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## UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



### JOURNAL OF THE SENATE.

*Thursday, October 10, 2013.*

Met according to adjournment at one o'clock P.M. (Mr. Richard T. Moore in the Chair).

#### *Distinguished Guests.*

There being no objection, the Chair (Mr. Rosenberg) handed the gavel to Mr. Keenan for the purpose of an introduction. Mr. Keenan then introduced, in the rear of the Chamber, Robert Noble, husband of the late Gloria Noble who the Senate adjourned in memory of today. Robert is an active military veteran and was a WWII POW. He was accompanied by his daughter Alicia Gardener who formerly worked for Senator Morrissey and grandson Robert Noble. The Senate welcomed them with applause and they withdrew from the Chamber. They were also guests of Representative Chan.

#### *Petitions.*

Petitions were severally presented and referred as follows:

By Mr. McGee, a petition (subject to Joint Rule 12) of Thomas M. McGee and Steven M. Walsh for legislation to establish a sick leave bank for Cynthia (Bouchard) White, an employee of the Trial Court; and  
By Mr. Tarr (by request), a petition (subject to Joint Rule 12) of Jonathan Ring for legislation relative to tobacco cessation;  
**Severally, 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 Senate Bill authorizing the Division of Capital Asset Management and Maintenance to grant a sewer easement in certain land in the town of Tewksbury (Senate, No. 1485),-- **ought to pass;**

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

By Mr. Brownsberger, for the committee on Public Service, on petition, a Bill to establish a sick leave bank for Jeffrey Cowell, an employee of the Department of Correction (Senate, No. 1871);

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

### PAPERS FROM THE HOUSE.

A Resolve relating to the Tribal-State Compact between the Mashpee Wampanoag Tribe and the Commonwealth of Massachusetts (printed in House, No. 3376,-- **being a message from His Excellency the Governor**),-- **was read and, under Senate Rule 27, referred to the committee on Senate Ways and Means.**

A Bill relative to school improvement plans (House, No. 414, amended,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

There being no objection at one minute past one o'clock P.M., the Chair (Mr. Richard T. Moore) declared a recess subject to the call of the Chair; and, at six minutes before 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.

*Resolutions.*

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

Resolutions (filed by Mr. Eldridge) "congratulating the Boxborough Fire Department on the occasion of its one hundredth anniversary";

Resolutions (filed by Mr. Eldridge) "congratulating Ernest Goldman on the occasion of his one hundredth birthday"; and

Resolutions (filed by Mr. Timilty) "congratulating Ensign James L. Devine on his retirement from the United States Navy."

**PAPERS FROM THE HOUSE.**

*Emergency Preamble Adopted.*

An engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement upon land located in the town of Ware to the Massachusetts Water Resources Authority (see Senate, No. 1837), 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 14 to 0.**

**The bill was signed by the President and sent to the House for enactment.**

*Engrossed Bill—Land Taking for Conservation Etc.*

An engrossed Bill authorizing the town of Hingham to change the use of certain parcels of land in the town (see House, No. 3411) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at four minutes before two o'clock P.M., as follows, to wit (*yeas 38 - nays 0*) **[Yeas and Nays No. 190]:**

YEAS.

Barrett, Michael J. Keenan, John F.

Brewer, Stephen M. Kennedy, Thomas P.

Brownsberger, William N. Lovely, Joan B.

Candaras, Gale D. McGee, Thomas M.

Chandler, Harriette L. Montigny, Mark C.

Chang-Diaz, Sonia Moore, Michael O.

Clark, Katherine M. Moore, Richard T.

Creem, Cynthia Stone O'Connor Ives, Kathleen

DiDomenico, Sal N. Pacheco, Marc R.

Donnelly, Kenneth J. Petrucci, Anthony

Donoghue, Eileen M. Rodrigues, Michael J.

Downing, Benjamin B. Rosenberg, Stanley C.

Eldridge, James B. Ross, Richard J.

Finegold, Barry R. Rush, Michael F.

Flanagan, Jennifer L. Spilka, Karen E.

Forry, Linda Dorcena Tarr, Bruce E.

Hedlund, Robert L. Timilty, James E.

Jehlen, Patricia D. Welch, James T.

Joyce, Brian A. Wolf, Daniel A. — 38.

NAYS — 0.

