

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.

Tuesday, March 31, 2015.

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

Communications.

Communications from the Department of Public Health relative to Plans of Correction for the following correctional facilities:
Bristol County Jail, Ash Street Facility
Dukes County Jail and House of Correction
MCI Shirley
Northeastern Correctional Center (received March 27, 2015),-- **were severally placed on file.**

Reports.

The following reports were severally received and placed on file, to wit:
Reports of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspection of the following correctional facilities:
Plymouth County Correctional Facility
Worcester County House of Corrections and Jail
South Middlesex Correctional Center
Middlesex County House of Correction (received March 27, 2015);
Report of the Division of Administrative Law Appeals (pursuant to Section 4H of Chapter 7 of the General Laws) submitting its 2014 Annual Report (received March 31, 2015);
Report of the Massachusetts Department of Elementary and Secondary Education (pursuant to line item 7061-9412 of Chapter 165 of the Acts of 2014) submitting its report to the Legislature on Expanded Learning Time Grants (received March 27, 2015);
and
Report of the Massachusetts Department of Elementary and Secondary Education (pursuant to Chapter 139 of the Acts of 2012) submitting its Report to Legislature: MCAS Support Programs Fiscal Year 2013 (FY13) Addendum (received March 27, 2015).

Petitions.

Petitions were severally presented and referred as follows:
By Ms. Gobi, a petition (accompanied by bill, Senate, No. 38) of Anne M. Gobi and Donald R. Berthiaume, Jr. (by vote of the town) for legislation relative to the town of Barre [Local approval received];
Under Senate Rule 20, to the committee on Public Service.
Sent to the House for concurrence.

By Ms. Gobi, a petition (accompanied by bill) (subject to Joint Rule 12) of Anne M. Gobi relative to the testing and licensing requirements for operators of school buses;

Under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

PAPERS FROM THE HOUSE

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 3322) of Michael S. Day and Jason M. Lewis (by vote of the town) that the town of Stoneham be authorized grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises or licenses for the sale of wines and male beverages to be drunk on the premises in theaters with seating capacities of 300 or more; and Petition (accompanied by bill, House, No. 3323) of Paul Tucker and Joan B. Lovely (with the approval of the mayor and city council) that the city of Salem 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. 3324) of Ruth B. Balser and others (with the approval of the mayor and board of aldermen) that the city of Newton be authorized to remove the restriction on holding preliminary elections on Tuesdays; To the committee on Election Laws.

Petition (accompanied by bill, House, No. 3325) of Josh S. Cutler (by vote of the town) that the town of Duxbury be authorized to establish an affordable housing trust;

Petition (accompanied by bill, House, No. 3326) of Daniel J. Hunt (with the approval of the mayor and city council) that the city of Boston be authorized to increase the snow removal fine in said city;

Petition (accompanied by bill, House, No. 3327) of Aaron Michlewitz (with the approval of the mayor and city council) that the city of Boston be authorized to change the name of the State-Boston Retirement System to the Boston retirement system;

Petition (accompanied by bill, House, No. 3328) of Aaron Vega (with the approval of mayor and city council) that the city of Holyoke be authorized to appoint a treasurer for said city; and

Petition (accompanied by bill, House, No. 3329) of Aaron Vega (with the approval of the mayor and city council) that the city of Holyoke be authorized to change the composition of the city council for said city;

Severally to the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 3330) of Brian S. Dempsey (with the approval of mayor and city council) that the city of Haverhill be authorized to exempt the position of deputy police chief from certain provisions of the civil service law; and

Petition (accompanied by bill, House, No. 3331) of Kate Hogan (by vote of the town) that the town of Maynard be authorized to exempt certain positions in the police department, of said town, from certain provisions of the civil service law;

Severally to the committee on Public Service.

Bills

Establishing a sick leave bank for Daniel Cardillo, an employee of the Division of Capital Asset Management and Maintenance (House, No. 3183,-- on petition); and

Establishing a sick leave bank for Joseph Esposito, an employee of the Massachusetts Department of Transportation (House, No. 3185,-- on petition);

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

Report of Committees.

By Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition 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.

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.

Sent to the House for concurrence.

Recess.

There being no objection, at three minutes past eleven o'clock A.M., the Chair (Mr. Brownsberger) declared a recess subjected to the call of the Chair; and, at twenty-one minutes past four o'clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

PAPER FROM THE HOUSE

A report of the committee of conference of the disagreeing votes of the two branches, with reference to the Senate amendments to the House Bill making appropriations for the fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 65, amended) (amended by the Senate by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 28) recommending the passage of the accompanying bill with the same title (House, No. 3333) [Total appropriation: \$363,553,451.00], -- **came from the House, and**

was read.

The rules were suspended, on motion of Ms. Spilka, the report was accepted, in concurrence.

Report of Committees.

By Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of John F. Keenan for legislation to establish a sick leave bank for Margaret Carey, an employee of the Department of Public Health.

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. Sent to the House for concurrence.

Recess.

There being no objection, at twenty-three minutes past four o'clock P.M., the Chair (Mr. Brownsberger) declared a recess subjected to the call of the Chair; and, at nine minutes before five o'clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

PAPERS FROM THE HOUSE

Emergency Preamble Adopted; Engrossed Bill Enacted.

An engrossed Bill making appropriations for the fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 3333), 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. Brownsberger) and sent to the House for enactment.

Subsequently, the bill, which originated in the House, came from the House with the endorsement that it had been enacted in that branch.

The Senate then passed the bill to be enacted; and it was signed by the Acting President (Mr. Brownsberger) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Tarr,--

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

On motion of the same Senator, at four minutes before five o'clock P.M., the Senate adjourned to meet again tomorrow at two o'clock P.M.