

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, March 3, 2016.

Met at five minutes past eleven o'clock A.M.

The Senator from Essex and Middlesex, Mr. Tarr, then led the President, members, guests and staff in the recitation of the pledge of allegiance to the flag.

Distinguished Guests.

There being no objection, during consideration of the Orders of the Day, the President handed the gavel to Mr. Moore for the purpose of an introduction. Mr. Moore then introduced, in the rear of the Chamber, Officer Frank Sloodmaekers and Officer Dave Pluym from the Antwerp Police Department in Belgium. After the terror attack in Paris on Nov. 13, 2015, the Belgian Police agency became one of the lead agencies involved in the search for the terrorist suspects involved in the attacks. The Officers were recognized for having attended a class at the Shrewsbury Fire Department, created by Officer James Ljunggren of the Auburn Police Department, that teaches canine training and homemade explosives training throughout the United States and abroad. This training is a collaborative effort between all public safety departments in Massachusetts to ensure that the citizens of our state receive the best possible protection to avoid a terrorist event. The Senate welcomed them with applause and they withdrew from the Chamber.

There being no objection, during consideration of the Orders of the Day, the President handed the gavel to Mr. Brownsberger for the purpose of an introduction. Mr. Brownsberger then introduced, in the rear of the Chamber, Becca Pizzi from Belmont. Becca was recognized for being the first American woman to complete the World Marathon Challenge, running 7 marathons on 7 continents in 7 days. She was also recognized for setting two new world records by having the fastest average female marathon time of 3:55:11 hours for the 7 marathons and to have the shortest timeframe for a female to complete all 7 marathons at 6 days 18 hours and 38 minutes. She had started running when she was just 6 years old, and now at the age of 24, has completed 45 marathons while working 2 jobs as the owner of a daycare and manager of an ice cream shop. Becca addressed the Senate from the Rostrum, the Senate applauded her accomplishments, she signed the guestbook and withdrew from the Chamber.

Communications.

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

Communication from the Department of Public Health relative to plans of corrections for NCCI Gardner; Worcester County House of Corrections and Jail, West Boylston and Hampshire County Jail and House of Correction (received February 29, 2016); Communication from the Office of Community Corrections (under the provisions of Line-Item 0339-1003 of the Fiscal Year 2016 Budget) submitting its Report on Performance Measures for Community Corrections Centers (received March 2, 2016); and Communication from the Honorable Richard J. Ross in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Thursday, March 3, 2016, at a quarter past two o'clock P.M.).

Reports.

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

Report of the Department of Public Health (under the provisions of Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspections of Western MA Women's Correctional Center, Chicopee; NCCI Gardner; Hampden County Jail and House of Correction, Ludlow (received February 29, 2016);

Report of the Department of Unemployment Assistance (pursuant to Section 14F of Chapter 151A of the General Laws) submitting the December 2015 Unemployment Insurance Trust Fund Report (received February 29, 2016);

Report of the Massachusetts Capital Resource Company (under the provisions of Section 20 of Chapter 816 of the Acts of 1977) submitting its thirty-ninth report of the Massachusetts Capital Resource Company (received March 2, 2016);

Report of the Barnstable County Registry of Deeds (under the provisions of Section 4 of Chapter 4 of the Acts of 2003) submitting its plan for expenditure from the County Registers Technological Fund. (Copies having been forwarded as required to the Senate Committees on Ways and Means and Post Audit and Oversight) (received March 2, 2016); and

Report of the Special Committee on Housing as created by the President of the Senate entitled "Housing Crisis". (received March 2, 2016).

Petition.

Mr. Keenan presented a petition (accompanied by bill) (subject to Joint Rule 12) of John F. Keenan, Mark J. Cusack and Ronald Mariano for legislation to establish Peace Day in the Commonwealth,-- and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of Committees.

By Mr. Timilty, for the committee on Public Service, on Senate No. 283 and House No. 2410, a Bill prohibiting the Commonwealth from discrimination against those providing special education services to Massachusetts students under the authority and direction of chapter 71B of the General Laws of Massachusetts (Senate, No. 283);

By the same Senator, for the same committee, on Senate No. 1376 and House No. 2206, a Bill relative to part-time higher education faculty eligibility in the state retirement system (Senate, No. 1376);

By the same Senator, for the same committee, on Senate No. 1377 and House No. 2207, a Bill relative to eligibility for state group health insurance (Senate, No. 1377);

By the same Senator, for the same committee, on petition, a Bill relative to disability pension benefits and earnings reports (Senate, No. 1408) (Representative Whelan of Brewster dissenting);

By the same Senator, for the same committee, on petition, a Bill relative to increasing the hours of employment of pensioners for services after retirement in the public sector (Senate, No. 1418); and

By the same Senator, for the same committee, on petition, a Bill protecting the rights of custodial and other non-teaching employees of school districts (Senate, No. 1445);

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

By Mr. Timilty, for the committee on Public Service, on petition, a Bill relative to the retirement benefits of Robert H. Miner (Senate, No. 2131);

Read and, under Senate Rule 26, referred to the committee on Rules.

PAPERS FROM THE HOUSE.

