

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, June 22, 2015.

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

Communication.

Communication from the Honorable Stanley C. Rosenberg, President of the Senate announcing the appointment of Senator Eileen M. Donoghue (pursuant to Section 16G(1) of Chapter 6A of the General Laws) to the Economic Development Planning Council,-- **was placed on file.**

Reports.

Report of the State Ethics Commission (pursuant to Section 2(l) of Chapter 268B of the General Laws) submitting its Fiscal Year 2014 Annual Report (received June 18, 2015),-- **was placed on file.**

Report of the Massachusetts Department of Transportation (submitted by CDM Smith, Inc.) (pursuant to Chapter 199 of the Acts of 2010, as amended by Section 57 of Chapter 239 of the Acts of 2012) submitting its report on the cumulative and immediate effects of deicing chemical storage and deicing operations on the groundwater aquifers and bedrock fissures within the I-95 corridor (received June 4, 2015) (a copy having been forwarded to the committee on Ways and Means),-- **was read and sent to the House for its information.**

Petition.

Mr. Joyce presented a petition (accompanied by bill) (subject to Joint Rule 12) of Brian A. Joyce and Mark J. Cusack for legislation to establish a sick leave bank for Kenneth Bascomb, an employee of the Massachusetts Department of Correction,-- **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 Mrs. L'Italien, for the committee on Municipalities and Regional Government, on petition, a Bill relative to the Community Events Fund in the town of Wareham (Senate, No.1099) [Local approval received];
Read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Committees Discharged.

Ms. Chang-Diaz, for the committee on Education, reported, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 283) of Jennifer L. Flanagan, James J. O'Day, James B. Eldridge and Chris Walsh for legislation to prohibit the Commonwealth from discrimination against those providing special education services to

Massachusetts students ,-- **and recommending that the same be referred to the committee on Public Service; and**
Of the petition (accompanied by bill, Senate, No. 284) of Jennifer L. Flanagan, Brian A. Joyce, Michael O. Moore, Jennifer E. Benson and other members of the General Court for legislation relative to preventing adolescent substance abuse by expanding SBIRT,-- **and recommending that the same be referred to the committee on Mental Health and Substance Abuse;**
Ms. Lovely, for the committee on State Administration and Regulatory Oversight, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1653) of Anne M. Gobi, Kenneth J. Donnelly, Jay R. Kaufman, Jonathan Hecht and others for legislation relative to public space recycling,-- **and recommending that the same be referred to the committee on Environment, Natural Resources and Agriculture;**

Mr. Lesser, for the committee on Tourism, Arts and Cultural Development, reported, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 1800) of James B. Eldridge, Jennifer E. Benson, Keiko M. Orrall, Sean Garballey and other members of the General Court for legislation relative to energy efficiency funds generated by municipal lighting plants,-- **and recommending that the same be referred to the committee on Telecommunications, Utilities and Energy; and**

Of the petition (accompanied by bill, Senate, No. 1801) of Robert L. Hedlund, Kathleen O'Connor Ives, Timothy R. Madden, James M. Cantwell and other members of the General Court for legislation relative to the treatment of elephants,-- **and recommending that the same be referred to the committee on the Judiciary;**
Under Senate Rule 36, the reports were considered forthwith and accepted.
Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No. 3594) of Josh S. Cutler (by vote of the town) that the town of Pembroke be authorized to use certain water supply and conservation land for public way purposes;
To the committee on Environment, Natural Resources and Agriculture.

Petition (accompanied by bill, House, No. 3595) of Louis L. Kafka, James E. Timilty and Brian A. Joyce (by vote of the town) that the town of Sharon be authorized to issue an abatement for a portion of real estate taxes assessed on a certain parcel of land in said town;
To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 3596) of Garrett J. Bradley and Robert L. Hedlund (by vote of the town) that the town of Hull be authorized to exempt the police chief of said town from provisions of the civil service law;
To the committee on Public Service.

