

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.

Monday, April 25, 2016.

Met at six 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.

Communication.

Communication from the Department of Public Health (pursuant to Section 2KKKK of Chapter 29 of the General Laws) submitting its report entitled "Medical Marijuana Trust Fund Annual Report" (received April 21, 2016),-- **was placed on file.**

Report.

Report of the Office of Medicaid (pursuant to Section 227 of Chapter 165 of the Acts of 2014) submitting its status report on efforts to enroll and cover persons in correctional facilities during FY 2016 (copies having been forwarded as required to the Senate Committee on Ways and Means) (received April 21, 2016),-- **was placed on file.**

Reports of Committees.

By Mr. Lesser, for the committee on Tourism, Arts and Cultural Development, on Senate, Nos. 1802, 1803 and 1916, an Order relative to authorizing the joint committee on Tourism, Arts and Cultural Development to make an investigation and study of certain current Senate documents relative to tourism, arts and cultural development (Senate, No. 2236);

Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Ms. Flanagan, for the committee on Children, Families and Persons with Disabilities, on petition, a Bill relative to improving the children's medical security program and simplifying the administration process (Senate, No. 66, changed by striking out in line 51, the figure "2015" and inserting in place thereof the following:- "2016"); and

By the same Senator, for the same committee, on petition, a Bill relative to the well-being of children (Senate, No. 96, changed by striking out in line 1, the figure "2012" and inserting in place thereof "2014"; in line 4, after the word "medications", by adding the following words:- "from a prescribing physician"; and in line 6, after the words "child's medical care", by inserting the following words:- "in consultation with the prescribing physician");

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Ms. Donoghue, for the committee on Economic Development and Emerging Technologies, on petition (accompanied by bill, Senate, No. 2040), a Resolve relative to studying the impacts of changing the Massachusetts time zone (Senate, No. 2239);

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

By Ms. Flanagan, for the committee on State Administration and Regulatory Oversight, on petition, a Bill pertaining to the town of Bellingham and water main easement (Senate, No. 2117); and

By the same Senator, for the same committee, on petition, a Senate Bill authorizing the Commissioner of Capital Asset

Management and Maintenance to convey certain land containing the Salem Superior Courthouse and County Commissioners Building to the Salem Redevelopment Authority (printed as House, No. 2837);
Severally read and, under Senate Rule 26C, referred to the committee on Bonding, Capital Expenditures and State Assets.

By Ms. Flanagan, for the committee on Children, Families and Persons with Disabilities, on petition, a Bill to promote employment (Senate, No. 107, changed in line 1, by inserting after the word, "Laws", the following:- " , as so appearing the 2014 Official Edition"; in line 32, by striking out the figure "20" and inserting in place thereof the figure "19"; and in line 34, by striking out the figure "21" and inserting in place thereof the figure "20");

By Ms. Gobi, for the committee on Environment, Natural Resources and Agriculture, on Senate, No. 396 and House, No. 737, a Bill relative to protecting, preserving, and increasing access to family camping (Senate, No. 2240);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 440), a Bill relative to ivory and rhino horn trafficking (Senate, No. 2241);

By Mr. Moore, for the committee on Higher Education, on petition (accompanied by bill, Senate, No. 650), a Bill creating a sexual assault climate survey for Massachusetts colleges and universities (Senate, No. 2242);

By Mr. Timilty, for the committee on Public Service, on petition, a Bill authorizing the State Retirement Board to grant creditable service to John Lyons (Senate, No. 2162);

By the same Senator, for the same committee, on petition, a Bill authorizing the State Retirement Board to grant creditable service to Douglas Priest (Senate, No. 2163);

By the same Senator, for the same committee, on petition, a Bill relative to local public housing authorities access to the dental insurance plan managed by the group insurance commission (Senate, No. 2170);

By the same Senator, for the same committee, on petition, a Bill establishing a sick leave bank for Jodi Paris Anastos, an employee of the Operational Services Division (Senate, No. 2228);

By Ms. Lovely, for the committee on State Administration and Regulatory Oversight, on petition, a Bill to eliminate contingency fee auditors (Senate, No. 1710);

By the same Senator, for the same committee, on petition, a Bill requiring fiscal responsibility (Senate, No. 1729);

By the same Senator, for the same committee, on petition, a Bill relative to employee settlements (Senate, No. 1734);

By Mr. Downing, for the committee on Telecommunications, Utilities and Energy, on petition, a Bill relative to the protection of propane gas ratepayers (Senate, No. 1758);

By the same Senator, for the same committee, on petition, a Bill establishing funding to provide moneys for postclosure activities at nuclear power stations (Senate, No. 1798); and

By the same Senator, for the same committee, on petition, a Senate Bill creating a green bank to promote clean energy in Massachusetts (printed as House, No. 3532);

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

PAPERS FROM THE HOUSE

A Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Marlborough (House, No. 3560, changed and amended-- on petition), -- **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. Timilty) "commending the town of Walpole on the one hundredth anniversary of the Walpole Town Forest."

Matters Taken Out of the Orders of the Day.

There being no objection, the following matters were taken out of the Orders the Day and considered as follows:

The Senate Bill relative to certain charges and fees in the town of Charlton (Senate, No. 2068),-- **was read a third time and passed to be engrossed.**
Sent to the House for concurrence.

The House Bill authorizing the town of Montague to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3783),-- **was read a third time.**

Pending the question on passing the bill to be engrossed, Mr. Rosenberg presented an amendment in section 1, by striking out, in lines 4 and 5, the words "Five Eyed Fox" and inserting in place thereof the following words:- "Arthur Binaco & Merchant,

LLC”; and in said section 1, by adding the following subsection:-

“(d) Upon issuance of the license authorized in this act, Arthur Binaco & Merchant, LLC shall surrender to the licensing authority the license it currently holds for the sale of wines and malt beverages to be drunk on the premises.”

The amendment was **adopted**.

The bill, as amended, was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Donna Juarez, an employee of the Department of Developmental Services (House, No. 4055),-- ought to pass, with an amendment inserting after the word “Juarez”, in line 4, the following words: “to care for her child”.

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was 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 establishing a sick leave bank for Leanna Babineau, an employee of the Department of Developmental Services (House, No. 4123),-- **ought to pass.**

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

By Ms. Lovely, for the committee on State Administration and Regulatory Oversight, on petition, a Resolve relative to Southern Middlesex County (Senate, No. 1626).

The resolve was read. There being no objection, the rules were suspended, on motion of Mr. Tarr, and the resolve was read a second time and ordered to a third reading.

The following report was laid before the Senate, the time within which the said committee was required to report having expired:---

Of the committee on Health Care Financing, ought NOT to pass (under Joint Rule 10), on the Bill providing access to full spectrum addiction treatment services (Senate, No. 1502, changed).

On motion of Mr. Tarr, the bill was recommitted to the Joint Committee on Health Care Financing.

PAPER FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Acton (see House, No. 3792, changed and 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 (Brownsberger) and sent to the House for enactment.

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., in a full formal session with a calendar.

On motion of the same Senator, at nineteen minutes past eleven o'clock A.M., the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.