A Message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to the town elections and special elections in the towns of Hull, Marshfield and Norwell (House, No. 4043),-- **was referred, in concurrence, to the committee on Election Laws.**

A Bill establishing a sick leave bank for Carlo Casarano, an employee of the Department of Unemployment Assistance (House, No. 4004,-- on petition),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill authorizing the city of Northampton to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4042,-- on House, No. 214) [Local approval received on House, No. 214],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Report of the committee on Public Health asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1996) of Kay Khan and others relative to further regulating health care costs and the dispensing of controlled substances,-- **and recommending that the same be referred to the committee on Health Care Financing,-- was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Resolutions.

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:-
Resolutions (filed by Ms. Chandler) "recognizing the public interest in supporting the National Conference of State

Legislatures”;

Resolutions (filed by Ms. Chandler, Mr. Eldridge, Ms. Forry, Ms. Gobi, Ms. Jehlen, Mr. Joyce, Ms. L’Italien, Ms. Lovely and Messrs. Moore and Pacheco) “commending Delta Dental on its recognition of Oral Health Awareness Month”;

Resolutions (filed by Mr. Donnelly) “congratulating Celia Weislo on the occasion of her retirement”;

Resolutions (filed by Messrs. Rush and Brownsberger) “congratulating Domenic Lalli on the occasion of his retirement”;

Resolutions (filed by Ms. Spilka) “congratulating Joseph Sean McCarthy of the town of Medway on his elevation to the rank of Eagle Scout”; and

Resolutions (filed by Mr. Tarr) “commemorating the twenty-fifth anniversary of the Northeast Massachusetts Youth Orchestras, Inc.”

Report of a Committee.

By Mr. Lewis, for the committee on Public Health, on Senate Nos. 732, 1119 and 1137 and House Nos. 1954, 1975, 2021, 2050 and 3466, a Bill to protect youth from the health risks of tobacco and nicotine addiction (Senate, No. 2152).

The bill was read. The rules were suspended, at the request of Mr. Lewis, and, at the request of the same Senator, the bill was referred to the committee on Ways and Means.

PAPERS FROM THE HOUSE.

The House Bill authorizing the town of Canton to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises (House, No. 3768, amended),-- came from the House with the endorsement that the House had concurred in the Senate amendment with a further amendment striking out section 1 (inserted by amendment by the Senate) and inserting in place thereof the following section:-

“SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Canton may grant 2 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138. A license granted pursuant to this act shall be subject to the conditions set by the licensing authority and shall be subject to all of said chapter 138 except said section 17.

(b) The licensing authority shall not approve the transfer of a license granted pursuant to this act to any other person, partnership, corporation, limited liability company, organization or other entity or to any other location.

(c) If a license granted pursuant to this act is cancelled, revoked or no longer in use, the license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant at the same location under the same conditions as authorized in this act 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 departments and that all applicable taxes, fees and contributions have been paid.”.

The rules were suspended, on motion of Mr. McGee, and the further House amendment was adopted, in concurrence.

The House Bill authorizing the town of Canton to grant additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 3769, amended),-- came from the House with the endorsement that the House has concurred in the Senate amendment with a further amendment striking out section 1 (inserted by amendment by the Senate) and inserting in place thereof the following section:-

“SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Canton may grant 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138. A license granted pursuant to this act shall be subject to the conditions set by the licensing authority and shall be subject to all of said chapter 138 except said section 17.

(b) The licensing authority shall not approve the transfer of a license granted pursuant to this act to any other person, partnership, corporation, limited liability company, organization or other entity or to any other location.

(c) If a license granted pursuant to this act is cancelled, revoked or no longer in use, the license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant at the same location under the same conditions as authorized in this act 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 departments and that all applicable taxes, fees and contributions have been paid.”.

The rules were suspended, on motion of Mr. Downing, and the further House amendment was adopted, in concurrence.

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Jesse B. Walker, an employee of the Trial Court (Senate, No. 2129),-- ought to pass, with an amendment inserting before the enacting clause the following emergency preamble:-

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the trial court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

There being no objection, the rules were suspended, on motion of Ms. Change-Díaz, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.
The bill (Senate, No. 2129, amended) was then ordered to a third reading, read a third time and passed to be engrossed.
Sent to the House for concurrence.

PAPER FROM THE HOUSE
Engrossed Bill.

An engrossed Bill establishing a sick leave bank for Eric Burton, an employee of the Suffolk County Sheriff's Department (see House, No. 3823) (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 President and laid before the Governor for his approbation.

Matter Taken Out of the Notice Section of the Calendar.

There being no objection, the following matter was taken out of the Notice Section of the Calendar and considered as follows:
The House Bill authorizing the town of Hull to issue certain bonds for terms of 30 years (House, No. 3855) (the 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.**

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill relative to defense against abusive waivers (Senate, No. 958),-- **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2153).**

Order Adopted.

Ms. Spilka offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill relative to defense against abusive waivers (Senate, No. 958) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft, Senate, No. 2153) shall be placed in the Orders of the Day for a second reading on Thursday, March 10, 2016. All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Monday, March 7, 2016. All such amendments shall be second-reading amendments to the Senate Ways and Means new draft (Senate, No. 2153), but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

Under the rules, referred to the committee on Rules.

