

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, April 19, 2016.

Met at twenty-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.

Report.

Report of the Department of Children and Families (pursuant to Section 25 of Chapter 18B of the General Laws) submitting their total number of cases of multiple 51A reports.(received April 15, 2016),-- **was placed on file.**

Petition.

By Mr. DiDomenico, a petition (accompanied by bill) (subject to Joint Rule 12) of Sal N. DiDomenico for legislation to establish a sick leave bank for Edward Connors, an employee of the Department of Transitional Assistance;
Under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of Committees.

By Ms. Lovely, for the committee on State Administration and Regulatory Oversight, on petition, a Bill to establish a municipal record preservation commission (Senate, No. 1636); and

By the same Senator, for the same committee, on petition, a Bill establishing a special commission to identify opportunities to improve the efficiency and effectiveness of state agencies, programs, and services (Senate, No. 1675);

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

By Ms. Lovely, for the committee on State Administration and Regulatory Oversight, on petition, a Bill to sell naming rights to the Boston Convention and Exhibition Center and other properties operated by the MCCA (Senate, No. 1689);

By the same Senator, for the same committee, on petition, a Bill for a mixed use redevelopment of state pier to enhance economic development of the New Bedford waterfront and downtown (Senate, No. 1690); and

By the same Senator, for the same committee, on petition, a Bill to further expand Bristol Community College in downtown New Bedford (Senate, No. 1691);

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

By Mr. Brady, for the committee on Election Laws, on petition, a Bill relative to corporations, shareholders, and political expenditures (Senate, No. 213);

By Ms. Lovely, for the committee on State Administration and Regulatory Oversight, on petition, a Bill establishing a legislative fiscal office (Senate, No. 1634);

By the same Senator, for the same committee, on petition, a Bill authorizing the Division of Capital Asset Management and

Maintenance to convey a certain parcel of land in the town of Sutton to Tim and Tammy Mahoney (Senate, No. 1639);
By the same Senator, for the same committee, on petition, a Bill to promote purchasing from social enterprises by governmental bodies (Senate, No. 1648);
By the same Senator, for the same committee, on Senate, No. 1649 and House, No. 2756, a Bill to facilitate disposition of surplus property for the development of affordable and workforce housing (Senate, No. 1649);
By the same Senator, for the same committee, on Senate, No. 1650 and House, Nos. 2738 and 2757, a Bill relative to the fair participation of minority and women-owned businesses on public construction projects (Senate, No. 1650);
By the same Senator, for the same committee, on petition, a Bill relative to local impacts of enacted legislation (Senate, No. 1651);
By the same Senator, for the same committee, on Senate, No. 1679 and House, No. 3522, a Bill facilitating the transfer of property in the town of Tewksbury (Senate, No. 1679);
By the same Senator, for the same committee, on petition, a Bill relative to increasing transparency in public construction (Senate, No. 1681);
By the same Senator, for the same committee, on petition, a Bill relative to equitable pay at quasi-public agencies (Senate, No. 1686);
By the same Senator, for the same committee, on petition, a Bill relative to the definition of fraud in public construction bid laws (Senate, No. 1694);
By the same Senator, for the same committee, on petition, a Bill to debar employers who violate federal immigration laws from contracting with the Commonwealth (Senate, No. 1703); and
By the same Senator, for the same committee, a Bill relative to life cycle costs for public construction (Senate, No. 1705);
Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Ms. L'Italien, for the committee on Municipalities and Regional Government, on petition (accompanied by bill, Senate, No. 1092), a Bill relative to tethering of dogs (Senate, No. 2229); and
By Ms. Lovely, for the committee on State Administration and Regulatory Oversight, on Senate, No. 1692 and House, No. 2718, a Bill designating a certain state facility in the city of New Bedford as the New Bedford marine commerce terminal (Senate, No. 1692);
Severally read and, under Senate Rule 26, referred to the committee on Rules.

By Ms. L'Italien, for committee on Municipalities and Regional Government, on petition, a Bill revising the charter of the town of Swampscott (Senate, No. 2206) [Local approval received];
Read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Committee Discharged.

Mr. McGee, for the committee on Transportation, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1875) of Mark C. Montigny for legislation to facilitate the completion of the New Bedford/Fall River commuter rail extension project,-- **and recommending that the same be referred to the committee on Ways and Means;**
Under Senate Rule 36, the report was considered forthwith and accepted.
Sent to the House for concurrence in the discharge of the joint committee.

