

**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, August 3, 2015.*

Met at two 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).

#### *Reports.*

The following reports were severally received and placed on file, to wit:

Report of the Life Initiative (under the provisions of Section 2e of Chapter 259 of the Acts of 1998) submitting its 2014 Annual Report and Statement of Financial Condition of the Massachusetts Life Insurance Community Investment Initiative, LLC (received July 31, 2015); and

Report of the Secretary of the Commonwealth (pursuant to Section 17 of Chapter 111 of the Acts of 2014) submitting its study and recommendations in accordance with the act (received July 31, 2015).

#### *Petitions.*

Petitions were severally presented and referred as follows:

By Mr. Joyce, a petition (accompanied by bill, Senate, No. 1987) of Brian A. Joyce and Walter F. Timilty (by vote of the town) for legislation relative to the town administrator in the town of Milton [Local approval received];

**Under Senate Rule 20, to the committee on Municipalities and Regional Government.  
Sent to the House for concurrence.**

By Mr. Joyce, a petition (accompanied by bill) (subject to Joint Rule 12) of Brian A. Joyce for legislation to prohibit coal tar pavement sealant;

**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 designate certain lands in the town of Adams for conservation and public recreational purposes (Senate, No. 1631);

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

By Mr. Wolf, for the committee on Labor and Workforce Development, on petition, a Bill to establish pay equity (Senate, No. 983);

**Read and, under Senate Rule 27, referred to the committee on Ways and Means.**

By Mrs. L'Italien, for the committee on Municipalities and Regional Government, on petition, a Bill to authorize the conveyance of certain property in the town of Salisbury (Senate, No. 1095) [Local approval received];

**Read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

#### *Committees Discharged*

Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration of the Senate Resolve to create a commission to study ways to prevent bullying of tenants in public and subsidized multi-family housing (Senate, No. 1984),-- **and recommending that the same be referred to the committee on Rules.**

**Under Senate Rule 36, the report was considered forthwith and accepted.**

#### **PAPER FROM THE HOUSE**

A Bill authorizing the town of Maynard to grant 6 additional licenses for the sale of all alcoholic beverages to be drunk on the premises and 1 additional license for the sale of wines and malt beverages not to be drunk on the premises (House, No. 3371, amended,-- on House, No. 3192) [Local approval received on House, No. 3192];

**Was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

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

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

#### *Resolutions.*

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

Resolutions (filed by Ms. Creem and Mr. Ross) "congratulating the town of Wellesley upon being named a Purple Heart Community by the Massachusetts Chapter of the Military Order of the Purple Heart."

#### *Matter Taken Out of the Orders of the Day.*

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

The House Bill authorizing the town of Williamsburg to continue the employment of firefighter Paul Sanderson (House, No. 3191, amended),-- **was read a third time.**

Pending the question on passing the bill to be engrossed, Mr. Downing presented an amendment striking out, in line 1, the word "any" and inserting in place thereof the following words:- "sections 1 and 5 of chapter 32 of the General Laws or any other"; in said section 1, by inserting after the word "position", in line 3, the following words:- "after November 30, 2014"; in said section 1, by inserting after the word "requested", in line 5, the following words:- "by the board of selectmen in the town of Williamsburg"; and by striking out section 2 and inserting in place thereof the following section:-  
"SECTION 2. This act shall take effect as of November 17, 2014."

