

**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, November 18, 2013.*

Met at two minutes past eleven o'clock A.M. (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).

The Senator from Norfolk, Bristol and Middlesex, Mr. Ross, then led the Chair (Mr. Rosenberg), members, guests and staff in the recitation of the pledge of allegiance to the flag.

#### *Petitions.*

Petitions were severally presented and referred as follows:

By Ms. Chandler, a petition (subject to Joint Rule 12) of Harriette L. Chandler and Mary S. Keefe for legislation to establish a sick leave bank for Richard Maynard, an employee of the Trial Court; and

By Mr. Keenan (by request), a petition (subject to Joint Rule 12) of Kris MacDonald for legislation relative to the wrongful death or injury of animal companions;

**Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

#### *Reports of a Committee.*

By Ms. Forry, for the committee on Municipalities and Regional Government, on petition, a Bill to create the Cape and Islands Property Insurance Commission (Senate, No. 980);

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

By Mr. Donnelly, for the committee on State Administration and Regulatory Oversight, on petition, a Bill to authorize the secretary of the Massachusetts Department of Transportation to convey and acquire certain parcels of land in the city of Beverly (Senate, No. 1901);

**Read and, under Senate Rule 26C, referred to the committee on Bonding, Capital Expenditures and State Assets.**

By Ms. Forry, for the committee on Municipalities and Regional Government, on petition, a Bill to promote transparency in local government (Senate, No. 937);

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

By Ms. Forry, for the committee on Municipalities and Regional Government on petition, a Bill relative to the installation of clotheslines (Senate, No. 924);

By the same Senator, for the same committee, on petition, a Bill to amend the municipal ticket law (Senate, No. 932);

By the same Senator, for the same committee, on petition, a Bill to amend the public works municipal mutual aid agreement statute (Senate, No. 933);

By the same Senator, for the same committee, on petition, a Bill to establish a tax title collection revolving fund (Senate, No. 934);

By the same Senator, for the same committee, on petition, a Bill to promote cost savings and transparency in local government (Senate, No. 936);

By the same Senator, for the same committee, on petition, a Bill to enforce municipal ordinances and bylaws (Senate, No. 944);  
By the same Senator, for the same committee, on petition, a Bill to approve subdivision bonds by the planning board (Senate, No. 958);  
By the same Senator, for the same committee, on petition, a Bill to reorganize the Municipal Finance Oversight Board (Senate, No. 962);  
By the same Senator, for the same committee, on petition, a Bill relative to the powers of town moderators (Senate, No. 967);  
By the same Senator, for the same committee, on petition, a Bill relative to Feoffees (Senate, No. 977); and  
By the same Senator, for the same committee, on petition, a Bill relative to the appointment of town managers (Senate, No. 978);  
**Severally read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

By Ms. Forry, for the committee on Municipalities and Regional Government, on petition, a Bill to authorize the city of Gardner to convey certain land to New England Power Company (Senate, No. 1893) [Local approval received];  
**Read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

#### **PAPERS FROM THE HOUSE.**

A Bill relative to the substitution of interchangeable biosimilars (House, No. 3734,-- on House, Nos. 1927 and 3667),-- was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.  
Subsequently, Mr. Rosenberg, for the said committee on Ethics and Rules, reported, asking to be discharged from further consideration of said bill (House, No. 3734),-- **and recommending that the same be referred to the committee on the Ways and Means.**  
**Under Senate Rule 36, the report was considered forthwith and accepted.**

#### *Resolutions.*

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

Resolutions (filed by Mr. Petrucci) "commending the Lynch Foundation for 25 years of charitable service."

#### *Communication.*

The Clerk read the following communication:

#### THE COMMONWEALTH OF MASSACHUSETTS MASSACHUSETTS SENATE

*November 14, 2013*

The Honorable William Welch  
Senate Clerk  
State House Room 335

During the November 14 formal session I was regretfully absent from the chamber. Had I been present, I would have voted in the affirmative on the following engrossed bills:

- S.231, CPR Certification – RC#206 [35-0]
- S.1008, Pulse Oximetry Screenings – RC#207 [37-0]
- S.1337, Financial Literacy Trust Fund – RC#208 [36-0]
- S.1921, Veterans Discrimination – RC#209 [37-0]

I respectfully request that my votes be recorded and printed in the official journal of the Senate.

Thank you for your consideration.

*Sincerely,*  
KATHERINE CLARK  
*5th Middlesex*

On motion of Mr. Ross, the above communication was ordered printed in the Journal of the Senate.

#### *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 town treasurer-collector in the town of Hingham (House, No. 3550),-- **was read a third time and passed to be engrossed, in concurrence.**

*Report of a Committee.*

By Mr. Brewer, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Janet Soboleski, an employee of the Department of Mental Health (House, No. 3682),-- **ought to pass.**

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

*Reports 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 Anthony W. Petrucci and Jay Livingstone for legislation to enable the Department of Environmental Management to lease real property.

**Senate Rule 36 was suspended, on motion of Mr. Ross, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight.**

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 Michael F. Rush, Denise C. Garlick and Thomas P. Kennedy for legislation to designate a certain bridge in the town of Needham as the Reverend (LT) Daniel J. Kennedy, USN Memorial Bridge.

**Senate Rule 36 was suspended, on motion of Mr. Ross, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation.**

**Severally sent to the House for concurrence.**

**PAPER FROM THE HOUSE.**

A petition (accompanied by bill, House, No. 3767) of David T. Vieira and Daniel A. Wolf (by vote of the town) relative to amending the charter of the town of Mashpee concerning the Mashpee Water District,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.**

*Report of a Committee.*

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Janet Soboleski, an employee of the Department of Mental Health (Senate, No. 1896),-- **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 1923).**

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

**The bill (Senate, No. 1923) 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**

*Emergency Preamble Adopted.*

An engrossed Bill establishing a sick leave bank for Maritza Miranda, an employee of the Department of Children and Families (see House, No. 3693), 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.*

The following engrossed bills (the first three 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. Rosenberg) and laid before the Governor for his approbation, to wit:

Extending the environmental joint powers agreement that created the A-B-C Stormwater Flooding Board (see Senate, No. 1857);

Establishing a sick leave bank for Jason Saunders, an employee of the Department of Correction (see Senate, No. 1875);

Establishing a sick leave bank for Jessica Culver, an employee of the Department of Mental Health (see Senate, No. 1888);

Relative to the powers and duties of the town manager of the town of Hanover (see House, No. 3543);

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

Establishing a sick leave bank for Mary Ford, an employee of the Department of Correction (see House, No. 3620).

*Order Adopted.*

On motion of Mr. Ross,--

*Ordered*, That when the Senate adjourns today, it adjourn to meet again tomorrow next at one o'clock P.M., in a full formal session with a calendar.

On motion of the same Senator, at twenty-nine minutes before twelve o'clock noon, the Senate adjourned to meet again tomorrow at one o'clock P.M.