

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.

Thursday, February 25, 2016.

Met at twenty-six minutes before two o'clock P.M.

The Senator from Essex and Middlesex, Mr. Tarr, then led the President, members, guests and staff in the recitation of the pledge of allegiance to the flag.

Reports.

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

Report of the Office of the District Attorney for Plymouth District (under the provisions of Section 99R of Chapter 272 of the General Laws) submitting its Annual Report of Wiretap Interceptions for the calendar year of 2015 (received February 22, 2016);
Report of the Department of Transitional Assistance (under the provisions of Chapter 158 of the Acts of 2014, amended Chapter 18) submitting its annual report detailing the number of recipients exempt from having a photo on their EBT card (received February 23, 2016);
Report of the Department of Transitional Assistance (under the provisions of Chapter 158 of the Acts of 2014, amended Chapter 18) submitting its annual report detailing eligible noncitizens receiving TAFDC (received February 23, 2016);
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 February 24, 2016);
Report of the Department of Elementary and Secondary Education (pursuant Section 94(q) of Chapter 71 of the General Laws) submitting its Fiscal Year 2015 report to the legislature regarding virtual schools (received February 24, 2016);
Report of the State Domestic Violence Fatality Review Team (pursuant to Section 4 of Chapter 260 of the Acts of 2014) submitting its inaugural report on its work for 2015 (received February 22, 2016); and
Report of the Massachusetts Workers' Compensation Advisory Council (pursuant to Section 17 of Chapter 23E of the General Laws) submitting its Fiscal Year 2015 Annual Report: The State of the Massachusetts Workers' Compensation System (copies having been forwarded as required to the Senate Committee on Ways and Means and Joint Committee on Labor and Workforce Development) (received February 24, 2016).

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Brady, a petition (accompanied by bill) (subject to Joint Rule 12) of Michael D. Brady, Chris Walsh, James B. Eldridge, Linda Dean Campbell and others for legislation relative to the establishment of a Massachusetts municipal lobbying policy;
By the same Senator, a petition (accompanied by bill) (subject to Joint Rule 12) of Michael D. Brady for legislation relative to local public housing authorities access to the dental insurance plan managed by the group insurance commission;
By Mr. Fattman, a petition (accompanied by bill) (subject to Joint Rule 12) of Ryan C. Fattman and Peter J. Durant for legislation relative to the date of town elections in the town of Southbridge;

By the same Senator, a petition (accompanied by bill) (subject to Joint Rule 12) of Ryan C. Fattman and Peter J. Durant for legislation relative to the use of legal counsel by the town of Southbridge;
By the same Senator, a petition (accompanied by bill) (subject to Joint Rule 12) of Ryan C. Fattman and Peter J. Durant for legislation relative to the removal of the director of public works in the town of Southbridge;
By the same Senator, a petition (accompanied by bill) (subject to Joint Rule 12) of Ryan C. Fattman and Peter J. Durant for legislation relative to the director of public works in the town of Southbridge;
By the same Senator, a petition (accompanied by bill) (subject to Joint Rule 12) of Ryan C. Fattman and Peter J. Durant for legislation relative to quasi-judicial boards in the town of Southbridge; and
By Mr. Timilty, a petition (accompanied by bill) (subject to Joint Rule 12) of James E. Timilty and District Attorney Michael Morrissey for legislation to regulate skimming devices;
Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of Committees.

By Ms. O'Connor Ives, for the committee on Community Development and Small Business, on Senate Nos. 118 and 122, a Bill promoting the planning and development of sustainable communities (Senate, No. 2144); and
By Mr. Brownsberger, for the committee on the Judiciary, on petition, a Bill establishing a sick leave bank for Jesse B. Walker, an employee of the Trial Court (Senate, No. 2129);
Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Ms. L'Italien, for the committee on Municipalities and Regional Government, on petition, a Bill authorizing the town of Becket to establish a parks and recreation committee (Senate, No. 2085) [Local approval received]; and
By the same Senator, for the same committee, on petition, a Bill increasing the membership of the board of selectmen of the town of Milton from three to five members (Senate, No. 2112) [Local approval received];
Severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Committees Discharged.