The yeas and nays having been completed at one minute before two o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

Mr. Rosenberg in the Chair (having been appointed by the president, under authority conferred by Senate Rule 4, to perform to the duties of the Chair), petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No. 3691) of Josh S. Cutler relative to the calculation of interest paid by local governments in certain judicial actions; and

Petition (accompanied by bill, House, No. 3692) of Louis L. Kafka and others relative to animal cruelty;

Severally, under suspension of Joint Rule 12, to the committee on the Judiciary.

Petition (accompanied by bill, House, No. 3693) of Thomas M. Petrolati for legislation to establish a sick leave bank for Maritza Miranda, an employee of the Department of Children and Families;

Under suspension of Joint Rule 12, to the committee on Public Service.

Orders of the Day.

The Orders of the Day were considered, as follows:

Bills

Increasing the membership of the Lowell License Commission from three to five members (Senate, No. 935);

Authorizing the city of Fall River to use certain park land for combined sewer overflow control (Senate, No. 1851);

Authorizing the town of Norfolk to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 307, amended)

Relative to a form of governance for the Boston Housing Authority (House, No. 1117);

Authorizing the town of Westborough to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3471, changed);

Relative to the disposal of property known as the Nobscot Chapel in the town of Framingham (House, No. 3512);

Relative to the form of government in the town of Paxton (House, No. 3533);

Authorizing the town of Concord to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 3615); and

Authorizing the town of Natick to grant a license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3616);

Were severally read a second time and ordered to a third reading.

The Senate Bill ensuring the safety of people with pets in disasters (Senate, No. 1172),-- was read a second time and was amended, as previously recommended by the committee on Ways and Means, striking out, in line 3, the figure "1570b" and inserting place thereof the following figure:- "5170b"; and by adding the following section:-

"Section 3. An emergency plan of operations shall be consistent with sections 1 and 2 not later than 12 months after the effective date of this act."

After remarks, the bill (Senate, No. 1172, amended) was ordered to a third reading. The rules were suspended, on motion of Ms. Spilka, and the bill was read a third time.

The question on passing the bill to be engrossed was determined by a call of the yeas and nays, at seventeen minutes past two o'clock P.M., on motion of Ms. Spilka, as follows, to wit (yeas 38 — nays 0) [Yeas and Nays No. 191]:

YEAS.

Barrett, Michael J. Keenan, John F.

Brewer, Stephen M. Kennedy, Thomas P.

Brownsberger, William N. Lovely, Joan B.

Candaras, Gale D. McGee, Thomas M.

Chandler, Harriette L. Montigny, Mark C.

Chang-Diaz, Sonia Moore, Michael O.

Clark, Katherine M. Moore, Richard T.

Creem, Cynthia Stone O'Connor Ives, Kathleen

DiDomenico, Sal N. Pacheco, Marc R.

Donnelly, Kenneth J. Petruccelli, Anthony

Donoghue, Eileen M. Rodrigues, Michael J.

Downing, Benjamin B. Rosenberg, Stanley C.

Eldridge, James B. Ross, Richard J.

Finegold, Barry R. Rush, Michael F.

Flanagan, Jennifer L. Spilka, Karen E.

Forry, Linda Dorcena Tarr, Bruce E.

Hedlund, Robert L. Timilty, James E.

Jehlen, Patricia D. Welch, James T.

Joyce, Brian A. Wolf, Daniel A. — 38.

NAYS — 0.

The yeas and nays having been completed at twenty minutes past two o'clock P.M., the bill (Senate, No. 1172, amended) was passed to be engrossed.

Sent to the House for concurrence.

The Senate Bill relative to veterans' allowances, labor, outreach, and recognition (Senate, No. 1876),-- was read a second time.

Pending the question on ordering the bill to a third reading, the amendment previously recommended by the committee on Ways and Means that the bill be amended by substituting a new draft with the same title (Senate, No. 1878),-- was considered.

At six minutes before three o'clock P.M., Mr. Tarr doubted the presence of a quorum. The Chair (Mr. Rosenberg), having

determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum. Subsequently, at five minutes before three o'clock P.M., a quorum was declared present.