Subsequently, Mr. Montigny, for the said committee, reported, recommending that the order ought to be adopted.

The rules were suspended, on motion of Ms. Chandler, and the order was considered forthwith and adopted.

The bill will be placed in the Orders of the Day for Thursday, March 10, for a second reading with the amendment pending.

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill relative to State Police Station C-3 (Senate, No. 2060),-- **ought to pass, with an amendment substituting a new draft entitled "An Act regulating the closure of state police barracks" (Senate, No. 2154).**

Order Adopted.

Ms. Spilka offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill relative to State Police Station C-3 (Senate, No. 2060) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft with a new title, Senate, No. 2154) shall be placed in the Orders of the Day for a second reading on Thursday, March 10, 2016. All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Monday, March 7, 2016. All such amendments shall be second-reading amendments to the Senate Ways and Means new draft (Senate, No. 2154), but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

Under the rules, referred to the committee on Rules.

Subsequently, Mr. Montigny, for the said committee, reported, recommending that the order ought to be adopted. The rules were suspended, on motion of Ms. Gobi, and the order was considered forthwith and adopted. The bill will be placed in the Orders of the Day for Thursday, March 10, for a second reading with the amendment pending.

Report of a Committee

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill relative to horse riding instructor's licenses (Senate, No. 2108),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2155).

Order Adopted.

Ms. Spilka offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill relative to horse riding instructor's licenses (Senate, No. 2108) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft, Senate, No. 2155) shall be placed in the Orders of the Day for a second reading on Thursday, March 10, 2016. All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Monday, March 7, 2016. All such amendments shall be second-reading amendments to the Senate Ways and Means new draft (Senate, No. 2155), but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

Under the rules, referred to the committee on Rules.

Subsequently, Mr. Montigny, for the said committee, reported, recommending that the order ought to be adopted. The rules were suspended, on motion of Mr. Rodrigues, and the order was considered forthwith and adopted. The bill will be placed in the Orders of the Day for Thursday, March 10, for a second reading with the amendment pending.

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill relative to larceny (Senate, No. 2132),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2156).

Order Adopted.

Ms. Spilka offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill relative to larceny (Senate, No. 2132) (the committee on Ways and Means having recommended that the bill ought to pass, with an amendment, substituting a new draft, Senate, No. 2156) shall be placed in the Orders of the Day for a second reading on Thursday, March 10, 2016. All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Monday, March 7, 2016. All such amendments shall be second-reading amendments to the Senate Ways and Means new draft (Senate, No. 2156) but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

Under the rules, referred to the committee on Rules.

Subsequently, Mr. Montigny, for the said committee, reported, recommending that the order ought to be adopted. The rules were suspended, on motion of Mr. Brownsberger, and the order was considered forthwith and adopted. The bill will be placed in the Orders of the Day for Thursday, March 10, for a second reading with the amendment pending.

Orders of the Day.

The Orders of the Day were considered as follows:

Bills

Authorizing the town of Middleborough to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (Senate, No. 2091);

Relative to the creation of a community enhancement fee stabilization fund in the city of Everett (House, No. 3831);

Authorizing the town of Walpole to grant 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3872); and
Authorizing the town of Shrewsbury to grant an additional liquor license (House, No. 3880, amended);
Were severally read a second time and ordered to a third reading.

There being no objection, the following matter was taken out of order, and considered as follows:

The Senate Resolutions memorializing the United States Senate to swiftly and diligently fulfill its constitutional responsibility to consider the President of the United States' nominee to the Supreme Court (Senate, No. 2146).
The pending motion, previously moved by Mr. Tarr, to lay the resolutions on the table,-- **was considered; and it was negatived. Mr. Donnelly then moved that the pending roll call and the pending resolutions be withdrawn and the following statement be printed in the Senate Journal under Senate Rule 6.**
The motions were accepted.

March 3, 2016

The Honorable Mitch McConnell, U.S. Senate Majority Leader
317 Russell Senate Office Building
Washington DC 20510

The Honorable Harry Reid, U.S. Senate Minority Leader
522 Hart Senate Office Building
Washington DC 20510

Dear Mr. Majority Leader McConnell and Mr. Minority Leader Reid:

We, the undersigned Members of the Massachusetts Senate, write to respectfully urge you to timely consider President Barack Obama's next nominee to the Supreme Court.

The people of the Commonwealth deserve to have a fully functioning Supreme Court with nine justices to preside over the hundreds of cases the Court chooses to hear each year. Serving as the final arbiter of the Constitution and the highest court in the nation, the Supreme Court is essential to our constitutional system of government. Its power of judicial review acts as a vital check on the power of the executive and legislative branches of government.

Article II, section 2 of the U.S. Constitution authorizes the president to nominate and, with the advice and consent of the senate, appoint judges to the Supreme Court. Nothing in the Constitution limits the president's power to nominate and appoint judges to the Supreme Court in the final year of his or her term or in an election year. In fact, there are several recent examples in history where a judge has been successfully nominated, confirmed and appointed to the Supreme Court in the year preceding a presidential election, including:

- Justice Anthony Kennedy by President Reagan;
- Justice John Paul Stevens by President Ford;
- Justice Frank Murphy by President Franklin Roosevelt;
- Justice Benjamin Cardozo by President Hoover;
- Justices Louis Brandeis and John Clarke by President Wilson; and
- Justice Mahlon Pitney by President Taft.