PAPERS FROM THE HOUSE

A Bill establishing a sick leave bank for Paul Sinkiewicz, an employee of the Department of Youth Services (House, No. 4035,-- on petition), -- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Bills

Relative to signing of warrants for payment in the town of Tyngsborough (House, No. 3641,-- on petition) [Local approval received]; and
Relative to the date of town elections in the town of Southbridge (House, No. 3998,-- on petition) [Local approval received];
Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Emergency Preambles Adopted

An engrossed Bill designating the Massachusetts Hospital School as the Pappas Rehabilitation Hospital for Children (see House, No. 2739, amended), 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.**

An engrossed Bill designating a certain traffic island in the town of Hingham as The Frank Massa Memorial Island (see House, No. 3808), 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.

Resolutions.

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

Resolutions (filed by Mr. Brady) "congratulating Ryan John McDonald of the town of Hanover on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Brady) "congratulating Kevin Smith of the town of East Bridgewater on his elevation to the rank of Eagle Scout"; and

Resolutions (filed by Mr. Ross) "congratulating Samuel D. Stone of the town of Sherborn on his elevation to the rank of Eagle Scout."

Communications.

The Clerk read the following communications:

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE

William Welch,
Clerk of the Senate
State House
Boston, MA 02133

April 14, 2016

Dear Mr. Clerk:

On Wednesday, April 13, 2016, I was unable to attend the formal Senate session. Had I been present, I would have voted in the affirmative on the following questions:

- Roll call #275, on passing H. 4161 to be engrossed;
- Roll call #278, on passing S. 727 to be engrossed;
- Roll call #280, on passing S. 728 to be engrossed;
- Roll call #281, on passing S. 2216 to be engrossed; and
- Roll call #282, on enactment of H. 4133.

Had I been present I would have voted in the negative on the following questions:

- Roll call #276, on adoption of amendment #1 to S. 727;
- Roll call #277, on adoption of amendment #2 to S. 727; and
- Roll call #279, on adoption of amendment #1 to S. 728.

I respectfully request that a copy of this correspondence be printed in the journal for the next session. Thank you in advance for your assistance in this matter.

Sincerely,
MICHAEL J. BARRETT
Third Middlesex.

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

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE

April 14, 2016

William F. Welch,
Senate Clerk
State House, Room 335
Boston, MA 02133

Dear Mr. Clerk,

On Wednesday, April 13, 2016 I was absent from Senate Caucus and Formal session due to a family funeral.

Had I been present at the Formal session I would have voted in the following manor for the bills on the calendar.

Senate 727 – An act relative to tagging – Affirmative on Engrossment

Amendment 1. Richard J. Ross Tagging Fines - Negative

Amendment 2. Bruce E. Tarr – Drivers License Suspension - Negative

Senate 728 – An act relative to the penalty for vandalism – Affirmative on Engrossment

Amendment 1. Richard J. Ross Vandalism Fines - Negative

Senate 795 – An act relative to adjusting the credit for nonpayment of fines – Affirmative on Engrossment

Senate 2216 – An act relative to the use of community corrections for pre-trial detainees and criminal defendants – Affirmative on Engrossment

House 4161 - First Responders Day - Affirmative on Engrossment

House 4133 – An act financing improvements to certain municipal roads - Affirmative on Enactment.

I respectfully request that a copy of this letter be printed in the Senate Journal as part of the official record for the next session. Thank you for your attention with this important matter.

Sincerely,
MICHAEL J. RODRIGUES
State Senator.

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

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 authorizing the town of Andover school district to convey a certain parcel of land (Senate, No. 1983) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed. Sent to the House for concurrence.**

The Senate Bill further defining a quorum of a public body in the town of Milton (Senate, No. 2001) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed. Sent to the House for concurrence.**

The House Bill authorizing the town of Saugus to designate a check-off box on its tax bills for the Saugus Veterans Relief Fund (House, No. 4031) (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.**

PAPER FROM THE HOUSE

An engrossed Bill further regulating the Position of Highway Surveyor in the Town of Hanson (see House, No. 3738) (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 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 on Thursday next 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 twenty-nine minutes past eleven o'clock A.M., the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.