Messrs. McGee, Tarr, DiDomenico, Kennedy, Ms. Clark and Ms. Donoghue moved to amend the proposed new draft by inserting the following sections: -

“SECTION XX. Notwithstanding the provisions of any general or special law to the contrary, any retired member of a retirement system, who is a veteran who served in the armed forces of the United States and who retired prior to July 24, 1996 shall be entitled to have his retirement allowance recalculated based upon additional credit for active service in the armed services to the United States. Such creditable service shall not be construed to include service for more than four years provided further, that such creditable shall not be allowed for any period of active service for which said veteran has received credit pursuant to paragraph (h) of subsection (1) of section 4 of chapter thirty-two of the General Laws or for which said veteran receives a federal military pension and provided further, that the amount does not exceed the eighty percent allowed to retire. This act shall apply to Massachusetts National Guard and Active Reserve personnel, both former and present. Creditable service time, both enlisted and commissioned may be applied toward retirement on a ratio of five years guard service or five years active reserve service substitutable for each year of active service.

SECTION XX. For the retirement system of any political subdivision, the provisions of this act shall take effect on the effective date of this act by majority vote of the board of such system and by the local legislative body. For the purposes of this paragraph local Legislative body shall mean a town meeting for a town system, the city council subject to the provisions of its charter for a city system, the county commissioners for a county system, the district members for a district system and the governing body of an authority for an authority system. Acceptance shall be deemed to have occurred upon the filing of a certification of 160 Chapter 71 such vote with the commissioner. Members retired prior to July 24, 1996 of a retirement system eligible for said creditable service under this act shall become eligible for said creditable service the month following the acceptance of this act by the local legislative body. Terms used in this act shall have the same meaning as those terms defined in section one of chapter thirty-two of the General Laws.”

The amendment was rejected.

Mr. Downing moved to amend the proposed new draft by adding the following new section: -

“SECTION X. Section 33 of chapter 90 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting in line 146, at the end of clause 21, the following sentence:- No fee shall be collected for a license or renewal thereof if the applicant is a veteran of the armed forces as defined by clause 43 of section 7 of chapter 4. The registrar shall annually report to the secretary of the department of veterans services the number of individuals qualifying under this section. The registry of motor vehicles shall promulgate such regulations as necessary to allow the department of veterans services use of the information gathered to improve, develop and deploy services.”

The amendment was rejected.

Mr. Richard Moore moves to amend the proposed new draft in section 23, by adding the following subsection:-

“(f) Veterans benefits and services officers or agents shall not disclose any information transmitted in confidence by and between a veteran and a veterans service officer or agent, except: when the disclosure is made for the benefit of the veteran; the disclosure of such information is reasonably necessary to the assistance of the veteran; under lawful order. Such communications shall include all information received by the veterans' service officer or agent which arises out of and in the course of such assistance, including, but not limited to, reports, records, working papers or memoranda.”

After remarks, the amendment was adopted.

Mr. Keenan moved that the proposed new draft be amended by inserting after the word “injury” in line 33 the following: “, to include injuries related to post-traumatic stress”; and by striking from line 352 the word “disorder” and inserting in place thereof the following: “injury”.

The amendment was rejected.

Mr. Keenan moved that the proposed new draft be amended by inserting the following new section: -

“SECTION XX: Section 6B of Chapter 115 of the General Laws is hereby amended in lines 18, 26 and 33 by striking out the figures ‘\$2,000’ and inserting in place thereof the figures ‘\$2,500’.”

The amendment was rejected.

Mr. Keenan moved that the proposed new draft be amended in section 28, by striking subsection (d) and inserting in place thereof the following:

“(d) The council shall perform and make recommendations pertaining to how best to operationalize and quantify the following duties, including, but not limited to: (i) examine and evaluate the effectiveness of veterans’ suicide prevention policies; (ii) examine and evaluate the effectiveness of resilience training for veterans’ personnel; (iii) develop recommendations on ways in which veterans’ support service needs may be promptly assessed upon return from deployment; (iv) develop recommendations for methods by which the commonwealth may identify, evaluate and refer servicemembers returning to civilian life post-deployment for assistance with education, employment, healthcare, housing and other services; (v) provide recommendations for improving communication between mental health support services and veterans who may benefit from such services; (vi) provide recommendations for improving observation and treatment plans for returning veterans; (vii) develop recommendations for providing mental health counseling services to combat the effects of post-traumatic stress injuries for post-deployment veterans (viii) examine ways in which the commonwealth can reduce stress, anxiety and depression among returning veterans, and among family members of returning veterans; (ix) provide recommendations on improving health access assistance; and (x) identify the needs of women veterans relative to issues including, but not limited to, compensation, rehabilitation, outreach, health care, education and other issues facing women veterans in the community. The council may hold public hearings to assist in the

collection and evaluation of data and testimony.”