The tragic and unexpected passing of Justice Antonin Scalia has left a vacancy on the Supreme Court since February 13. Failing to timely consider a nominee to fill that vacancy for partisan political reasons undermines the plain meaning and intent of the Constitution and serves as a profound disservice to the American people. As such, we respectfully urge you to swiftly and diligently fulfill your constitutional responsibility by granting a fair hearing and a timely vote to President Obama's next nominee to the Supreme Court.

Sincerely,
Senator Kenneth J. Donnelly Senate President Stanley C. Rosenberg
Fourth Middlesex Hampshire, Franklin & Worcester

Senator Michael J. Barrett Senator Michael D. Brady
Third Middlesex Second Plymouth & Bristol

Senator William M. Brownsberger Senator Harriette L. Chandler
Second Suffolk & Middlesex First Worcester

Senator Sonia Chang-Diaz Senator Cynthia S. Creem
Second Suffolk First Middlesex & Norfolk

Senator Sal N. DiDomenico Senator Eileen M. Donoghue
Middlesex & Suffolk First Middlesex

Senator Benjamin B. Downing Senator James B. Eldridge
Berkshire, Hampshire, Franklin Middlesex & Worcester
& Hampden

Senator Linda Dorcena Forry Senator Anne M. Gobi
First Suffolk Worcester, Hampden, Hampshire &
Middlesex

Senator Patricia D. Jehlen Senator John F. Keenan
Second Middlesex Norfolk & Plymouth

Senator Barbara L'Italien Senator Eric P. Lesser
Second Essex & Middlesex First Hampden & Hampshire

Senator Jason M. Lewis Senator Joan B. Lovely
Fifth Middlesex Second Essex

Senator Thomas M. McGee Senator Mark C. Montigny
Third Essex Second Bristol & Plymouth

Senator Michael O. Moore Senator Kathleen O'Connor Ives
Second Worcester First Essex

Senator Karen E. Spilka Senator James T. Welch
Second Middlesex & Norfolk Hampden

Senator Daniel A. Wolf
Cape and Islands

cc: The Honorable Charles Grassley, Chairman, U.S. Senate Judiciary Committee
The Honorable Patrick Leahy, Ranking Member, U.S. Senate Judiciary Committee
The Honorable Edward Markey, U.S. Senate
The Honorable Elizabeth Warren, U.S. Senate

The Senate Bill relative to the protection of persons with a disability (Senate, No. 81),-- **was read a second time.**

Pending the question on adoption of the pending amendment, previously recommended by the committee on Ways and Means, substituting a new draft with the same title (Senate, No. 2141), and pending the main question on ordering the bill to a third reading, Ms. Spilka moved that the new draft be amended by striking out section 1 and inserting in place thereof the following 3 sections:-

“SECTION 1. Section 19 of chapter 19B of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in lines 126, 139, 280 and 281, 305, 384, 390 and 391, and in lines 394 and 395, the words ‘disabled persons protection commission’ and inserting in place thereof, in each instance, the following words:- commission for the protection of persons with disabilities.

SECTION 1A. Chapter 19C of the General Laws, as so appearing, is hereby amended by striking out the title and inserting in place thereof the following title:- COMMISSION FOR THE PROTECTION OF PERSONS WITH DISABILITIES.

SECTION 1B. Section 1 of said chapter 19C, as so appearing, is hereby amended by striking out, in line 4, the words ‘disabled person’ and inserting in place thereof the following words:- person with a disability.”;

By inserting after section 4 the following section:-

“SECTION 4A. Said section 1 of said chapter 19C, as so appearing, is hereby further amended by striking out, in line 13, the words ‘disabled persons protection commission’ and inserting in place thereof the following words:- commission for the protection of persons with disabilities.”;

By striking out section 9 and inserting in place thereof the following 3 sections:-

“SECTION 9. Section 2 of said chapter 19C, as so appearing, is hereby amended by striking out in line 2, the first time it appears, the words ‘disabled persons’ and inserting in place thereof the following words:- persons with a disability.

SECTION 9A. Said section 2 of said chapter 19C, as so appearing, is hereby further amended by striking out, in lines 2 and 3, the words ‘disabled persons protection commission’ and inserting in place thereof the following words:- commission for the protection of persons with disabilities.

SECTION 9B Said section 2 of said chapter 19C, as so appearing is hereby further amended by striking out, in line 5, the words 'disabled persons' and inserting in place thereof the following words:- persons with a disability.”;

In section 41, by inserting after the figure “13,”, in line 170, the following figures:- “16, 17 and”; and

By adding the following section:-

“SECTION 56. Section 220 of chapter 111 of the General Laws, as so appearing, is hereby amended by striking out, in lines 20 to 21, the words 'disabled persons protection commission' and inserting in place thereof the following words:- “commission for the protection of persons with disabilities.”.

The amendment was **adopted**.

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

The bill (Senate, No. 2141, amended) was then ordered to a third reading, read a third time and, after remarks, was passed to be engrossed [For bill, printed as amended, see Senate, No. 2168].

