

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, January 7, 2016.

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

Communications.

The following communications were severally received and placed on file, to wit:

Communication from the Honorable Stanley C. Rosenberg, President of the Senate, announcing the appointment (pursuant to Section 68 of Chapter 3 of the Acts of 2006) of Viraphanh Douangmany Cage to the Asian American Commission;

Communication from the Department of Public Health (pursuant to Section 25A of Chapter 112 of the General Laws) submitting its report entitled "Investigatory and Disciplinary Actions Conducted by the Board of Registration in Pharmacy" (received January 5, 2016);

Communication from the Department of Transitional Assistance (pursuant to Section 2(B)(s) of Chapter 18 of the General Laws) submitting its report on the number of recipients exempt from having a photo on their Electronic Benefit Transfer card (received January 5, 2016); and

Communication from the Department of Energy Resources submitting notice that the report (required to be filed pursuant to Section 47 of Chapter 209 of the Acts of 2012) relative to competitively priced electricity in the Commonwealth would be filed in the month of February 2016 (received January 6, 2016).

Reports.

The following reports were severally received and placed on file, to wit:

Report of the Department of Public Health (pursuant to Section 42C of Chapter 112 of the General Laws) submitting its report entitled "Report of the Advisory Committee to the Board of Registration in Pharmacy" (copies having been forwarded as required to the Joint Committees on Public Health and Health Care Financing) (received January 5, 2016);

Report of the Department of Public Health (pursuant to Section 24N of Chapter 111 of the General Laws) submitting its report entitled "Vaccine Purchase Trust Fund Fiscal Years 2015 and 2016" (copies having been forwarded as required to the Senate Committee on Ways and Means and the Joint Committees on Public Health and Health Care Financing) (received January 5, 2016);

Report of the Department of Public Health (pursuant to Sections 9G, 25, 43, and 78 of Chapter 112 of the General Laws) submitting its report entitled "Division of Health Professions Licensure Annual Report" (received January 5, 2016);

Report of the Massachusetts Department of Transportation (pursuant to Section 16 of Chapter 233 of the Acts of 2008) submitting its progress and expenditures report of the accelerated bridge improvement program (received January 5, 2016);

Report of the Norfolk District Attorney's Office (pursuant to Section 99R of Chapter 272 of the General Laws) submitting its

annual report of wiretap interceptions for the 2015 calendar year (received January 6, 2016);
Report of the Cape & Islands District Attorney's Office (pursuant to Section 99R of Chapter 272 of the General Laws) submitting its annual report of wiretap interceptions for the 2015 calendar year (received January 6, 2016);
Report of the Bristol District Attorney's Office (pursuant to Section 99R of Chapter 272 of the General Laws) submitting its annual report of wiretap interceptions for the 2015 calendar year (received January 6, 2016).

Petition.

Mr. Joyce presented a petition (accompanied by bill) (subject to Joint Rule 12) of Brian A. Joyce, William C. Galvin and Louis L. Kafka for legislation relative to the conveyance of certain lands in Stoughton,-- **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

PAPER FROM THE HOUSE.

The following initiative petitions, having been transmitted by the Secretary of the Commonwealth to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution, and having been received in the Office of the Clerk of the House on Thursday, January 5, 2016, were referred, in concurrence, as follows

Initiative petition of Amy Lindsey Lanigan and others for the passage of "An Act relative to expanded gaming" (House, No. 3927) ;

To the committee on Economic Development and Emerging Technologies.

Initiative petition of Beth E. Anderson and others for the passage of "An Act to allow fair access to public charter schools" (House, No. 3928); and

Initiative petition of Donna M. Colorio and others for the passage of "An Act relative to ending common core education standards" (House, No. 3929);

Severally, to the committee on Education.

Initiative petition of Carter J. Luke and others for the passage of "An Act to prevent cruelty to farm animals" (House, No. 3930);

To the committee on Environment, Natural Resources and Agriculture.

Initiative petition of Richard M. Evans and others for the passage of "An Act the regulation and taxation of marijuana act" (House, No. 3932);

To the committee on the Judiciary.

Initiative petition of Marven-Rhode Hyppolite and others for an amendment to the Constitution of the Commonwealth to provide resources for education and transportation through an additional tax on incomes in excess of one million dollars (House, No. 3933);

To the committee on Revenue.

