No. 287),-- ought to pass with an amendment, substituting a new draft with the same title (Senate, No. 2235) [Estimated cost-more than \$100,000];

By the same Senator, for the same committee, that the Senate Bill relative to prohibiting clinical laboratory self-referrals (Senate, No. 1932),-- ought to pass with an amendment, substituting a new draft with the same title (Senate, No. 2236) [Estimated cost-more than \$100,000]; and

By the same Senator, for the same committee, that the Senate Bill relative to home health and hospice aides (Senate, No. 2076),-- ought to pass with an amendment, substituting a new draft with the same title (Senate, No. 2240) [Estimated cost-more than \$100,000];

**Severally, under Senate Rule 27, referred to the committee on Ways and Means, with the amendments pending.**

By Mr. Brownsberger, for the committee on the Judiciary, on Senate, Nos. 643, 682, 706, 714, 797 and 827, an Order relative to authorizing the joint committee on the Judiciary to make an investigation and study of certain current Senate documents relative to judicial issues (Senate, No. 2238);

By Mr. Rodrigues, for the committee on Revenue, on Senate, Nos. 1327, 1334 and 1354, an Order relative to authorizing the joint committee on Revenue to make an investigation and study of certain current Senate documents relative to revenue issues (Senate, No. 2239);

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

By Mr. Rodrigues, for the committee on Revenue, on petition, a Bill to equalize the Department of Revenue interest rates (Senate, No. 1372);

**Read and, under Senate Rule 27, referred to the committee on Ways and Means.**

By Mr. Lewis, for the committee on Public Service, on the recommitted petition, a Bill to authorize the town of Sunderland to continue the employment of James P. Bielunis as a call firefighter (Senate, No. 2131) [Local approval received]; and  
By Mr. McGee, for the committee on Transportation, on petition, a Bill relative to the acceptance of Paper Mill Road as a public way in the city of Westfield (Senate, No. 2169) [Local approval received];

**Severally 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 Health Care Financing to make an investigation and study of certain current Senate documents relative to health care financing issues (Senate, No. 2237),-- 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.**

PAPER FROM THE HOUSE.

A Bill relative to the compensation of the Soldiers' Memorial Commission of the city of Holyoke (House, No. 4247,-- on House, No. 4029) [Local approval received on House, No. 4029],-- **was 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. Lovely) "congratulating Timothy and Maureen Smith on being named Grand Marshals of the Ryal Side Civic Association's Fourth of July Parade";

Resolutions (filed by Messrs. Rosenberg and Downing) "congratulating Double Edge Theatre in the town of Ashfield on the occasion of its twentieth anniversary"; and

Resolutions (filed by Messrs. Ross and Rush) "commending Trish Hegarty of the town of Needham on her notable participation and success in the television program, Survivor."

*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 appointment of Scott Bradish as a firefighter in the city of Haverhill notwithstanding the maximum age requirement (House, No. 3487),-- **was read a third time and passed to be engrossed, in concurrence.**

The House Bill authorizing the appointment of Scott Marchand as a firefighter in the city of Haverhill notwithstanding the maximum age requirement (House, No. 3487),-- **was read a third time and passed to be engrossed, in concurrence.**

*Reports of Committees.*

By Mr. Brewer, for the committee on Ways and Means that the Senate Bill establishing a sick leave bank for Margaret Poindexter, an employee of the Massachusetts Department of Transportation (Senate, No. 2185),-- ought to pass, with an amendment striking out, in line 1, the words "SECTION 1.,"; and by striking out, in lines 4 and 5, the words "Janet Everett" and inserting in place thereof the following words:- Margaret Poindexter.

**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. 2185, amended) was then ordered to a third reading, read a third time and passed to be engrossed. 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 Public Service, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 1225) of Benjamin B. Downing for legislation relative to public investment in fossil fuels.

**On motion of Mr. Tarr, the rules were suspended; and, on further motion of the same Senator, the petition was recommitted to the Joint Committee on Public Service.**

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 Transportation, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No.

2112) of Stephen M. Brewer and Todd M. Smola for legislation to establish a special commission to identify, preserve and commemorate historic roadways in Massachusetts.

On motion of Mr. Tarr, the rules were suspended; and, on further motion of the same Senator, the petition was recommitted to the Joint Committee on Transportation.

#### PAPERS FROM THE HOUSE

##### Emergency Preambles Adopted.

An engrossed Bill establishing a sick leave bank for Kyle Melvin, an employee of the Department of Correction (see Senate, No. 2155), 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. Chang-Díaz) and sent to the House for enactment.

An engrossed Bill establishing a sick leave bank for Andrea Thomas, an employee of the Division of Capital Asset Management and Maintenance (see House, No. 4177), 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. Chang-Díaz) and sent to the House for enactment.

##### Engrossed Bill.

An engrossed Bill relative to pharmacy practice in the Commonwealth (see House, No. 4235) (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 (Ms. Chang-Díaz) and laid before the Governor for his approbation.

##### Order Adopted.

On motion of Mr. Tarr,--

Ordered, That when the Senate adjourns, 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.

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