Sent to the House for concurrence.

There being no objection, the following matter was taken out of order, and considered as follows:

The Senate Bill eliminating archaic language pertaining to individuals with disabilities in the Commonwealth of Massachusetts (Senate, No. 594),-- **was read a second time.**

Pending the question on adoption of the pending amendment, previously recommended by the committee on Rules, substituting a new draft with the same title (Senate, No. 2140), and pending the main question on ordering the bill to a third reading, Mr. Keenan moved that the proposed new draft be amended by striking section 8, and inserting in place thereof the following:-

“SECTION 8. Section 21 of chapter 19 of the General Laws, as so appearing, is hereby amended by striking out the words 'mentally retarded individuals with common needs for care and treatment' in lines 16 and 17 and inserting in place thereof the following:- 'individuals with a developmental or intellectual disability with common needs for care and treatment, provided that a need for care and treatment shall not be evaluated or denied solely by the use of intelligence quotient testing or educational testing'.”; and

By inserting the following two new sections:-

“SECTION __. Section 1 of chapter 123B of the General Laws, as so appearing, is hereby amended by inserting after the word 'disability' in line 57 the following:- ‘; and provided further, that no person shall be evaluated or denied services for an intellectual disability based solely on the use of intelligence quotient testing or educational testing’.

SECTION __. Chapter 123B of the General Laws is hereby amended by inserting after section 2 the following section:-

Section 2A. If the department intends to deny a person applying for services, the department shall notify that applicant not less than 45 days prior to making a final determination. The department shall provide a description of the reasons the department intends to deny the services and shall advise the applicant of the opportunity to request the department to conduct further evaluations. Further evaluations shall include, but not be limited to: (i) an additional in-person interview; (ii) school or work observation conducted by the department; and (iii) testimony from non-guardianship teachers or supervisors.

No final determination to deny services shall be based solely on intelligence quotient testing or educational testing.

The further evaluation shall be considered before a denial of disability services is finalized.”

After remarks, the amendment was **adopted**.

Ms. Jehlen moved that the proposed new draft be amended by adding the following section:-

“SECTION XX. Subsection (a) of section 103 of chapter 93 of the General Laws, as so appearing, is hereby amended by striking the words 'with reasonable accommodation,' in line 3 and inserting in place thereof the following:- with or without reasonable accommodation.”

After remarks, the amendment was **adopted**.

Recess.

At eleven minutes before twelve o'clock noon, at the request of Mr. Tarr, for the purpose of a minority caucus, the President declared a recess; and, at seven minutes before one o'clock P.M., the Senate reassembled, the President in the Chair.

At six minutes before one o'clock P.M., Mr. Tarr doubted the presence of a quorum. The President having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently, at three minutes before one o'clock P.M., a quorum was declared present.

Orders of the Day.

The Orders of the Day were further considered as follows:

The Senate Bill eliminating archaic language pertaining to individuals with disabilities in the Commonwealth of Massachusetts (Senate, No. 594);

Mr. Montigny moved that the proposed new draft be amended by striking out, in line 4, the words “a person”;

By striking out, in lines 4 to 5, inclusive, 8 to 9, inclusive, 12, 15, 21, 24, 27, 34, 70, 112, 157, 160, 172, 179, and 182, the words

“a developmental disability” and inserting in place thereof the following words:- “an intellectual disability”;

By striking out, in lines 18, 91, 124, 151 and 166, the words “developmental disability” and inserting in place thereof the following words:- “intellectual disability”;

By inserting, after the word “retarded”, in line 23, the following word:- “individuals”;

By striking out, in lines 30 to 31, inclusive, 37, 46, 88, 94, 98, 103, 106, 109, 115, 118, 121, 127, 130, 133, 139, 142, 154, 163, 169 and 185, the words “developmental disabilities” and inserting in place thereof the following words:- “intellectual disabilities”;

By inserting, before the word “mentally”, in lines 96 and 102, the word “the”;

By striking out, in line 135 and 136, inclusive, the words “in lines 49 and 50, the words ‘mentally retarded’ and inserting in place thereof, in each instance, the following words:- students with intellectual disabilities,” and inserting in place thereof the following words:- by striking out, in lines 48 and 49, inclusive, the words “the mentally retarded” and inserting in place thereof the following words:-students with intellectual disabilities;

By adding after section 42, the following section:-

“SECTION 43. Section 13 of chapter 131 of the General Laws, as so appearing, is hereby amended by striking out, in line 50, the words ‘mentally retarded students’ and inserting in place thereof the following words:- students with intellectual disabilities.”;

By striking out in line 138 the figure “21” and inserting in place thereof the following figure:- “22”; and

By striking out in line 139 the word “disabilities” and inserting in place thereof the following word:- “services”.

After remarks, the amendment was **adopted**.

The Rules amendment was then adopted, as amended.

