

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, October 19, 2015.

Met at six 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.

Distinguished Guests.

There being no objection, the Chair (Mr. Petrucci) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced, in the rear of the Chamber, Anthony Picanso of the Rowley Housing Authority and Joan Peterson, town moderator of the town of Rowley. They were accompanied by Mr. Picanso's wife and daughter and Mr. David Peterson. The Senate welcomed them with applause and they withdrew from the Chamber.

Report.

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

Report of the Department of Public Utilities (pursuant to Section 2 of Chapter 25 of the General Laws) submitting its 2014 Annual Report (received October 15, 2015);

Report of the Montachusett Regional Transit Authority (pursuant to Section 8(g) of Chapter 161B of the General Laws) submitting its financial statements and report on federal assistance programs for the year ended June 30, 2015 (received October 16, 2015); and

Report of the Plymouth County Registry of Deeds (pursuant to Section 4 of Chapter 4 of the Acts of 2003 and Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure from the County Registers Technological Fund (copies having been forwarded as required to the Senate Committees on Ways and Means and Post Audit and Oversight) (received October 16, 2015).

Reports of Committees.

By Mr. Wolf, for the committee on Labor and Workforce Development, on Senate No. 958 and House No. 1716, a Bill relative to defense against abusive waivers (Senate, No. 958);

By the same Senator, for the same committee, on petition, a Bill relative to economic stability for displaced service workers (Senate, No. 959);

By the same Senator, for the same committee, on petition, a Bill clarifying the meal break law to allow for private enforcement (Senate, No. 975);

By the same Senator, for the same committee, on petition, a Bill regarding protections extended to lay teachers in parochial schools (Senate, No. 1005);

By the same Senator, for the same committee, on petition, a Bill relative for military leave for training purposes (Senate, No. 1019);

By the same Senator, for the same committee, accompanied by bill (Senate, No. 962), a Bill relative to social media privacy

protection (Senate, No. 2034);

Severally 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 relative to segregated reserve funds in the city of Boston (Senate, No. 1999) [Local approval received];

By the same Senator, for the same committee, on petition, a Bill regarding a quorum of a public body in the town of Milton (Senate, No. 2001) [Local approval received]; and

By the same Senator, for the same committee, on petition, a Bill relative to the off-street parking board in the city of Worcester (Senate, No. 2012) [Local approval received];

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

PAPERS FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation relative to permitting the issuance of REAL ID-compliant licenses and identification cards (House, No. 3814),-- **was referred, in concurrence, to the committee on Transportation.**

A Bill establishing a sick leave bank for Diane Ranno, an employee of the Department of Conservation and Recreation (House, No. 3744,-- on petition),-- **was read and under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill relative to the town manager in the town of Duxbury (House, No. 3343, amended,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Resolutions.

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

Resolutions (filed by Mr. Ross) "congratulating Zachary Guy Stockwell of the city known as the town of North Attleborough on his elevation to the rank of Eagle Scout"; and

Resolutions (filed by Mr. Ross) "congratulating Tyler J. Thomas of the city known as the town of North Attleborough on his elevation to the rank of Eagle Scout."

Communication.

The Clerk read the following communication:

THE COMMONWEALTH OF MASSACHUSETTS MASSACHUSETTS SENATE

October 13, 2015

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

Dear Mr. Clerk,

I was unable to attend the formal session of the Senate on October 8, 2015 as I was attending a board meeting for Women in Government. I would like the following votes to be recorded with regard to S 2025 - An Act making appropriations for the fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects.

Had I been present for roll call #174 on the adoption of amendment 14 relative to the home care hardship income deduction, I would have voted in the affirmative.

Had I been present for roll call #175 on the adoption of amendment 31 relative to observation days, I would have voted in the affirmative.

Had I been present for roll call #176 on the adoption of amendment 32 relative to infant care necessities, I would have voted in the affirmative.

Had I been present for roll call #177 on the adoption of amendment 76 relative to health care cost transparency compliance, I would have voted in the negative.

Had I been present for roll call #178 on the adoption of amendment 79 relative to underground storage tank cleanup fund increase for third party damages, I would have voted in the affirmative.

Had I been present for roll call #179 on the adoption of amendment 12 to create a commission to study pancreatic cancer, I would have voted in the affirmative.

Had I been present for roll call #180 on the adoption of amendment 29.1 relative to payments for ambulance services, I would have voted in the negative.

Had I been present for roll call #181 on the passing of the bill to be engrossed, I would have voted in the affirmative.

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

Respectfully,
JENNIFER L. FLANAGAN
State Senator
Worcester & Middlesex District.

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

Reports of Committees.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Susan Metheny, an employee of the Executive Office of Health and Human Services (Senate, No. 1998),-- ought to pass, with an amendment inserting after the second sentence, the following sentence: - "Upon exhaustion of all other available leave time including personal days, vacation days, sick time and any time available pursuant to the extended leave illness bank established by section 4P of chapter 7 of the General Laws, Susan Metheny may use any time credited to the sick leave bank established by this act."

There being no objection, the rules were suspended, on motion of Mr. Rush, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 1998, amended) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Roger Sweeney, an employee of the Massachusetts Department of Correction (Senate, No. 2017),-- ought to pass with an amendment substituting a new draft entitled "An Act establishing a sick leave bank for Roger Sweeney, an employee of the Department of Correction" (Senate, No. 2035).

There being no objection, the rules were suspended, on motion of Mr. Rush, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2035) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

Mr. Montigny, for the committee on Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The House Bill establishing a State Workforce Development Board (House, No. 3772).

Order Adopted.

Ms. Lovely offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill establishing a State Workforce Development Board (House, No. 3772) shall be placed in the Orders of the Day for a second reading on Thursday, October 22, 2015.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Tuesday, October 20, 2015. All such amendments shall be second-reading amendments to House, No. 3772, but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

Under the rules, referred to the committee on Rules.

Subsequently, Mr. Montigny, for the said committee, reported, recommending that the order ought to be adopted.

The rules were suspended, on motion of Mr. Rush, and the order was considered forthwith and adopted.

The bill will be placed in the Orders of the Day for Thursday, October 22, for a second reading.

PAPERS FROM THE HOUSE

Emergency Preambles Adopted.

An engrossed Bill relative to establishing an internal special audit unit in the Massachusetts Department of Transportation (see House, No. 3666, 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 3 to 0.**

The bill was signed by the Acting President (Mr. Petrucci) and sent to the House for enactment.

An engrossed Bill relative to expedited hearings regarding the final classification of sex offenders (see House, No. 3669, 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 3 to 0.**

The bill was signed by the Acting President (Mr. Petrucci) and sent to the House for enactment.

An engrossed Bill establishing a sick leave bank for Maureen Table, an employee of the Department of Developmental Services (see Senate, No. 2006, 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 3 to 0.**

The bill was signed by the Acting President (Mr. Petrucci) and sent to the House for enactment.

Engrossed Bills.

An engrossed Bill establishing a sick leave bank for Maureen Table, an employee of the Department of Developmental Services (see Senate, No. 2006, amended) (which originated in the Senate), 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 (both 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 establishing an internal special audit unit in the Massachusetts Department of Transportation (see House, No. 3666, amended);

Relative to expedited hearings regarding the final classification of sex offenders (see House, No. 3669, 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., in a full formal session with a calendar.

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