Ms. L'Italien, for the committee on Municipalities and Regional Government, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1084) of Donald F. Humason, Jr. and Viriato M. deMacedo for legislation relative to constitutional rights.-- and recommending that the same be referred to the committee on Public Safety and Homeland Security; and
Mr. Lewis, for the committee on Public Health, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1206) of Marc R. Pacheco, James J. O'Day, Chris Walsh, Thomas M. McGee and other members of the General Court for legislation relative to patient safety-- and recommending that the same be referred to the committee on Health Care Financing;
Under Senate Rule 36, the reports were considered forthwith and accepted.
Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4025) of Susannah M. Whipps Lee (by vote of the town) exempting the position of police chief in the town of Orange from the civil service law,-- was referred, in concurrence, to the committee on Public Service.

Bills

Relative to survivors pension benefits and qualified domestic relations orders (House, No. 3971,-- on House, No. 3566);
Establishing a sick leave bank for Denise Martinez, an employee of the Massachusetts Commission for the Deaf and Hard of Hearing (House, No. 4017, amended,-- on petition);
Relative to home improvement contractor registration (House, No. 4022,-- on House, No. 261); and
Establishing the Olmsted Park improvement fund (House, No. 4023,-- on House, Nos. 3238 and 3821);
Were read and, under Senate Rule 27, referred to the committee on Ways and Means.

Resolutions.

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

Resolutions (filed by Mr. Ross) "congratulating Amanda Judah on being named a distinguished finalist of the 2016 Prudential Spirit of Community Award."

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

Resolutions (filed by Messrs. Donnelly, Rosenberg, Barrett, Brady and Brownsberger, Ms. Chandler, Ms. Creem, Mr. DiDomenico, Ms. Donoghue, Messrs. Downing and Eldridge, Ms. Forry, Ms. Jehlen, Mr. Keenan, Ms. L'Italien, Messrs. Lesser, Lewis, McGee, Montigny and Moore, Ms. O'Connor Ives, Mr. Pacheco Ms. Spilka and Mr. Wolf) "memorializing the United

States Senate to swiftly and diligently fulfill its constitutional responsibility to consider the President of the United States' nominee to the Supreme Court" (Senate, No. 2146),-- was considered.

Pending the question on adoption of the resolutions, at twenty minutes before two o'clock P.M., Mr. Donnelly doubted the presence of a quorum. The President having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently, at nineteen minutes before two o'clock P.M., a quorum was declared present.

On motion of Mr. Donnelly, a roll call has been ordered on the question on adoption of the resolutions.

After debate, and pending the question on adoption of the resolutions, Mr. Tarr moved that the matter be laid on the table; and, in accordance with the provisions of Senate Rule 24, the consideration of the motion to lay on the table was postponed without question until the next session.

Recess.

At six minutes before two o'clock P.M., at the request of Mr. Tarr, for the purpose of a minority caucus, the President declared a recess; and, at twenty-one minutes past two o'clock P.M., the Senate reassembled, the President in the Chair.

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Eric Burton, an employee of the Suffolk County Sheriff's Department (House, No. 3823),-- **ought to pass.**

There being no objection, the rules were suspended, on motion of Mr. Brady, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

PAPERS FROM THE HOUSE.

A Bill to comply with the Uniform Interstate Family Support Act (printed in House, No. 3848,-- being a message from his Excellency the Governor),-- **was read.**

There being no objection, the rules were suspended, on motion of Mr. Brownsberger, and the bill was read a second time.

Pending the question on ordering the bill to a third reading, the same Senator moved to amend the bill by 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 accept forthwith the revised Uniform Interstate Family Support Act , therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety."

After remarks, the amendment was adopted.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill relative to the protection of persons with a disability (Senate, No. 81),-- ought to pass, with an amendment substituting a new draft entitled "An Act relative to the protection of persons with a disability" (Senate, No. 2141).

Order Adopted.

Ms. Spilka offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill relative to the protection of persons with a disability (Senate, No. 81) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft with a new title, Senate, No. 2141) shall be placed in the Orders of the Day for a second reading on Thursday, March 3, 2016.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Monday, February 29, 2016.

All such amendments shall be second-reading amendments to the Senate Ways and Means new draft (Senate, No. 2141), 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 the same Senator, and the order was considered forthwith and adopted.

The bill will be placed in the Orders of the Day for Thursday, March 3, for a second reading with the amendment pending.