The bill (Senate, No. 2140, amended) was then ordered to a third reading and read a third time.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays at four minutes past one o’clock P.M., on motion of Mr. Montigny, as follows, to wit (*yeas 36 – nays 0*) [**Yeas and Nays No. 244**]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Brady, Michael D.	Lesser, Eric P.
Brownsberger, William N.	Lewis, Jason M.
Chandler, Harriette L.	L'Italien, Barbara A.
Chang-Diaz, Sonia	Lovely, Joan B.
deMacedo, Viriato M.	McGee, Thomas M.
DiDomenico, Sal N.	Montigny, Mark C.
Donnelly, Kenneth J.	Moore, Michael O.
Donoghue, Eileen M.	O'Connor Ives, Kathleen
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.

Forry, Linda Dorcena

Spilka, Karen E.

Gobi, Anne M.

Tarr, Bruce E.

Humason, Donald F., Jr.

Timilty, James E.

Jehlen, Patricia D.

Welch, James T.

Joyce, Brian A.

Wolf, Daniel A. – 36.

NAYS – 0.

ABSENT OR NOT VOTING.

Creem, Cynthia Stone – 1.

The yeas and nays having been completed at seven minutes past one o'clock, P.M. the bill was passed to be engrossed [For bill, printed as amended, see Senate, No. 2167]. Sent to the House for concurrence.

The Senate Bill to increase the Commonwealth's compliance with federal law meeting requirements of the Americans with Disabilities Act (Senate, No. 86),-- **was read a second time.**

Pending the question on adoption of the pending amendment, previously recommended by the committee on Ways and Means, substituting a new draft entitled "An Act to relative to the hiring of persons with a disability (Senate, No. 2142), and pending the main question on ordering the bill to a third reading, Ms. L'Italien moved that the proposed new draft be amended by inserting in line 4, after the word "disability", the following words "the Department of Mental Health, the Department of Developmental Services, the Massachusetts Rehab Commission, the Commission for the Blind, the Commission for the Deaf and Hard of Hearing,".

After remarks, the amendment was **adopted.**

Ms. L'Italien moved to amend the proposed new draft by inserting in line 16, after the word "persons", the words "by enumerating percentages".

After remarks, the amendment was **adopted.**

Mr. Tarr moved that the proposed new draft be amended by striking in line 5, the following:- "standards to identify and recruit, with the intent to hire, qualified applicants with disabilities" and inserting in place thereof the following:- "strategies to how best to address chronic unemployment among certain persons with disabilities, provided that in developing said strategy the recommendations of the Economic Opportunity for Populations Facing Chronically High Rates of Unemployment, as established under Executive Order 561, which may include but not be limited to standards to identify and recruit, with the intent to hire, qualified applicants with disabilities."

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays at twenty-one minutes past one o'clock P.M., on motion of Mr. Tarr, as follows, to wit (*yeas 5 – nays 30*) [**Yeas and Nays No. 245**]:

YEAS.

deMacedo, Viriato M.

Ross, Richard J.

Fattman, Ryan C.

Tarr, Bruce E. – 5.

Humason, Donald F., Jr.

NAYS.

Barrett, Michael J.	Keenan, John F.
Brady, Michael D.	Lesser, Eric P.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
DiDomenico, Sal N.	Montigny, Mark C.
Donnelly, Kenneth J.	Moore, Michael O.
Donoghue, Eileen M.	O'Connor Ives, Kathleen
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 30.

ABSENT OR NOT VOTING.

Creem, Cynthia Stone	Lewis, Jason M. – 2.
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The yeas and nays having been completed at twenty-eight minutes past one o'clock, P.M. the amendment was *rejected*.

Mr. Tarr and Ms. L'Italien moved that the proposed new draft be amended by adding the following section:-

“SECTION 2. Notwithstanding any general or special law to the contrary, the supplier diversity office shall provide notice to the general court prior to the effective date of regulations promulgated pursuant to subsection (r) of section 61 of chapter 7 of the General Laws.”

After remarks, the amendment was **adopted**.

Ms. L'Italien moved that the proposed new draft be amended by inserting in line 1, before the word Section” the words:-

“SECTION 1.”; and

By adding the following section:-

“SECTION 2. The Supplier Diversity Office shall file a report with the clerks of the senate and house of representatives which

shall include recommendations on how to best measure employment rates of persons with a disability by all contractors and sub-contractors providing goods and services under contracts or grants funded by state agencies within the executive offices not later than March 15, 2017.”

After remarks, the amendment was **adopted**.

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

The bill (Senate, No. 2142, amended) was then ordered to a third reading and read a third time.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays at twenty-six minutes before two o'clock P.M., on motion of Ms. Chandler, as follows, to wit (*yeas 36 – nays 0*) **[Yeas and Nays No. 246]:**

YEAS.

Barrett, Michael J.	Keenan, John F.
Brady, Michael D.	Lesser, Eric P.
Brownsberger, William N.	Lewis, Jason M.
Chandler, Harriette L.	L'Italien, Barbara A.
Chang-Diaz, Sonia	Lovely, Joan B.
deMacedo, Viriato M.	McGee, Thomas M.
DiDomenico, Sal N.	Montigny, Mark C.
Donnelly, Kenneth J.	Moore, Michael O.
Donoghue, Eileen M.	O'Connor Ives, Kathleen
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 36.

NAYS – 0.

ABSENT OR NOT VOTING.

Creem, Cynthia Stone – 1.