**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.**

#### **PAPERS FROM THE HOUSE**

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

Petition (accompanied by bill, House, No. 3702) of Michael J. Moran and Linda Dorcena Forry relative further regulating transportation network livery companies and drivers providing prearranged for-hire ride services for compensation using mobile applications to connect passengers with drivers;

**Under suspension of Joint Rule 12, to the committee on Financial Services.**

Petition (accompanied by bill, House, No. 3703) of Paul J. Donato, David F. DeCoste and John F. Keenan for legislation to establish a sick bank for Linda Vitt, an employee of the Trial Court;

**Under suspension of Joint Rule 12, to the committee on the Judiciary.**

Petition (accompanied by bill, House, No. 3704) of Michael J. Finn for legislation to establish a sick leave bank for Maribel Sepulveda, an employee of the Executive Office of Health and Human Services; and

Petition (accompanied by bill, House, No. 3705) of Michael J. Finn for legislation to establish a sick leave bank for Shirley Brathwaite, an employee of the Department of Children and Families;

**Severally under suspension of Joint Rule 12, to the committee on Public Service.**

Petition (accompanied by bill, House, No. 3706) of Steven S. Howitt for legislation to prohibited the wearing of headphones while operating a bicycle;

**Under suspension of Joint Rule 12, to the committee on Transportation.**

#### *Emergency Preambles Adopted.*

An engrossed Bill relative to fingerprint-based criminal record checks for adoptive and foster parents (see House No. 3668, 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. Petrucci) and sent to the House for enactment.**

An engrossed Bill relative to the pension liability of the Commonwealth (see House, No. 3670, 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. Petrucci) and sent to the House for enactment.**

An engrossed Bill relative to the earned income tax credit (see House, No. 3671, 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. Petrucci) and sent to the House for enactment.**

An engrossed Bill relative to opiate overdoses in the Commonwealth (see House, No. 3674, 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. Petrucci) and sent to the House for enactment.**

#### *Engrossed Bills.*

An engrossed Bill eliminating the preliminary election in the city of Lynn in 2015 (see House, No. 3693) (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. Petrucci) and laid before the Governor for his approbation.

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

Relative to fingerprint-based criminal record checks for adoptive and foster parents (see House No. 3668, amended);  
Relative to the pension liability of the Commonwealth (see House, No. 3670, amended);  
Relative to the earned income tax credit (see House, No. 3671, amended); and  
Relative to opiate overdoses in the Commonwealth (see House, No. 3674, amended).

#### *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.

#### *Adjourn In Memory of Eileen M. Daily*

The Senator from Hampshire, Franklin and Worcester, Mr. Rosenberg, moved that when the Senate adjourns today, it adjourn in memory of Connecticut State Senator Eileen M. Daily.

Eileen M. Daily of Westbrook, Connecticut, passed away on July 30th at the age of 72 after a four year battle with cancer.

Ms. Daily, originally a Dorchester native, moved to Westbrook, Connecticut in 1974 where she began her career in public service as a member of the town's school board and then as a member of the board of selectman.

Ms. Daily was elected to the Connecticut state legislature in 1993, representing the 33rd District.

A proponent of open space, she is credited with the creation of a state fund for the acquisition and preservation of open spaces.

She authored legislation to create the Small Town Economic Assistance Program, to make public works projects more affordable for small towns.

From 2003 until her retirement in 2012, Ms. Daily co-chaired the legislature's Finance, Revenue, and Bonding Committee, where she played an instrumental role in leading Connecticut through the Great Recession and resolving one of the largest budget deficits in state's history.

She was known by her colleagues as a consensus builder, a shrewd negotiator and a calming force that shepherded the state through one of its worst fiscal crises.

After her retirement, Eileen travelled frequently and spent as much time as she could with her friends and family.

On her passing, Governor Dannel Malloy noted that "Eileen was one of the toughest elected officials in the state, yet her jovial disposition always made those around her feel at ease. She represented the best of public service and politics. She was tough, loyal, hardworking, knew the issues, and her word was always her bond. This is a loss for all of us."

Ms. Daily is survived by her husband, Jim, her son Jeff and his wife Bethany, her daughter Amy Daily of Boston, two grandchildren, Meade and Rynne, as well as many loving family, friends and colleagues.

Accordingly, as a mark of respect in memory of Eileen M. Daily, at twenty minutes before twelve o'clock noon, on motion of Mr. Tarr, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.