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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Monday, March 30, 2015.

Met at two minutes past eleven o'clock A.M. (Mr. Lewis in the Chair).

The Chair (Mr. Lewis), members, guests and staff then recited the pledge of allegiance to the flag.

Report.

Report of the Office of the Child Advocate submitted by the Ripples Group (pursuant to item 1599-7771 of Chapter 165 of the Acts of 2014) submitting a preliminary report assessing the administrative hearing process of the Office of the Child Advocate (received March 16, 2015),-- **was placed on file.**

Petitions.

Ms. Chandler presented a petition (accompanied by bill) (subject to Joint Rule 12) of Harriette L. Chandler, Michael O. Moore, Barbara L'Italien, Thomas M. McGee and other members of the General Court for legislation to clarify municipal authority regarding cash sureties,-- **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Report of a Committee.

By Mr. Keenan, for the committee on Bonding, Capital Expenditures and State Assets, that the House Bill relative to financing improvements to municipal roads and bridges (House, No. 3187, amended),-- **ought to pass.**

Under Senate Rule 27, referred to the committee on Ways and Means.

PAPER FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 3192) of Kate Hogan (by vote of the town) that the town of Maynard be authorized to issue an additional license for the sale of wines and malt beverages not to be drunk on the premises; and

Petition (accompanied by bill, House, No. 3193) of Paul McMurtry and Michael F. Rush (by vote of the town) that the town of Dedham be authorized to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises;

Severally to the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 3194) of Steven Ultrino and others (with the approval of the mayor and city council) that the city of Malden be authorized to change the composition of the stadium and athletic field commission in said city;

Petition (accompanied by bill, House, No. 3195) of Chris Walsh and others (by vote of the town) relative to representative town meetings in the town of Framingham; and

Petition (accompanied by bill, House, No. 3206) of Robert A. DeLeo, RoseLee Vincent and Anthony W. Petrucci (with the

approval of mayor and city council) that the city of Revere be authorized to pay a certain sum of money to Cynthia A. Penta;
Severally to the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 3196) of Shawn Dooley and Richard J. Ross (by vote of the town) that the town of Norfolk be authorized to continue the employment fire chief Coleman Bushnell, notwithstanding certain provisions of the civil service law;

Petition (accompanied by bill, House, No. 3197) of Shawn Dooley and Richard J. Ross (by vote of the town) that the town of Norfolk be authorized to continue the employment police chief Charles H. Stone, Jr., notwithstanding certain provisions of the civil service law; and

Petition (accompanied by bill, House, No. 3198) of Paul McMurtry and Michael F. Rush (by vote of the town) that the town Westwood be authorized to exempt the positions of fire chief and deputy fire chief from certain provisions of the civil service law.

Severally to the committee on Public Service.

Petition (accompanied by bill, House, No. 3199) of James J. Lyons, Jr. and Frank A. Moran (by vote of the town) that the town of Andover be authorized to provide property tax relief for certain elderly residents of said town; and

Petition (accompanied by bill, House, No. 3200) of Aaron Michlewitz and Nick Collins (with the approval of the mayor and city council) that the city of Boston be authorized to implement a property tax deferral program for long-term residence of said city;
Severally to the committee on Revenue.

Petition (accompanied by bill, House, No. 3201) of Robert M. Koczera and others (with the approval of the mayor and city council) that the city of New Bedford be authorized to establish senior citizen safety zones;

To the committee on Transportation.

A Bill establishing a sick leave bank for Deborah Hawkins, an employee of the Office of the State Auditor (House, No. 3204,-- on House, No. 3184),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means**

Resolutions.

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

Resolutions (filed by Mr. Hedlund) "congratulating Matthew Oliver James on his elevation to the rank of Eagle Scout."

Reports of Committees.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for James O'Brien, an employee of the Department of Developmental Services (Senate, No. 18),-- **ought to pass.**

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

Sent to the House for concurrence.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill relative to racing days at Suffolk Downs (House, No. 3203),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 36; by striking the title and inserting in place thereof the following title "An Act making appropriations for fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects"; and by striking out the emergency preamble and inserting in place thereof the following emergency preamble:-

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make supplemental appropriations for fiscal year 2015 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience." [Estimated cost: Direct appropriations - \$402,247,030.00].

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

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill financing improvements to municipal roads and bridges (House, No. 3187, amended) {Estimated cost: Bonding authorization - \$200,000,000.00},-- **ought to pass.**

Referred, under Senate Rule 26, to the committee on Rules.

Subsequently, Mr. Montigny, for said committee on Rules, reported that the matter be placed in the Orders of the Day for Wednesday, April 1, 2015 for a second reading.

Recess.

There being no objection, at seven minutes past eleven o'clock A.M., the Chair (Mr. Lewis) declared a recess subjected to the call of the Chair; and, at nine minutes past two o'clock P.M., the Senate reassembled, Mr. Lewis in the Chair.

PAPER FROM THE HOUSE

The House Bill making appropriations for fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3203, amended),-- came from the House with the endorsement that the House had concurred in the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 36; striking out the emergency preamble and inserting in place thereof the following emergency preamble:- "Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make supplemental appropriations for fiscal year 2015 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."; and striking out the title and inserting in place thereof the following title:- "An Act making appropriations for fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects.") with a further amendment striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text contained in House document numbered 3332.

The rules were suspended, on motion of Mr. Humason, and the House amendment was considered forthwith.

The same Senator moved that the Senate NON-concur with the House amendment.

The motion was accepted; and the Senate NON-concurred in the further House amendment.

Sent to the House for its action.

Recess.

There being no objection, at ten minutes past two o'clock P.M., the Chair (Mr. Lewis) declared a recess subjected to the call of the Chair; and, at fourteen minutes before six o'clock P.M., the Senate reassembled, Mr. Lewis in the Chair.

Order Adopted.

On motion of Mr. Tarr,--

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

On motion of the same Senator, at thirteen minutes before six o'clock P.M., the Senate adjourned to meet again tomorrow at eleven o'clock A.M.