The yeas and nays having been completed at twenty-three minutes before two o'clock, P.M. the bill was passed to be engrossed, its title having been changed to read as follows: "An Act relative to the hiring of persons with a disability" [For bill, printed as amended, see Senate, No. 2166]. Sent to the House for concurrence.

The Senate Bill relative to the Architectural Access Board (Senate, No. 1323),-- **was read a second time.** After remarks, pending the main question on ordering the bill to a third reading, the pending amendment, previously recommended by the committee on Ways and Means, striking out section 27 and inserting in place thereof the following section:- "SECTION 27. Said section 13A of said chapter 22, as so appearing, is hereby further amended by striking out the definition of "Public building" and inserting in place thereof the following definition:- "Public building", buildings constructed by the commonwealth or any political subdivision thereof with public funds and open to public use, including, but not limited to, the places of public accommodation listed in 28 CFR 36.104.",-- was considered; and, after remarks, was **adopted.**

Mr. Tarr moved to amend the bill by striking section 24 in its entirety.
The amendment was *rejected*.

Mr. Tarr moves to amend the bill by striking section 6 in its entirety.
The amendment was *rejected*.

Mr. Tarr moved to amend the bill by inserting at the end thereof the follow new section:-
"SECTION __. A demand letter or other pre-suit notifications sent for an ADA violation alleging a violation of ADA public accommodation requirements must specify: (1) the address of property, (2) the specific ADA sections alleged to have been violated, (3) whether a request for assistance in removing an architectural barrier was made, and (4) whether the barrier was permanent or temporary."
After debate, the amendment was *rejected*.

Mr. Tarr moved to amend the bill by inserting at the end thereof the follow new section:-
"SECTION __. No persons shall commence a civil action based on the failure to remove an architectural barrier to access into an existing public accommodation unless: (1) the aggrieved person has provided to the owners or operators a written notice specific enough to identify the barrier, and (2) that person has provided to the owner or operator of the accommodation a written notice specific enough to allow such owner or operator to identify the barrier; and during the period beginning on the date the notice is received and ending 60 days after that date, the owner or operator fails to provide to that person a written description outlining improvements that will be made to remove the barrier; or if the owner or operator provides the written description, the owner or operator fails to remove the barrier or to make substantial progress in removing the barrier during the period beginning on the date the description is provided and ending 120 days after that date."
After debate, the amendment was *rejected*.

The bill (Senate, No. 1323, amended) was then ordered to a third reading and read a third time.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays at four minutes past two o'clock P.M., on motion of Mr. Timilty, as follows, to wit (*yeas 36 – nays 0*) [**Yeas and Nays No. 247**]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Brady, Michael D.

Lesser, Eric P.

Brownsberger, William N.

Lewis, Jason M.

Chandler, Harriette L.	L'Italien, Barbara A.
Chang-Diaz, Sonia	Lovely, Joan B.
deMacedo, Viriato M.	McGee, Thomas M.
DiDomenico, Sal N.	Montigny, Mark C.
Donnelly, Kenneth J.	Moore, Michael O.
Donoghue, Eileen M.	O'Connor Ives, Kathleen
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 36.

NAYS – 0.

ABSENT OR NOT VOTING.

Creem, Cynthia Stone – 1.

The yeas and nays having been completed at eight minutes past two o'clock, P.M. the bill was passed to be engrossed. Sent to the House for concurrence.

The House Bill eliminating racial and ethnic health disparities in the Commonwealth (House, No. 3969, amended),-- **was read a second time.**

After remarks, and pending the question on adoption of the amendment, previously recommended by the committee on Ways and Means, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2143, and by striking out the title and inserting in place thereof the following title: "An Act eliminating health disparities", and pending the main question on ordering the bill to a third reading, Mr. Keenan moved to amend the proposed new text by inserting after the word "development" in line 34 the following:- "including the division of insurance".

After remarks, the amendment was **adopted.**

Mr. Keenan moved to amend the proposed new text in section 4, by inserting after the word "healthcare", in line 40, the words:- "and health insurance"; and in said section 4, by striking out, in line 43, the words "and (vii)" and inserting in place thereof the following words:- "(vii) food and nutrition access and quality; and (viii)". After remarks, the amendment was **adopted**.

