

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, August 21, 2014.

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

Report.

Report of the Department of Public Health (under the provisions of Section 72 of Chapter 224 of the Acts of 2012) submitting the Health Care Workforce Center annual report for 2012-2013,-- **was placed on file.**

Reports of a Committee.

By Mr. Lewis, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for Timothy Maxfield, an employee of the Department of Mental Health (Senate, No. 2356); and

By the same Senator, for the same committee, on petition, a Bill establishing a sick leave bank for Frances M. Vadnais, an employee of the Department of Developmental Services (Senate, No. 2357); and

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

PAPERS FROM THE HOUSE

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4409) of Cleon H. Turner, Randy Hunt and Brian R. Mannal (by vote of the town) that the town of Barnstable be authorized to borrow funds for the purpose of repairing and maintaining certain private roads in said town; and

Petition (accompanied by bill, House, No. 4410) of Cleon H. Turner, Randy Hunt and Brian R. Mannal (by vote of the town) that the town of Barnstable be authorized to establish a sewer construction and private way maintenance and improvement fund;

Severally, to the committee on Municipalities and Regional Government.

A Bill validating the results of a certain election held in the town of Lancaster (printed in House, No. 4331,-- being a message from His Excellency the Governor);

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

Bills

Authorizing the city of Lawrence to establish a program for enforcement against illegal dumping (House, No. 1288, amended,-- on petition) [Local approval received]; and

Relative to the town treasurer in the town of Blandford (House, No. 4171,-- 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 Mr. Downing) "congratulating the Polish Falcons of America Nest 580 on its one hundredth anniversary"; and

Resolutions (filed by Ms. Forry) "commending the United Nations Educational, Scientific and Cultural Organization on its observance of the International Day for the remembrance of the slave trade and its abolition."

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 House Bill relative to the sale of all alcoholic beverages to be drunk on the premises in the town of Topsfield (House, No. 4167),-- was read a third time.

Pending the question on passing the bill to be engrossed, Ms. Lovely presented an amendment in section 1, by inserting after the word "Laws", in line 1, the following words:- "or any other general or special law to the contrary"; and by striking out section 2 and inserting in place thereof the following 2 sections:-

"SECTION 2. The licensing authority shall not approve the transfer of a license granted under this act to any other location but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those entities and that all applicable taxes, fees and contributions have been paid.

SECTION 2A. A license granted under this act, if cancelled, revoked or no longer in use, shall be returned physically, with all of the legal rights, privileges and restrictions pertaining to the license, to the licensing authority."

The amendment was adopted.

The bill, as amended, was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

Report 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 Harriette L. Chandler and Mary S. Keefe for legislation to establish a sick leave bank for Norma Brown, an employee of the Department of Youth Services.

Senate Rule 36 was suspended, on motion of Mr. Humason, 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.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE

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 (Mr. Petruccelli) and laid before the Governor for his approbation, to wit:

Relative to rock wall climbing safeguards (see Senate, No. 2253);

Relative to property tax exemptions for rental properties in the town of Truro restricted as affordable housing (see House, No. 2693);

Authorizing the appointment of Billy Ray Hawkins, Jr. as a firefighter in the city of Haverhill notwithstanding the maximum age requirement (see House, No. 3228);

Authorizing the town of Dartmouth to accept certain roadways as public ways (see House, No. 3697); and

Authorizing the town of Conway to continue the employment of Robert Baker and Ronald Hawkes (see House, No. 3876).

An engrossed Bill relative to the assessment of betterments for improvements to private ways in the town of Harwich (see House Bill, printed in House, No. 3869) (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, two-thirds of the members present having voted in the affirmative, and signed by the Acting President (Mr. Petruccelli) and laid before the Governor for his approbation.

Reports of a Committee.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for John Gallagher, an employee of the Department of Youth Services (Senate, No. 1997),-- **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2358).**

There being no objection, the rules were suspended, on motion of Mr. Humason, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2358) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Anthony Gerniglia, an employee of the Department of Youth Services (Senate, No. 2259),-- **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2359).**

There being no objection, the rules were suspended, on motion of Mr. Humason, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2359) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

PAPERS FROM THE HOUSE

Engrossed Bill.

An engrossed Bill authorizing the city of Holyoke to issue additional licenses for the sale of all alcoholic beverages and wines and malt beverages to be drunk on the premises (see House, No. 4048) (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. Petruccelli) and laid before the Governor for his approbation.

A Bill making appropriations for the fiscal year 2014 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4418,-- on House, No. 4301, in part),-- **was read.**

There being no objection, the rules were suspended, on motion of Mr. Humason, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Engrossed Bill.

An engrossed Bill making appropriations for the fiscal year 2014 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4418) (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. Petruccelli) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Humason,--

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.

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