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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Monday, August 22, 2016.

Met at twenty-five minutes past eleven o'clock A.M. (Mr. Boncore in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

The Senator from Plymouth and Norfolk, Mr. OConnor, then led the Chair (Mr. Boncore), members, guests and employees in the recitation of the pledge of allegiance to the flag.

PAPERS FROM THE HOUSE

A petition (accompanied by bill, House, No. 4583) of Paul W. Mark (by vote of the town) that the town of Northfield be authorized to appoint a town collector for said town,-- **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Bills

Relative to caregiver, advice, records and enablement (House, No. 3911, amended,-- on Senate, No. 1153 and House, No. 2081);

Relative to employees of the Department of Fire Services (House, No. 4400,-- on House, No. 2428); and

Relative to the recognition and registration of professional employer organizations operating in the Commonwealth of Massachusetts (House, No. 4563,-- on Senate, No. 1003 and House, No. 1775);

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

Bills

Relative to the 1-year residency preference for persons being considered for original appointment to the Cambridge Police Force and Fire Force (House, No. 3287,-- on petition) [Local approval received];

Authorizing the appointment of special police officers in the town of Dracut (House, No. 4012,-- on petition) [Local approval received]; and

Relative to the issuance of certain bonds by the town of Pembroke (House, No. 4346, changed,-- on petition) [Local approval received];

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

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 House Bill authorizing the town of Westborough to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4418),-- **was read a second time and ordered to a third reading.**

The Senate Bill relative to the selection of school committeepersons in the city known as the Town of Agawam (Senate, No. 2397) (its title having been changed by the committee on Bills in the Third Reading),-- was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Humason presented an amendment inserting after the word "election", in line 15, the second time it appears, the following words:- "pursuant to section 135 of chapter 54".

The amendment was **adopted**.
The bill (Senate, No. 2397, amended) was then passed to be engrossed.
Sent to the House for concurrence.

The House Bill authorizing the town of North Andover to grant an additional liquor license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 3714) (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.**

PAPERS FROM THE HOUSE

A petition (accompanied by bill, House, No. 4588) of Jeffrey Sánchez for legislation to designate a certain bridge in the city of Boston as the Lance Corporal Alexander Arredondo and Brian Arredondo memorial bridge,-- **was referred in concurrence, under suspension of Joint Rule 12, to the committee on Transportation.**

Engrossed Bill Returned with Recommendation of Amendment.

A Message from His Excellency the Governor, returning with recommendation of amendment the engrossed Bill relative to school improvement plans (see House, No. 391, amended), (for message, see House, No. 4542),— came from the House with an amendment in the form approved by the committee on Bills in the Third Reading as follows:-

By striking out all after the enacting clause and inserting in place thereof the following:-

“SECTION 1. The eleventh paragraph of section II of chapter 69 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out the third and fourth sentences and inserting in place thereof the following sentence:- Each school improvement plan shall be submitted to the superintendent who shall review and approve the plan, after consultation with the school committee, not later than July 1 of the year in which the plan is to be implemented, according to a plan development and review schedule established by the district superintendent.

SECTION 2. Section 59C of chapter 71 of the General Laws, as so appearing, is hereby amended by striking out the fifth paragraph and inserting in place thereof the following paragraph:-

The principal of each school, in consultation with the school council established pursuant to this section, shall on an annual basis, in conformity with section II of chapter 69, develop and submit to the district superintendent a plan for improving student performance. The superintendent shall review and approve the plan, after consultation with the school committee. Plans shall be prepared in a manner and form prescribed by the department of elementary and secondary education and shall conform to any policies and practices of the district consistent therewith. If the superintendent does not approve a plan submitted by the principal, the plan shall be returned to the principal who shall, after consultation with the school council, resubmit the plan to the superintendent who shall review and approve the resubmitted plan, after consultation with the school committee.”.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

The rules were suspended, on motion of Mr. OConnor, and the Governor’s amendment was considered forthwith.

On motion of the same Senator, the Governor’s amendment was adopted, in concurrence (as corrected House BTR).
Sent to the House for re-enactment.

The engrossed Bill designating a certain boat launch in the town of Somerset as the William and Harold Meehan Memorial Boat Launch (see House, No. 4538),-- came from the House with an amendment inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith the designation a certain boat launch in the town of Somerset, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The rules were suspended, on motion of Mr. OConnor, and the House amendment was considered forthwith and adopted, in concurrence.

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for William Horohoe, an employee of the Massachusetts Department of Transportation (see House, No. 4480, 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. Boncore) and sent to the House to be again enacted.

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. Boncore) and laid before the Governor for his approbation, to wit:

Authorizing the town of West Bridgewater to grant 1 additional license for the sale of all alcoholic beverages to be drunk on the premises and 1 additional license for the sale of all alcoholic beverages not to be drunk on the premises (see Senate, No. 2292, amended);

Authorizing the city of Salem to grant one additional license for the sale of wine and malt beverages to be drunk on the premises and establishing an economic development fund (see House, No. 3891, amended); and

Establishing a sick leave bank for William Horohoe, an employee of the Massachusetts Department of Transportation (see House, No. 4480, amended).

Order Adopted.

On motion of Mr. OConnor,--

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-two minutes before twelve o'clock noon, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.