Mr. Tarr moved to amend the proposed new text by inserting after section __, the following new section:
“SECTION __. Section 1. Chapter 224 of the Acts of 2012 is hereby amended in section 15 by adding the following new section:
Section 5A. The commission shall develop and promulgate regulations to facilitate the expeditious and effective compliance with the provisions of this act, which shall include but not be limited to: (i) prototype forms for the request by consumers and provision by providers of pricing information in easily understood language; (ii) protocols for the training of personnel in the proper and effective response to requests for pricing information by consumers by health care providers; (iii) one or more tools for analyzing the effectiveness of a provider's response to a request for pricing information by a consumer.
Section 2. Chapter 224 of the Acts of 2012 is hereby amended in section 36 by adding the following new section:-
Section 27A. Each carrier, as defined herein, shall submit annually to the division of insurance a report regarding its compliance with the provision of this act relative to the transparency, availability, and accessibility of information pertaining to pricing and available procedures and its efforts to achieve such compliance. If, based on said report, the division determines that the carrier is not making inadequate progress toward such compliance, then it shall conduct an audit of the carrier's efforts to achieve compliance. Subsequent to that audit, the carrier shall develop and submit a remediation plan that shall be submitted to the division of its approval.
Section 3. The Board of Registration in Medicine and the Board of Registration in Dentistry shall promulgate additional requirements for the issuance or renewal of professional licenses which include standards to ensure, as a condition of licensure or re-licensure, compliance with the transparency provisions of Chapter 224 of the Acts of 2012, and reasonable sanctions and/or remedies, including remediation plans, for the failure to so comply.
Section 4. Notwithstanding any general or special law to the contrary, the Group Insurance Commission shall require, in any future contracts, one or more provisions requiring timely and effective compliance with the transparency provisions of Chapter 224 of the Acts of 2012.
Section 5. Chapter 224 of the Acts of 2012 is hereby amended in section 36 by adding at the end thereof:-
A carrier or third party administrator shall notify consumers of their right to request and obtain pricing and cost estimate information in clear language and in an open and conspicuous manner, including but not limited to: (i) signage and other physical displays; (ii) notice prominently placed on website and other electronic communication; and (iii) notification on forms and documents, provided that all such notifications shall provide all relevant mechanisms such as telephone numbers, websites, and e-mail addresses for making such requests.”
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays at twenty-two minutes before three o'clock P.M., on motion of Mr. Tarr, as follows, to wit (*yeas 6 – nays 30*) [**Yeas and Nays No. 248**]:

YEAS.

deMacedo, Viriato M.

Moore, Michael O.

Fattman, Ryan C.

Ross, Richard J.

Humason, Donald F., Jr.

Tarr, Bruce E. – **6**.

NAYS.

Barrett, Michael J.

Keenan, John F.

Brady, Michael D.

Lesser, Eric P.

Brownsberger, William N.

Lewis, Jason M.

Chandler, Harriette L.

L'Italien, Barbara A.

Chang-Diaz, Sonia

Lovely, Joan B.

DiDomenico, Sal N.	McGee, Thomas M.
Donnelly, Kenneth J.	Montigny, Mark C.
Donoghue, Eileen M.	O'Connor Ives, Kathleen
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 30.

ABSENT OR NOT VOTING.

Creem, Cynthia Stone – **1.**

The yeas and nays having been completed at twenty minutes before three o'clock, P.M. the amendment was *rejected*.
Mr. Tarr moved to amend the proposed new text by striking in each instance, in which they appear, the words, "the office of health equity" and replacing them with "the center for health information and analysis in consultation with the health policy commission".

After debate, the amendment was *rejected*.

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

The bill, as amended, was then ordered to a third reading and read a third time.

After remarks, the question on passing the bill to be engrossed, in concurrence, with the amendment, was determined by a call of the yeas and nays at seven minutes before three o'clock P.M., on motion of Mr. Lewis, as follows, to wit (*yeas 36 – nays 0*)

[Yeas and Nays No. 249]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Brady, Michael D.	Lesser, Eric P.
Brownsberger, William N.	Lewis, Jason M.
Chandler, Harriette L.	L'Italien, Barbara A.
Chang-Diaz, Sonia	Lovely, Joan B.

deMacedo, Viriato M.	McGee, Thomas M.
DiDomenico, Sal N.	Montigny, Mark C.
Donnelly, Kenneth J.	Moore, Michael O.
Donoghue, Eileen M.	O'Connor Ives, Kathleen
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 36.

NAYS – 0.

ABSENT OR NOT VOTING.

Creem, Cynthia Stone – 1.

**The yeas and nays having been completed at two minutes before three o'clock, P.M. the bill was passed to be engrossed, in concurrence, with the amendment.
Sent to the House for concurrence in the amendment.**

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 President, the members, guests and staff stood in a moment of silence and reflection to the memory of Caitlin Clevette.

Adjourn In Memory of Caitlin Clavette

The Senator from Berkshire, Hampshire, Franklin and Hampden, Mr. Downing, and the Senators for Middlesex, Mr. Donnelly, Ms. Jehlen and Mr. Lewis, moved that when the Senate adjourns today, it adjourn in memory of Caitlin Clavette of Winchester and Arlington.

Mr. Downing in the Chair, today, the Senate adjourns in memory of Caitlin Clavette, of Winchester and Arlington, Massachusetts. Caitlin passed away unexpectedly on Friday, February 12th. The beloved daughter of Leo and Louanne, sister of Andrew and his fiancée Jenna and the love of Matt Bradley's life, she was an public school art teacher for the last 5 year. She studied studio arts and arts teaching at William & Mary and Tufts, and excelled throughout her life as an athlete, most recently as a tri-athlete. Most importantly, for anyone who was lucky enough to know Caitlin, to meet her or to simply cross paths with her, she was as kind, warm hearted and joyful as a person could be. She will be remembered as someone who packed a hundred years' worth of smiles into 35 years. The world was a better place because she was in it. Your life was a better place if Caitlin Clavette passed through it.

The President in the Chair, accordingly, as a mark of respect in memory of Caitlin Clavette, at one minute past three o'clock P.M., on motion of Ms. Chandler, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.