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays at one minute past three o'clock P.M., on motion of Mr. Keenan, as follows, to wit (yeas 37 — nays 0) [Yeas and Nays No. 192]:

YEAS.

Barrett, Michael J. Keenan, John F.

Brewer, Stephen M. Kennedy, Thomas P.

Brownsberger, William N. Lovely, Joan B.

Candaras, Gale D. McGee, Thomas M.

Chandler, Harriette L. Montigny, Mark C.

Chang-Diaz, Sonia Moore, Michael O.

Clark, Katherine M. Moore, Richard T.

Creem, Cynthia Stone O'Connor Ives, Kathleen

DiDomenico, Sal N. Pacheco, Marc R.

Donnelly, Kenneth J. Petrucci, Anthony

Donoghue, Eileen M. Rodrigues, Michael J.

Downing, Benjamin B. Rosenberg, Stanley C.

Eldridge, James B. Ross, Richard J.

Finegold, Barry R. Rush, Michael F.

Flanagan, Jennifer L. Tarr, Bruce E.

Forry, Linda Dorcena Timilty, James E.

Hedlund, Robert L. Welch, James T.

Jehlen, Patricia D. Wolf, Daniel A. — 37.

Joyce, Brian A.

NAYS — 0.

ABSENT OR NOT VOTING.

Spilka, Karen E. — 1.

The yeas and nays having been completed at five minutes past three o'clock P.M., the amendment was adopted.

Mr. Tarr moved that the proposed new draft be amended by inserting the following new section:-

“Section 35CC of chapter 10 of the General Laws as appearing in the 2012 Official Edition is hereby by striking in line 6-7 the following:- ‘certain active duty members of the armed forces who were killed in action’ and inserting in place thereof in line 6 after the word “of” the following: ‘Gold Star Families’.”

After remarks, the amendment was adopted.

Mr. Tarr moved that the proposed new draft be amended in section 30 by striking out subsection (c) and inserting in place thereof the following:

“(c) The commission shall: (i) examine and report on barriers to employment facing returning veterans; (ii) examine barriers to starting a veteran-owned business or nonprofit; (iii) identify opportunities to promote the development of business enterprises and non-profit organizations owned and operated by veterans; (iv) examine relationships that can be enhanced between state agencies and private sector employers to promote private sector awareness of barriers to veteran employment and potential benefits of hiring veterans; (v) study the feasibility of state-level veteran career counseling and training options to include coordination with one-stop career centers and all outreach programs and initiatives relative to veterans’ employment services in the commonwealth; (vi) examine outreach programs and initiatives relative to employment services to veterans in the commonwealth as well as a demographic and geographic analyses of the veteran population seeking services through the division of career services; (vii) identify opportunities to maximize revenues aimed at accomplishing the goals in this section, including, but not limited to, the availability of federal grants and matching funds; and (viii) develop and implement an action plan to address the needs and deficiencies of underserved geographic locations in need of greater veteran outreach efforts.

Said examination shall include, but not be limited to: (i) a report on the number of veterans residing in each municipality in the commonwealth; (ii) a report on the number of veterans actively seeking employment services in each community; (iii) coordinating with local, state and federal entities to estimate the number of veterans in each community currently unemployed or under-employed; and (iv) determining the geographic location of each local veteran employment representative assigned to career centers or other employment outreach locations throughout the commonwealth. This examination shall include an assessment of staffing levels, funding levels and outreach efforts performed by local veteran employment representatives, as well as, a projection of underserved geographic locations in need of greater veteran outreach efforts.”; and in said Section 30 subsection (e) by inserting in line 112 after the word “study” the following words:- “and the action plan as developed in subsection (c) (viii)”.

After remarks, the amendment was adopted.

Mr. Tarr moved that the proposed new draft be amended in section 28(b), by inserting at the end thereof in line 335 the following words:- “and the Military Friends Foundation”.

After remarks, the amendment was adopted.