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill to increase the Commonwealth's compliance with federal law meeting requirements of the Americans with Disabilities Act (Senate, No. 86),-- ought to pass, with an amendment substituting a new draft entitled "An Act to relative to the hiring of persons with a disability" (Senate, No. 2142).

Order Adopted.

Ms. Spilka offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill to increase the Commonwealth's compliance with federal law meeting requirements of the Americans with Disabilities Act (Senate, No. 86) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft with a new title, Senate, No. 2142) shall be placed in the Orders of the Day for a second reading on Thursday, March 3, 2016.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Monday, February 29, 2016.

All such amendments shall be second-reading amendments to the Senate Ways and Means new draft (Senate, No. 2142), 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 the same Senator, and the order was considered forthwith and adopted.

The bill will be placed in the Orders of the Day for Thursday, March 3, for a second reading with the amendment pending.

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill relative to the Architectural Access Board (Senate, No. 1323),-- ought to pass, with an amendment by striking out section 27 and inserting in place thereof the following section:-
"SECTION 27. Said section 13A of said chapter 22, as so appearing, is hereby further amended by striking out the definition of 'Public building' and inserting in place thereof the following definition:-

'Public building', buildings constructed by the commonwealth or any political subdivision thereof with public funds and open to public use, including, but not limited to, the places of public accommodation listed in 28 CFR 36.104."

Order Adopted.

Ms. Spilka offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill relative to the Architectural Access Board (Senate, No. 1323) (the committee on Ways and Means having recommended that the bill ought to pass, with an amendment) shall be placed in the Orders of the Day for a second reading on Thursday, March 3, 2016.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Monday, February 29, 2016.

All such amendments shall be second-reading amendments to Senate, No. 1323, 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 the same Senator, and the order was considered forthwith and adopted.

The bill will be placed in the Orders of the Day for Thursday, March 3, for a second reading with the amendment pending.

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill eliminating racial and ethnic health disparities in the Commonwealth (House, No. 3969),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2143; and by striking out the title and inserting in place thereof the following title:- "An Act eliminating health disparities".

Order Adopted.

Ms. Spilka offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill eliminating racial and ethnic health disparities in the Commonwealth (House, No. 3969, amended) (the committee on Ways and Means having recommended that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate, No. 2143; and by striking out the title and inserting in place thereof a new title) shall be placed in the Orders of the Day for a second reading on Thursday, March 3, 2016.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Monday, February 29, 2016. All such amendments shall be second-reading amendments to the Senate Ways and Means new text (Senate, No. 2143), 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 the same Senator, and the order was considered forthwith and adopted. The bill will be placed in the Orders of the Day for Thursday, March 3, for a second reading with the amendment pending.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4033) of Alice Hanlon Peisch for legislation to increase access to high quality summer learning opportunities;

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

Petition (accompanied by bill, House, No. 4034) of John V. Fernandes relative reforming alimony in the Commonwealth;

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

Petition (accompanied by bill, House, No. 4035) of David F. DeCoste and Michael D. Brady for legislation to establish a sick leave bank for Paul Sinkiewicz, an employee of the Department of Youth Services; and

Petition (accompanied by bill, House, No. 4036) of Louis L. Kafka and others for legislation to establish a sick leave bank for Eyma Sutton, 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. 4037) of Michael Barton for legislation to exempt residential security systems from the sales tax;

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

Petition (accompanied by bill, House, No. 4038) of John V. Fernandes for legislation to designate January as peace officer history month;

Under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

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 President and laid before the Governor for his approbation, to wit:

Relative to the Templeton Developmental Center Reuse Committee (see Senate, No. 1083, amended);

Authorizing the city of Fitchburg to use Imagecast precinct tabulators at a special state primary (see House, No. 3864, amended); and

Relative to a certain license for the sale of all alcoholic beverages to be drunk on the premises in the city of Beverly (see House, No. 3934).

Matter Taken Out of the Notice Section of the Calendar.

There being no objection, the following matter was taken out of the Notice Section of the Calendar and considered as follows: The Senate Bill authorizing the conveyance of certain property in the town of Salisbury (Senate, No. 1095),-- was read a third time.