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 3934) of Jerald A. Parisella and Joan B. Lovely (with the approval of the mayor and city council) that the city of Beverly be authorized to change the designation of a certain liquor license in said city;

To the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 3935) of Chris Walsh and others (by vote of the town) that the town of Framingham be authorized to increase the membership of the board of health from three members to five members;

To the committee on Municipalities and Regional Government.

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 Senate Bill relative to affordable housing in East Boston (Senate, No. 1966),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act further regulating certain affordable housing in the East Boston section of the city of Boston."**

Sent to the House for concurrence.

The House Bill further regulating the authority of the town manager in the town of Duxbury to negotiate and execute certain contracts (House, No. 3343, amended) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Reports of Committees.

By Mr. Montigny, for the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Bruce E. Tarr, William N. Brownsberger, James Arciero, Shawn Dooley and other members of the General Court for legislation relative to safe driving and open containers.

The rules were suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary.

By Mr. Montigny, for the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Marc R. Pacheco and Patricia A. Haddad for legislation to establish a sick leave bank for Tina Jennings, an employee of the Department of Developmental Services.

The rules were suspended, on motion of Mr. Tarr, 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. Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE

Engrossed Bills.

The following engrossed bills (both of which originated in the House), 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. DiDomenico) and laid before the Governor for his approbation, to wit:

Relative to the composition of the Nantucket Historic District Commission (see House, No. 3618, amended); and
Regulating sewer betterment assessments in the Commonwealth (see House, No. 3654).

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

Petition (accompanied by bill, House, No. 3937) of Jay R. Kaufman and others relative to the automatic registration of eligible voters;

Under suspension of Joint Rule 12, to the committee on Election Laws.

Petition (accompanied by bill, House, No. 3938) of F. Jay Barrows that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land in the town of Foxborough to the Foxborough Housing Authority for affordable housing purposes; and

Petition (accompanied by bill, House, No. 3939) of Chris Walsh for legislation to authorize the commissioner of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Framingham;

Severally, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Order Adopted.

On motion of Mr. Tarr,--

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.

Moment of Silence.

At the request of the Chair (Mr. DiDomenico), the members, guests and staff stood in a moment of silence and reflection to the memory of Michael "Mike" Mullane.

Adjournment in Memory of Michael "Mike" Mullane.

The Senator from Middlesex, Mr. Donnelly, the Senator from Norfolk and Plymouth, Mr. Keenan, and the Senator from Essex and Middlesex, Mr. Tarr, moved that when the Senate adjourns today, it adjourn in memory of Michael "Mike" Mullane of Quincy and Boston Fire Department Engine 21.

Mike was born and raised in Dorchester. He graduated from Boston Technical High School before joining the Navy. After returning home, Mike joined the Boston Fire Department where he served for 43 years, assigned to Engine 21.

Mike fought relentlessly for the middle class and was a union stalwart, first serving as president of Local 718 and for the last 32 years as vice president of the International Association of Fire Fighters. He also served as a founding member of the Mass Fallen Firefighters Memorial Committee.

Mike was a constant fixture at Florian Hall and the type of guy who would give you the shirt off his back. He knew everyone and was always willing to help firefighters and their families.

Family meant everything to Mike. He was a continual presence and a source of inspiration for all his nieces and nephews. Their children, the next generation, knew exactly how to find Uncle Mike as soon as they opened the door at Florian Hall. He loved them and they loved him.

Mike was strong and courageous in the face of adversity, none more evident than in the last 6 weeks of his life. He died on January 1, of complications from surgery, with his loving family at his bedside.

Mike is survived by his best friend, the love of his life, Elaine Malone of South Boston, her sons Sean and his wife Stacy, and Scott and his son Nolan of Pensacola, Florida and their son Jack of Lucedale, Mississippi.

Mike was preceded in death by his parents William (BPD Detective Ret.) and Laurentine (Waggett) Mullane and his brother Neal Mullane, Sr. (Lt. BFD E21 Ret.) and his wife Elaine.

Mike was the devoted brother of William "Bo" Mullane (BPD Lt. Detective Ret.) and his wife Patricia of South Boston, Janice "Sissy" Mullane (BTD Ret.) of Quincy, Jacqueline Miner and her husband Arthur of Hanson, and Ann Diodati of Ipswich.

He is also survived by many loving nieces and nephews and great-nieces and great-nephews.

Mike touched many hearts during his life. He was liked by those who met him and loved by all those who were fortunate enough to know him. He will be greatly missed but never forgotten.

Accordingly, as a mark of respect to the memory of Michael Mullane, at twenty-three minutes past eleven o'clock A.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.