Mr. Tarr moved that the proposed new draft be amended by adding the following section:-

“Section \_\_. The department of veterans’ services, in conjunction with the department of revenue, shall study the feasibility and analyze the merits of implementing a sliding scale property tax abatement for veterans and spouses, currently implemented under

clause 22 of section 5 of chapter 59, based upon a percentage of disability as defined by the United State Department of Veterans Affairs. The study shall include, but not be limited to, the methodology of granting such exemption in other states, the utilization of a sliding scale based on the percentage of disability of the veteran for the awarding of such exemption to veterans and spouses, the impact on disabled veterans and any anticipated monetary cost to the commonwealth or to municipalities that the exemption may cause. The department of veterans' services, in conjunction with the department of revenue, shall submit its findings and legislative recommendations to the clerks of the house and senate, the house and senate committees on ways and means and the joint committee on veterans and federal affairs not later than March 15, 2014."

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays at seventeen minutes past three o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 37 — nays 0) [Yeas and Nays No. 193]:

YEAS.

Barrett, Michael J. Keenan, John F.

Brewer, Stephen M. Kennedy, Thomas P.

Brownsberger, William N. Lovely, Joan B.

Candaras, Gale D. McGee, Thomas M.

Chandler, Harriette L. Montigny, Mark C.

Chang-Diaz, Sonia Moore, Michael O.

Clark, Katherine M. Moore, Richard T.

Creem, Cynthia Stone O'Connor Ives, Kathleen

DiDomenico, Sal N. Pacheco, Marc R.

Donnelly, Kenneth J. Petruccelli, Anthony

Donoghue, Eileen M. Rodrigues, Michael J.

Downing, Benjamin B. Rosenberg, Stanley C.

Eldridge, James B. Ross, Richard J.

Finegold, Barry R. Rush, Michael F.

Flanagan, Jennifer L. Tarr, Bruce E.

Forry, Linda Dorcena Timilty, James E.

Hedlund, Robert L. Welch, James T.

Jehlen, Patricia D. Wolf, Daniel A. — 37.

Joyce, Brian A.

NAYS — 0.

ABSENT OR NOT VOTING.

Spilka, Karen E. — 1.

The yeas and nays having been completed at twenty minutes past three o'clock P.M., the amendment was adopted.

Messrs. Ross and Tarr moved that the proposed new draft be amended by inserting the following new section:-

"SECTION XX. Notwithstanding any general or special law to the contrary, all secretariats, departments, commissions, and agencies required to submit reports in this act shall file their reports by the dates required via electronic means to the chairs of any committees named as recipients as well as with the clerks of the senate and house of representatives; provided, however, that the house and senate clerks shall develop procedures and requirements for secretariats, departments, commissions, and agencies for the preparation of the reports to facilitate their collection and storage and the reports shall be made available to the public on the general court's website. When a legislative commission is established the clerks of the senate and house of representatives shall include on the general court's website the date the commission was established, the members of the commission and the reporting date of the commission."

After remarks, the amendment was adopted.

Messrs. Ross and Tarr moved to amend the proposed new draft in section 28, by striking out the words "1 member of the senate appointed by the minority leader of the senate, who shall be a member of the joint committee on children, families and persons with disabilities, the joint committee on labor and workforce development or the joint committee on housing;" and inserting in place thereof the following:- "1 member shall be the ranking minority member of the senate on the joint committee on children, families and persons with disabilities, the joint committee on labor and workforce development or the joint committee on housing, or their designee;"

By striking out the words: "1 member of the house of representatives appointed by the minority leader of the house of representatives, who shall be a member of the joint committee on children, families and persons with disabilities, the joint committee on labor and workforce development or the joint committee on housing;" and inserting in place thereof the following:- "1 member shall be the ranking minority member of the house of representatives on the joint committee on children, families and persons with disabilities, the joint committee on labor and workforce development or the joint committee on housing, or their designee;"

In section 30, by striking out the words "1 of whom shall be appointed by the minority leader of the house of representatives" and inserting in place thereof the following words:- "1 of whom shall be the ranking minority member of the house of representatives on the joint committee on veterans and federal affairs or the joint committee on economic development and emerging technologies, or their designee;" and

By striking out the words "1 of whom shall be appointed by the minority leader of the senate" and inserting in place thereof the following words:- "1 of whom shall be the ranking minority member of the senate on the joint committee on veterans and federal

affairs or the joint committee on economic development and emerging technologies, or their designee;”.

The amendment was adopted.