Pending the question on passing the bill to be engrossed, Ms. O'Connor Ives moved that the bill be amended in section 1, by inserting after the word "contrary", in line 2, the following words:- , but subject to paragraphs (a), (b) and (g) of section 16 of

said chapter 30B”.

The amendment was **adopted**.

The bill (Senate, No. 1095, amended) was then passed to be engrossed. Sent to the House for concurrence.

Orders of the Day.

The Orders of the Day were considered as follows:

The House Bill relative to the charter of the town of Harwich (House, No. 3708),-- **was read a second time and ordered to a third reading.**

The Senate Bill relative to HIV-Associated lipodystrophy treatment (Senate, No. 618),-- was read a second time.

Pending the question on ordering the bill to a third reading, the pending amendment, previously recommended by the committee on Ways and Means, substituting a new draft with the same title (Senate, No. 2137),-- **was considered, and after remarks, was adopted.**

The bill (Senate, No. 2137) was then ordered to a third reading and read a third time.

The question on passing the bill to be engrossed was determined by a call of the yeas and nays at eight minutes before three o'clock P.M., on motion of Mr. Montigny, as follows, to wit (*yeas 38 — nays 0*) [**Yeas and Nays No. 243**]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Brady, Michael D.	Lesser, Eric P.
Brownsberger, William N.	Lewis, Jason M.
Chandler, Harriette L.	L'Italien, Barbara A.
Chang-Diaz, Sonia	Lovely, Joan B.
Creem, Cynthia Stone	McGee, Thomas M.
deMacedo, Viriato M.	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rosenberg, Stanley C.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.

Forry, Linda Dorcena

Spilka, Karen E.

Gobi, Anne M.

Tarr, Bruce E.

Humason, Donald F., Jr.

Timilty, James E.

Jehlen, Patricia D.

Welch, James T.

Joyce, Brian A.

Wolf, Daniel A. – 38.

NAYS – 0.

The yeas and nays having been completed at four minutes before three o'clock P.M., the bill was passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act relative to HIV associated lipodystrophy syndrome treatment". Sent to the House for concurrence.

The Senate Bill to protect access to confidential healthcare (Senate, No. 2081),-- **was read a second time.**

Pending the question on adoption of the pending amendment, previously recommended by the committee on Ways and Means, substituting a new draft with the same title (Senate, No. 2138), and pending the main question on ordering the bill to a third reading, Mr. Keenan moved that the proposed new draft be amended by inserting after the word "consumers" in line 5 the words "upon request";

By striking the words "; and, provided further, that carriers shall not be obligated to issue a summary of payments form for provider claims that consist solely of requests for co-payment" in lines 10 and 11;

By inserting after the words "insured member" in line 13 the words "upon request of the member";

By striking the proposed subsection (d);

By striking the words "and to request suppression of summary of payments forms pursuant to subsection (e)" in lines 45 and 46; and

By striking line 48 and inserting in place thereof the following:- "documents and member privacy communications and shall".

The amendment was *rejected*.

Mr. Keenan moved that the proposed new draft be amended by inserting the following new section:-

"SECTION _ Section 18 of chapter 111E, as appearing in the 2014 Official Edition, is hereby amended by striking the word 'available' in line 3 and inserting the word 'available:', and further by inserting after the figure '1175' in line 6 the following:- ' ; or to physicians and providers of health, mental health or substance use disorder treatment services involved in caring for, treating or rehabilitating the patient;'. "

After remarks, the amendment was *rejected*.

Mr. Keenan moved that the proposed new draft be amended by inserting after subsection (e) the following new subsection:-

"(f) A carrier that issues a summary of payment form to an individual, if the payment was for a mental health or substance use disorder service, shall also issue to the individual a form that allows the individual to consent to the release of information about the mental health or substance use disorder service to the individual's primary care or any other health care provider or providers of their choice, only for the purpose of coordinating and managing services to the individual by one or more health care providers. Said consent form shall be accompanied by information clearly explaining that such consent is not required but is encouraged to improve coordination of services; and by information on how the individual may complete and return the form to the carrier if they elect to give such consent. The consent form shall be issued in the same manner and to the same address as the summary of payment form, in accordance with the various delivery options an individual may select under this section.";

By striking the figure "(f)" in line 51 and inserting in place thereof the figure "(g)"; and

By striking the figure "(g)" in line 55 and inserting in place thereof the figure "(h)".

