

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, February 22, 2016.

Met at seven minutes past eleven o'clock A.M. (Ms. O'Connor Ives 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 (Ms. O'Connor Ives), members, guests and staff then recited the pledge of allegiance to the flag.

Report.

Report of the Department of Utilities, Special Utility Commission (under the provisions of Section 61 of Chapter 259 of the Acts of 2014) submitting its report regarding membership and reporting requirements of the special commission (received February 22, 2016),-- **was placed on file.**

Report of a Committee.

By Ms. Donoghue, for the committee on Economic Development and Emerging Technologies, on Senate, Nos. 232 and 244, an Order relative to authorizing the joint committee on Economic Development and Emerging Technologies to make an investigation and study of certain current Senate documents relative to economic development and emerging technologies issues (Senate, No. 2134);

Referred under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Timilty, for the committee on Public Service, on petition, a Bill relative to retirement systems and pensions for correctional officers (Senate, No. 1444);

Referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Ms. Donoghue, for the committee on Economic Development and Emerging Technologies, on petition (accompanied by bill Senate, No. 212), a Bill establishing the MassMade Program (Senate, No. 2135);

By the same Senator, for the same committee, on petition (accompanied by bill Senate, No. 221), a Bill creating the Home Works Program (Senate, No. 2136);

By Ms. Gobi, for the committee on Environment, Natural Resources and Agriculture, on Senate Nos. 404 and 452 and House No. 756, a Bill relative to information technology producer responsibility (Senate, No. 452);

By the same Senator, for the same committee, on Senate Nos. 450 and 457 House Nos. 659, 677 and 740, a Bill relative to a moratorium on hydraulic fracturing (Senate, No. 457);

By the same Senator, for the same committee, on petition, a Bill to establish the Marine Fisheries Research Council (Senate, No. 475); and

By the same Senator, for the same committee, on petition, a Bill relative to public space recycling (Senate, No. 1653);

By Mr. Timilty, for the committee on Public Service, on petition, a Bill relative to Brockton School Police (Senate, No. 1390);

By the same Senator, for the same committee, on petition, a Bill relative to creditable service for teachers (Senate, No. 1395);

By the same Senator, for the same committee, on petition, a Bill relative to harbormasters (Senate, No. 1405);

By the same Senator, for the same committee, on petition, a Bill relative to the indemnification of town administrators (Senate, No. 1435); and

By the same Senator, for the same committee, on petition, a Bill relative to impairment of health caused by infectious disease (Senate, No. 1443);

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

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 Bill to establish a special commission to consider an appropriate tribute to Nelson Mandela in the City of Boston (Senate, No. 1678),-- **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.

A petition (accompanied by bill, House, No. 4014) of Walter F. Timilty and Brian A. Joyce (by vote of the town) relative to the appointment of the chief of police in the town of Milton,-- **was referred, in concurrence, to the committee on Public Service.**

Bills

Relative to the creation of a community enhancement fee stabilization fund in the city of Everett (House, No. 3831,-- on petition) [Local approval received]; and

Authorizing the town of Walpole to grant 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3872,-- on petition) [Local approval received];

Were severally 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. Brownsberger) "congratulating Dolores L. Mitchell on the occasion of her retirement from the Group Insurance Commission;"

Resolutions (filed by Mr. Ross) "congratulating Harrison Brewton of the town of Wayland on his elevation to the rank of Eagle Scout"; and

Resolutions (filed by Messrs. Ross and Rush) "congratulating Mark Massa of the town of Needham on his elevation to the rank of Eagle Scout."

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 Senate Bill relative to segregated reserve funds in the city of Boston (Senate, No. 1999),-- **was read a third time and passed to be engrossed.**

Sent to the House for concurrence.

The House Bill authorizing the city of Fitchburg to use ImageCast precinct tabulators at a special State Primary (House, No. 3864, amended),-- **was read a third time and passed to be engrossed, in concurrence.**

The House 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),-- **was read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act relative to a certain license for the sale of all alcoholic beverages to be drunk on the premises in the city of Beverly".**

Reports of Committees.

By Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Mark C. Montigny, Antonio F. D. Cabral, Robert M. Koczera, William M. Straus and other members of the General Court for legislation to protect locked out employees.

The rules were suspended, on motion of Mr. Timilty, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Labor and Workforce Development. 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. 4018) of Frank A. Moran relative to leaving animals unattended in motor vehicles under conditions that endanger the health or well-being of said animals;

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

Petition (accompanied by bill, House, No. 4019) of Frank A. Moran for legislation to authorize minors enrolled in a course of study and training in a vocational technical education program or a co-operative education program to operate hoisting machinery or motor vehicles;

Under suspension of Joint Rule 12, to the committee on Labor and Workforce Development.

Petition (accompanied by bill, House, No. 4020) of Michael Rossi for an investigation by a special commission (including members of the General Court) relative to enhancing recycling machines at Massachusetts Bay Transportation Authority facilities;

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

The Senate Bill relative to the Templeton Developmental Center Reuse Committee (Senate, No. 1083),-- came from the House passed to be engrossed, in concurrence with amendment striking out all after the enacting clause and inserting in place thereof the following:

“Section 1 of chapter 59 of the acts of 2009 is hereby amended by striking out the definition of “TDC committee” and inserting in place thereof the following definition:—

“‘TDC committee’, the Templeton Developmental Center Reuse Committee, which shall include 3 representatives of the town of Templeton, 1 of whom shall be a member of the board of selectmen or a designee who shall serve as chairperson, 1 of whom shall be a member of the planning board or a designee and 1 of whom shall be chosen by the board of selectmen; 4 representatives of the town of Phillipston, 1 of whom shall be a member of the board of selectmen, 1 of whom shall be a member of the planning board, 1 of whom shall be a member of the open space committee and 1 of whom shall be a representative of the fire department; 1 representative of the community preservation committee; 1 representative of the division of capital asset management and maintenance; 1 representative of the department of developmental services; and 1 representative of the legal guardians of the clients currently housed at the Templeton Developmental Center; provided further, that such members, other than the representatives of the state agencies, shall be appointed annually by the local governing authority; and provided further, that the senator and representative who represent the town shall serve as ex-officio members.”.

The rules were suspended, on motion of Mr. Timilty and the House amendment was considered forthwith and adopted, in concurrence (as corrected BTR).

Engrossed Bill.

An engrossed Bill authorizing the town of Middlefield to continue the employment of police chief Thomas Austin (see Senate, No. 1941) (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 (Ms. O’Connor Ives) 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 a half past one o’clock P.M., in a full formal session with a calendar.

On motion of Mr., Timilty, at fourteen minutes past eleven o’clock A.M., the Senate adjourned to meet again on Thursday next at a half past one o’clock P.M.