Mr. Brownsberger moved that the proposed new draft be amended by adding the following new section:-

“Section XX. Section 1, paragraph 8 of Chapter 60A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking the words ‘continental United States’ in lines 135-136 and inserting in place thereof the following: ‘state of Massachusetts’.”

After remarks, the amendment was adopted.

Recess.

At twenty-seven minutes before four o’clock P.M., the Chair (Mr. Rosenberg) declared a recess subject to the call of the Chair; and, at a half past four o’clock P.M., the Senate reassembled, the President in the Chair.

Orders of the Day.

The Orders of the Day were further considered, as follows:

The Senate Bill relative to veterans’ allowances, labor, outreach, and recognition (Senate, No. 1876),-- was considered, the main question being on ordering the bill to a third reading.

Messrs. Ross and Tarr moved that the proposed new draft be amended in subsection (c) of section 32, by inserting after the first sentence the following sentence:- “The commission shall also study the feasibility of waiving the homestead fee for disabled veterans as established in section 38 of chapter 262 of the General Laws.”

The amendment was adopted.

Mr. Richard T. Moore moved that the proposed new draft be amended by inserting at the end thereof the following new sections:-

“SECTION XX. Notwithstanding any general or special law to the contrary, Bridge # D12026-1XX on route 131 over the Quinebaug river of Dudley shall be dedicated as the Private First Class Ranger Christopher P. Dona, Army, Memorial Bridge in honor of Private Christopher Dona, United States Army, who was killed in a tragic parachuting accident June 13, 2013 at Fort Stewart-Hunter Airfield base. The Massachusetts Department of Transportation shall erect and maintain suitable markers bearing that designation in compliance with the standards of the department.

SECTION XX. Notwithstanding any general or special law to the contrary, the Massachusetts Department of Transportation is hereby authorized and directed to erect a suitable marker at the intersection of Route 122 and Hartford Avenue in the town of Uxbridge in honor of Private Edward Sullivan, United States Marine Corps, Recipient of the Congressional Medal of Honor, 1898.”

The amendment was adopted.

Mr. Tarr moved that the proposed new draft be amended by inserting in line 354 after the word “assistance” the following words:- “, including analyzing barriers currently prohibiting veterans from receiving coverage upon their residency in the state, tools to educate active duty members intending to reside in Massachusetts of the ability to acquire health care coverage in the commonwealth, the resources available to military members to help afford coverage upon their discharge, the fluctuating income of service members upon discharge, and the amount of veterans who are discharged and upon residency in the commonwealth are without health care coverage; provided however the council may form a subcommittee to address this clause”.

The amendment was adopted.

Mr. Richard T. Moore moved that the proposed new draft be amended by inserting at the end thereof the following new section:-

“Section 61 of chapter 7 is hereby amended by inserting, after clause (i ½), the following clause:-

(i¾) SDO shall, on an annual basis, and in consultation with the department of veterans’ services, establish goals for participation on public projects for service-disabled veteran-owned small businesses interested in and capable of providing construction and design services on public construction and design projects. SDO shall, in calculating such goals, incorporate data from the United States Department of Defense and the Massachusetts National Guard reflecting the percentage of the commonwealth’s population that are service-disabled veterans.”

After remarks, the amendment was adopted.

Mr. Brewer moved that the proposed new draft be amended in section 1, by striking out, in line 6, the figure “2015” and inserting in place thereof the following figure:- “2014”;

By striking out section 3 and inserting in place thereof the following section:-

“SECTION 3. Clause forty-third of section 7 of chapter 4 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the definition “Active service in the armed forces” the following definition:-

‘Gold Star’, the status of any member of the armed forces, reserve component of the armed forces or National Guard who was deceased due to an injury, illness or disease, not due to gross negligence or misconduct of the member, which was incurred or aggravated while serving on military duty; provided, however, that for the purpose of determining Gold Star status, the term “military duty” shall mean full-time duty in the active military service of the United States, regardless of duration or purpose; provided, further, that active military service shall include full-time training duty, annual training duty and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary of the Department of Defense; provided further, that “military duty” shall also include full-time National Guard or reserve duty; provided further, that any member of the armed forces, reserve component of the armed forces or National Guard shall also be considered on military duty if that person is on inactive duty training, funeral honors duty, traveling directly to or from such active or inactive duty or training or while training before the commencement of military assignment or between successive periods of such active or inactive duty.”;

By striking out section 16 and inserting in place thereof the following section:-