Reports

Of the committee on Public Health, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 1883) of Bruce J. Ayers for legislation to prohibit the practice of body piercing, so-called, unless licensed by the Department of Public Health,-- and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure;

Of the petition (accompanied by bill, House, No. 1923) of Marjorie C. Decker and others for legislation to prevent medical bills from eroding an injury victim's compensation received through a settlement or court award,-- and recommending that the same be referred to the committee on Financial Services; and

Of the petition (accompanied by bill, House, No. 755) of Frank I. Smizik for legislation to promote efficiency in the use of certain natural resources,-- and recommending that the same be referred to the committee on Telecommunications, Utilities and Energy;

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.

Notice was received from the Speaker of the House of Representatives announcing the following appointment:

That Tom Daniel of Manchester-by-the Sea, Economic Development Director of the city of Gloucester (municipal representative); Jessica Anders of Lawrence, Executive Director, Lawrence Community Works (CDC representative); Joseph Kriesberg of Boston, Executive Director, Mass. Association of CDCs (CDC representative); David E. Leone, LSP, of Millis of GZA GeoEnvironmental, Inc. (Hazardous Waste Clean-Up Professional); and that he had reappointed Michael Crawford of Needham, Executive Vice-President and COO, Commercial Bank & Trust, Worcester (lending community representative) (under the provisions of Paragraph (l) of Section 29A of Chapter 23G of the General Laws) to the Brownfields Redevelopment Fund Advisory group established by said law.

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:- Resolutions (filed by Mr. Pacheco) “congratulating Dr. Dana Mohler-Faria on his retirement as President of Bridgewater State University”; Resolutions (filed by Mr. Tarr) “celebrating the National Amateur Radio Field Day of American Radio Relay League”; and Resolutions (filed by Mr. Timilty, Ms. Creem, Ms. Spilka and Messrs. Ross, Joyce, Keenan, Rush, Hedlund and Fattman) “congratulating Daniel Matthews on his retirement from Norfolk County.”

PAPERS FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No. 3605) of Carolyn C. Dykema and Donald H. Wong relative to student privacy;
Under suspension of Joint Rule 12, to the committee on Education.

Petition (accompanied by bill, House, No. 3606) of James Miceli for legislation to establish a sick leave bank for Valerie Loiacono Daley, an employee of the Trial Court; and
Petition (accompanied by bill, House, No. 3607) of Angelo J. Puopolo, Jr. and others relative to temporary guardianship for certain incapacitated persons;
Severally, under suspension of Joint Rule 12, to the committee on the Judiciary.

Petition (accompanied by bill, House, No. 3608) of Jeffery N. Roy for legislation to further amend the independent contractor statute;
Under suspension of Joint Rule 12, to the committee on Labor and Workforce Development.

Petition (accompanied by bill, House, No. 3609) of Frank A. Moran for legislation to establish a sick leave bank for Michela T. Paone-Stuart, an employee of the Department of Correction;
Under suspension of Joint Rule 12, to the committee on Public Service.

Emergency Preamble Adopted.

An engrossed Bill relative to the Essex North Shore Agricultural and Technical School District (see Senate, No. 1919, 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. Petruccelli) and sent to the House for enactment.**

Engrossed Bills.

The following engrossed bills (the first of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the Acting President (Mr. Petruccelli) and laid before the Governor for his approbation, to wit:

Relative to the Essex North Shore Agricultural and Technical School District (see Senate, No. 1919, amended);
Exempting certain positions in the police department of the town of Acton from the civil service law (see House, No. 2202);
Authorizing the town of Montague to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 3370); and
Authorizing the town of Montague to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 3374).

Recess.

There being no objection, at twenty-seven minutes before twelve o'clock noon, the Chair (Mr. Petruccelli) declared a recess subject to call of the Chair; and, at six minutes before five o'clock P.M., the Senate reassembled, Mr. Keenan in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

PAPERS FROM THE HOUSE.

A Bill making certain appropriations for fiscal year 2016 before final action on the General Appropriation Bill (printed in House, No. 3610, changed,-- being a message from his Excellency the Governor),-- **was read. 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.**

Engrossed Bill.

An engrossed Bill making certain appropriations for fiscal year 2016 before final action of the General Appropriations Bill (see House Bill, printed in House No. 3610, amended) (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. Keenan) 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-three minutes past five o'clock P.M., the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.