

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.

Tuesday, February 16, 2016.

Met at a quarter 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.

Distinguished Guests.

There being no objection, the Chair (Mr. Brownsberger) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced, in the rear of the Chamber, a group of Boy Scouts, Cub Scouts and Troop Leaders from western Massachusetts. The Senate welcomed them with applause and they withdrew from the Chamber. They were also guests of Senate President Rosenberg.

Communications.

Communications from the Honorable Stanley C. Rosenberg, President of the Senate, announcing the following appointments:

Ms. Joanne F. McCrea of Salem (pursuant to Section 66 of Chapter 3 of the General Laws) to the Massachusetts Commission on the Status of Women;

Mr. Michael Lenihan of Foxborough (pursuant to Section 2 of Chapter 25 of General Laws) to the Special Utilities Commission; and

Ms. Katherine Craven and Mr. Bruce Miller (pursuant to Section 2 of Chapter 211D of the General Laws) to the Committee for Public Council Services; and

Communication from the Massachusetts District Attorneys Association (under the provisions of Section 47 of Chapter 94C of the General Laws) submitting its annual report on the District Attorneys' Law Enforcement Trust Fund (received February 16, 2016).

Reports.

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

Report of the Executive Office for Administration and Finance Division of Capital Asset Management (under the provisions of Section 39 of Chapter 7C) submitting its report "Report on Real Property Owned and Leased by the Commonwealth of Massachusetts 2015" (received February 12, 2016);

Report of the Department of Public Health (pursuant to Section 176 of Chapter 46 of the Acts of 2015) submitting a notification regarding the Public Health Evaluation Grant Program (received February 11, 2016);

Report of the Merrimack Valley Regional Transit Authority submitting a clarification to Page 4 of the Management Discussion and Analysis included in the FY 2015 Audit (received February 12, 2016); and

Report of the Special Commission to investigate, analyze and study the health, housing, financial, psychosocial and long-term care needs of older lesbian, gay, bisexual and transgender, hereinafter LGBT, adults and their caregivers (under the provisions of

Section 186 of Chapter 38 of the Acts of 213) submitting its recommendations and its findings relative to the impact of state policy and regulations (received January 29, 2015).

Petitions.

Petitions were severally presented and referred, as follows:

By Ms. Gobi, a petition (accompanied by bill, Senate, No. 2130) of Anne M. Gobi and Donald R. Berthiaume, Jr. (by vote of the town) for legislation to authorize the town of Hubbardston to exchange of a parcel of land located on Ragged Hill Road for a parcel of land located on Gardner Road [Local approval received];

Under Senate Rule 20, to the committee on Municipalities and Regional Government.

By Mr. Rosenberg, a petition (accompanied by bill, Senate, No. 2131) of Stanley C. Rosenberg and Susannah M. Whipps Lee (by vote of the town) for legislation relative to the retirement benefits of Robert H. Miner [Local approval received];

Under Senate Rule 20, to the committee on Public Service.

Severally sent to the House for concurrence.

By Mr. Brownsberger (by request), a petition (subject to Joint Rule 12) of Wendy Murphy for legislation relative to gender in hate crimes;

Under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Report of a Committee.

By Mr. Brownsberger, for the committee on the Judiciary, on Senate, Nos. 64 (in so much as relates to Sections 30, 31, 36, 37, 38, 39, 40, 41 and 42), 814 and 844 and House, Nos. 1429 (in so much as relates to Sections 30, 31, 36, 37, 38, 39, 40, 41 and 42), 1453 and 1453, a Bill relative to larceny (Senate, No. 2132);

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

Committee 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 Bill establishing the special commission on local and regional public health (Senate, No. 2128),-- **and recommending that the same be referred to the committee on Rules.**

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

PAPERS FROM THE HOUSE

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 3998) of Peter J. Durant (by vote of the town) that the town of Southbridge be authorized to hold town elections on the second Tuesday in June;

To the committee on Election Laws.

Petition (accompanied by bill, House, No. 3999) of Peter J. Durant (by vote of the town) that the town manager of the town of Southbridge be authorized to regulate the use of legal counsel by certain town offices in said town;

Petition (accompanied by bill, House, No. 4000) of Peter J. Durant (by vote of the town) that the town of Southbridge be authorized to appoint a director of public works for said town;

Petition (accompanied by bill, House, No. 4001) of Peter J. Durant (by vote of the town) that the town of Southbridge be authorized remove the director of public works in the same manner as other department heads in said town;

Petition (accompanied by bill, House, No. 4002) of Peter J. Durant (by vote of the town) that the town of Southbridge be authorized to limit the membership of appointed or elected members of quasi-public boards to one such board in said town; and

Petition (accompanied by bill, House, No. 4003) of Paul W. Mark (with the approval of the mayor and town council) that the city known as the town of Greenfield be authorized to further regulate the implementation of the salaries of certain officials in said city;

Severally, to the committee on Municipalities and Regional Government.

A Bill establishing a sick leave bank for Helen Annese, an employee of the Trial Court (House, No. 3958,-- on petition),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill designating a certain bridge in the city of Boston as The Paul C. McLaughlin Bridge (House, No. 3636, changed,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Rules .**

A Bill authorizing the city of Beverly to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3934,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Report of the committee on Veterans and Federal Affairs asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3146) of James R. Miceli and others relative to veterans' retirement benefits,-- **and recommending that the same be referred to the committee on Public Service,-- was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Communication was received from the Clerk of the House of Representatives, informing the Senate that Representative Crighton of Lynn had submitted the following communication:

I was unable to be present in the House Chamber on February 3, 2016 for a portion of the Joint Session. Had I been present for House Yea and Nay Nos. 197, I would have voted in the negative.

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

Petition (accompanied by bill, House, No. 4006) of Joseph W. McGonagle, Jr. for legislation to establish a sick leave bank for Robert Fothergill, an employee of the Trial Court;
Under suspension of Joint Rule 12, to the committee on the Judiciary.

Petition (accompanied by bill, House, No. 4007) of Theodore C. Speliotis and Joan B. Lovely for legislation to further regulate the board of the South Essex Sewerage District;
Under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No, 4008) of William C. Galvin for legislation to exempt disabled veterans from the motor vehicle leasing sales tax;
Under suspension of Joint Rule 12, to the committee on Revenue.

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

Authorizing the merger of the Annawon Council, Inc., Boy Scouts of America into the Narragansett Council, Boy Scouts of America (see Senate, No. 2041, amended); and
Further regulating the membership of the school committee in the city of Lawrence (see House, No. 3604).

An engrossed Bill authorizing the town of Norwood to grant additional licenses for the sale of wines and malt beverages to be drunk on the premises (see House, No. 3684, 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 re-enacted and signed by the Acting President (Mr. Brownsberger) and again 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-one minutes past eleven o'clock A.M., the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.