“SECTION 16. Chapter 68 of the General Laws is hereby amended by inserting after section 19 the following section:-

Section 19A. Any person or charitable organization established for an advocacy, benevolent, educational, humane, patriotic, philanthropic, scientific or social welfare purpose on behalf of veterans or the military which intends to solicit contributions from persons within the commonwealth or to have contributions solicited on its behalf by other charitable organizations shall, prior to such solicitation, apply to for designation as a veterans' charitable organization on a form issued by the division of public charities that shall include, but not be limited to: (i) the name of the organization and the purpose for which it is organized; (ii) the address of the organization and the address of any offices in the commonwealth or, if the organization does not maintain an office, the name and address of the person having custody of its financial records; and (iii) the charitable purposes for which solicited contributions shall be used. The secretary of veterans' services shall publish on the department's website a list of the names of each veterans' charitable organization. Designation as a veterans' charitable organization shall be valid for 3 years. Any person or organization applying for designation as a veterans' charitable organization shall be exempt from any registration fee or renewal fee under section 19.”;

In section 17, by striking out, in line 163, the word “qualified”;

In section 18, by striking out, in line 168, the word “outside”;

In section 20, by inserting after the word “is”, in line 176, the following word:- “a”;

In section 21, by striking out, in line 194, the words “United States Armed Forces” and inserting in place thereof the following words:- “armed forces of the United States and the armed forces of the commonwealth”;

In section 28, by striking out, in line 306, the figure “25” and inserting in place thereof the following figure:- “27”;

In said section 28, by striking out, in line 327, the figure “13” and inserting in place thereof the following figure:- “14”;

In said section 28, by inserting after the word “of”, in line 328, the first time it appears, the following words:- “Operation New Dawn,”;

In section 30, by striking out, in line 375, the figure “16” and inserting in place thereof the following figure:- “14”;

In said section 30, by striking out, in line 376, the words “2 of whom shall be appointed by the speaker of the house of representatives” and inserting in place thereof the following words:- “1 of whom shall be the chair of the joint committee on veterans and federal affairs, 1 of whom shall be the chair of the joint committee on labor and workforce development”;

In said section 30, by striking out, in line 378, the words “2 of whom shall be appointed by the president of the senate” and inserting in place thereof the following words:- “1 of whom shall be the chair of the joint committee on veterans and federal affairs, 1 of whom shall be the chair of the joint committee on labor and workforce development”;

In said section 30, by striking out, in line 381, the figure “6” and inserting in place thereof the following figure:- “5”;

In said section 30, by striking out the words “and (viii) develop and implement an action plan to address the needs and deficiencies of underserved geographic locations in need of greater veteran outreach efforts” and inserting in place thereof the following words:- “(viii) develop and implement an action plan to address the needs and deficiencies of underserved geographic locations in need of greater veteran outreach efforts; and (ix) consider any particular challenges that may be faced by female veterans and disabled veterans when related to the objectives of the commission”;

In section 32, by striking out, in line 445, the figure “15” and inserting in place thereof the following figure:- “16”;

In section 34, by striking out, in line 512, the word “Trial” and inserting in place thereof the following word:- “Trail”;

By adding the following section:-

“SECTION XX. On the effective date of this act, any person or charitable organization established for an advocacy, benevolent, educational, humane, patriotic, philanthropic, scientific or social welfare purpose on behalf of veterans or the military which intends to solicit contributions from persons within the commonwealth or to have contributions solicited on its behalf by other charitable organizations shall comply with section 19A of chapter 68 of the General Laws not later 90 days after the effective date of this act.”

The amendment was adopted.

The Ways and Means amendment was then adopted, as amended.

The bill (Senate, No. 1878, amended) was then ordered to a third reading. The rules were suspended, on motion of Mr. Rush, and the bill was read a third time.

The question on passing the bill to be engrossed was determined by a call of the yeas and nays, at twelve minutes before five o'clock P.M., on motion of Mr. Rush, as follows, to wit (yeas 37 — nays 0) [Yeas and Nays No. 194]:

YEAS.

Brewer, Stephen M. Kennedy, Thomas P.

Brownsberger, William N. Lovely, Joan B.

Candaras, Gale D. McGee, Thomas M.

Chandler, Harriette L. Montigny, Mark C.

Chang-Diaz, Sonia Moore, Michael O.

Clark, Katherine M. Moore, Richard T.

