

**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, September 22, 2014.*

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

#### *Distinguished Guests.*

There being no objection, the Chair (Mr. Petruccelli) handed the gavel to Mr. Ross for the purpose of an introduction. Mr. Ross then introduced, in the rear of the Chamber, a group of guests from Wellesley. The group was taking a tour of the State House and learning about the different aspects of state government. The Senate welcomed them with applause and they withdrew from the Chamber. They were also guests of Senator Creem and Representative Peisch.

#### *Report.*

Report of the Norfolk County Registry of Deeds (under the provisions of Section 4 of Chapter 4 of the Acts of 2003) submitting a plan for expenditure from the County Registers Technological Fund (copies will be forwarded as required to the Senate Committees on Ways and Means and Post Audit and Oversight) (received August 8, 2014),-- was placed on file.

#### *Petition.*

Mr. Welch presented a petition (subject to Joint Rule 12) of James T. Welch and Benjamin Swan for legislation to establish a sick leave bank for Marisol Rodriguez, an employee of the Department of Children and Families,-- and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

#### *Report of a Committee.*

By Mr. Kennedy, for the committee on Consumer Protection and Professional Licensure, on petition (accompanied by bill Senate, No. 2352), a Bill relative to authorizing the town of Wareham to grant additional liquor licenses (Senate, No. 2370) [Local approval received on Senate, No 2352];

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

### PAPER FROM THE HOUSE

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4476) of Garrett J. Bradley, Robert L. Hedlund and James M. Murphy (by vote of the town) that the town of Hingham be authorized to establish a reserve fund for said town; and

Petition (accompanied by bill, House, No. 4477) of David T. Vieira, Randy Hunt and Therese Murray (by vote of the town) that the town of Bourne be authorized to amend the charter of said town;

**Severally, to the committee on Municipalities and Regional Government.**

Relative to the Squibnocket Pond Overlay District in the town of Chilmark (House, No. 4339,-- on petition) [Local approval received],-- 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. Jehlen and Mr. R. Moore) "Commending the Massachusetts Falls Prevention Coalition on its celebration of Falls Prevention Awareness Day";  
Resolutions (filed by Mr. Welch) "commending David Starr for his many years of service to Greater Springfield, the Commonwealth and the United States"; and  
Resolutions (filed by Mr. Welch) "commending the Massachusetts Manufacturing Extension Partnership's Manufacturing Advancement Center for Workforce Innovation Collaborative for serving as one of the most innovative workforce models in the Country."

**PAPERS FROM THE HOUSE.**

Petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No.4484) of Cory Atkins for legislation to classify NBOME as a controlled substance and to establish the crime of illegal possession of said substance;

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

Petition (accompanied by bill, House, No. 4485) of James M. Cantwell for legislation to erect a marker on Route 3 designating Marshfield as the home of Senator Daniel Webster and Governor Edward Winslow;

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

*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 providing for recall elections in the town of Hinsdale (House, No. 4064),-- **was read a third time.**  
Mr. Downing presented an amendment that the bill be amended amendments in section 3, by inserting after the word "certificate", in line 30, the following words:- "either by hand or by certified mail, return receipt requested"; and further, in section 5, by inserting after the word "election", in line 47, the following words:- " , either by hand or by certified mail, return receipt requested".

**The amendment was adopted.**

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

**Sent to the House for concurrence in the amendment.**

The House Bill relative to the membership of the Historic District Commission for the town of Nantucket (House, No. 4102),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to private road maintenance (House, No. 4336),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

**PAPERS FROM THE HOUSE**

*Emergency Preambles Adopted.*

An engrossed Bill establishing a sick leave bank for Timothy Maxfield, an employee of the Department of Developmental Services (see Senate, No. 2369), 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 3 to 0.**

**The bill was signed by the Acting President (Mr. Petrucci) and sent to the House for enactment.**

*Engrossed Bill.*

An engrossed Bill validating the results of a certain election held in the town of Lancaster (see House Bill, printed in House, No. 4331) (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. Petrucci) and laid before the Governor for his approbation.

*Engrossed Bills.*

The following engrossed bills (the first two 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:

Establishing the Metrowest Commission on the Status of Women (see Senate, No. 1920, amended);  
Relative to the charter of the town of Bellingham (see Senate, No. 2066);  
Establishing a sick leave bank for Tracy Longvall-Rivera, an employee of the Department of Youth Services (see House, No. 3904); and  
Relative to certain municipal salaries in the city of Lynn (see House, No. 4335).

*Recess.*

There being no objection, at twenty minute past eleven o'clock A.M., the Chair (Mr. Petruccelli) declared a recess subject to the call of the Chair; and, at twenty-six minutes before twelve o'clock noon, the Senate reassembled, Mr. Petruccelli in the Chair.

*Reports of a Committee.*

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. 2282) of Bruce E. Tarr and Ann-Margaret Ferrante (with the approval of the mayor and city council) for legislation to authorize Cary Gould of the city of Gloucester to take the examination for appointment as a police officer in the city notwithstanding the maximum age requirement.

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

**Pending the question on acceptance of the report, the same Senator moved that the report be amended by substituting a "Bill authorizing Cary Gould of the city of Gloucester to take the examination for appointment as a police officer in the city notwithstanding the maximum age requirement" (Senate, No. 2282); and this motion prevailed.**

**The bill was read and placed on the Orders of the Day for the next session.**

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 recommitted petition (accompanied by bill, Senate, No. 2178) of Bruce E. Tarr and Leonard Mirra (by vote of the town) for legislation to allow certain senior support staff members of Protection Fire Co. No. 1 of Byfield to continue to serve beyond the age of 65.

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

**Pending the question on acceptance of the report, the same Senator moved that the report be amended by substituting a "Bill allowing certain senior support staff members of Protection Fire Co. No. 1 of Byfield to continue to serve beyond the age of 65" (Senate, No. 2178); and this motion prevailed.**

**The bill was read and placed on the Orders of the Day for the next session.**

## **PAPER FROM THE HOUSE**

*Engrossed Bill.*

An engrossed Bill establishing a sick leave bank for Timothy Maxfield, an employee of the Department of Developmental Services (see Senate, No. 2369) (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 (Mr. Petruccelli) 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 Thursday 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-four minutes before twelve o'clock noon, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.