Creem, Cynthia Stone Murray, Therese

DiDomenico, Sal N. O'Connor Ives, Kathleen

Donnelly, Kenneth J. Pacheco, Marc R.

Donoghue, Eileen M. Petrucci, Anthony

Downing, Benjamin B. Rodrigues, Michael J.

Eldridge, James B. Rosenberg, Stanley C.

Finegold, Barry R. Ross, Richard J.

Flanagan, Jennifer L. Rush, Michael F.



Forry, Linda Dorcena Tarr, Bruce E.  
Hedlund, Robert L. Timilty, James E.  
Jehlen, Patricia D. Welch, James T.  
Joyce, Brian A. Wolf, Daniel A. – 37.  
Keenan, John F.  
NAYS – 0.  
ABSENT OR NOT VOTING.  
Spilka, Karen E. – 1.

The yeas and nays having been completed at eight minutes before five o'clock P.M., the bill was passed to be engrossed [For text of bill printed as amended, see Senate, No. 1885].

Sent to the House for concurrence.

Moment of Silence.

At the request of the Chair (Mr. Keenan), the members, guests and staff stood in a moment of silence and reflection to the memory of Gloria A. Noble of Quincy.

Order Adopted.

On motion of Ms. Chang-Diaz,--

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

Adjourn In Memory of Gloria A. Noble

Mr. Keenan in the Chair, there being no objection, during consideration of the Orders of the Day, the Senator from Norfolk and Plymouth, Mr. Keenan, moved that when the Senate adjourns today, it do so in memory of Gloria A. Noble of Quincy.

Gloria A. Noble of Quincy passed away on October 1, 2013 at the age of 87.

Gloria was born and raised in Dorchester. Shortly after her marriage to Robert Noble, with whom she would spend the next 63 years of her life, they moved to their beloved Quincy.

In Quincy they would raise their four children, while committing themselves to their community. Gloria was past Commander of The Southeastern Chapter of the American Ex-Prisoners of War, board member of Domestic Violence Ended/Dove, board member of the Good Shepherd Maria Droste Agency counseling services, member of the Wollaston Mothers Club, a twenty-five year member of The Quincy Christmas Festival Committee, a ten year member of Quincy's First Night Committee, a longtime member of the Quincy Historical Society, a member of Friends of the Thomas Crane Public Library, a volunteer at the Juvenile Diabetes Foundation, and a volunteer for the Family Autism Center. Gloria was also an active parishioner of Saint Albert The Great Church in Weymouth.

Beyond her charitable involvement, Gloria was actively politically. She served as President of the South Shore Women's Political Caucus, and was a member of Quincy Democratic City Committee.

Over the years, Gloria, a dedicated Democrat, was a valued, highly sought after volunteer on many local, state and national political campaigns.

Once committed to a group, cause, or campaign, Gloria was a tireless worker, advocate, organizer and leader. With a twinkle in her eye, she brought an indefatigable spirit and feistiness to all that she undertook.

She and her husband Bob were the recipients of many awards, among them, Jewish War Veterans Citizen of the Year, The Quincy Sun Citizen of the Year, Elizabeth "Betty" Swanton Community Service Award and the Dennis F. Ryan Democrat of the Year award.

Above all else, Gloria was committed to her family. A devoted wife, and a caring and involved mother, grandmother and great grandmother and sister, her love of family knew no bounds. She is survived by her husband of 63 years, Bob; by her four children, Robert G. Noble, Jr., Alicia Gardner, Nancy Noble and Andrea White, and their spouses; by her ten grandchildren; by her nine great grandchildren; by her sister Alicia Gardner, brother in law Paul Noble, and sisters in law Marie Stapleton and Josephine Noble; and by nineteen nieces and nephews.

At her funeral, Father James Hawker, the celebrant, reflected on the meaning of "Gloria in excelsis Deo," noting that Gloria's life did give glory to God.

As the last prayers were offered over her, the sun broke through the gray clouds, streamed through the stained glass windows of St. Albert's, and shone the light of earthly peace upon all those touched by the good will of Gloria Noble. May she now rest in eternal peace.

Subsequently, the President in the Chair, as a mark of respect in memory of Gloria A. Noble, at seven minutes before five o'clock P.M., on motion of Mr. Brewer, the Senate adjourned to meet again Tuesday next at eleven o'clock A.M.