The amendment was *rejected*.

Mr. Keenan moved that the proposed new draft be amended by inserting the following new section:-

"SECTION _ Section 6 of Chapter 176O, as appearing in the 2014 Official Edition, is hereby amended by inserting at the end thereof the following new subsection:-

(c) A carrier shall issue and deliver to at least one adult insured in each household residing in the commonwealth, upon enrollment and annually thereafter, a notice informing insured members that they may choose to consent to the release of information between their medical and behavioral health care providers. Said notice shall state clearly and conspicuously that

such consent is not required for coverage, but may enable better coordination and management of services by one or more health care providers. Said notice shall also include a description of the types of services about which information cannot be shared between different health care providers without prior consent, and forms that the insured may use to provide written consent for the release of such information between health care providers in a manner that complies with applicable federal regulations.” The amendment was *rejected*.

Mr. Keenan moved that the proposed new draft be amended by inserting at the end of section 1 the following:-
“(h) Nothing in this section shall be construed to prohibit, or to allow the suppression of, notification to a parent or guardian that a minor has received treatment for a drug or alcohol overdose, if such notification is otherwise required by law.”
The amendment was *rejected*.

Ms. Spilka moved that the proposed new draft be amended by striking out, in line 9, the word “maybe” and inserting in place thereof the following words:- “may be”;

By striking out, in line 14, the word “an” and inserting in place thereof the following word:- “any”;

By striking out, in line 30, the word “identify” and inserting in place thereof the following word:- “specify”;

By striking out, in line 32, the word “advice” and inserting in place thereof the following word:- “recommendations”;

By striking out, in line 46, the words “subsection (e)” and inserting in place thereof the following words:- “subsection (d)”;

By striking out, in line 65, the words “subsection (g)” and inserting in place thereof the following words:- “subsection (f)”;

By striking out, in line 68, the words “Subsection (h)” and inserting in place thereof the following words:- “Subsection (g)”;

By striking out, in line 70, the words “Subsections (b) to (f), inclusive” and inserting in place thereof the following words:- “Subsections (b) to (e), inclusive,”;

By striking out, in line 71, the figure “9” and inserting in place thereof the following figure:- “12”; and

By adding the following section:-

“SECTION 5. Clause (iv) of subsection (b) of chapter 176O of the General Laws shall take effect 24 months after the effective date of this act; provided, however, that any carrier that has the capacity to provide electronic access to summary of payments forms prior to that date shall do so.”

After remarks, the amendment was **adopted**.

The Ways and Means amendment was then adopted, as amended.

On motion of Ms. Spilka, a roll call has been ordered on the question of passing the bill to be engrossed.

The bill (Senate, No. 2138, amended) was then ordered to third reading.

Moment of Silence.

At the request of the President, the members, guests and staff stood in a moment of silence and reflection to the memory of Maureen Sullivan Blanchette Pekarski.

Report of a Committee.

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

The Senate Bill eliminating archaic language pertaining to individuals with disabilities in the Commonwealth of Massachusetts (Senate, No. 594) (the committee on Rules having recommended that the bill be amended by substituting a new draft with the same title, Senate, No. 2140).

Order Adopted.

Mr. Welch offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill eliminating archaic language pertaining to individuals with disabilities in the Commonwealth of Massachusetts (Senate, No. 594) (the committee on Rules having recommended that the bill be amended by substituting a new draft, Senate, No. 2140) shall be placed in the Orders of the Day for a second reading on Thursday, March 3, 2016.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Monday, February 29, 2016.

All such amendments shall be second-reading amendments to the Senate Rules new draft (Senate, No. 2140), 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. Donnelly, and the order was considered forthwith and adopted.

The bill will be placed in the Orders of the Day for Thursday, March 3, for a second reading with the amendment pending.

Order Adopted.

On motion of Mr. Humason,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday 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 Maureen Sullivan Blanchette Pekarski

The Senator from Essex and Middlesex, Ms. L'Italien, moves that when the Senate adjourns today, it adjourn in memory of Maureen Sullivan Blanchette Pekarski of Lawrence.

Maureen Sullivan Blanchette Pekarski, a lifelong resident of Lawrence passed away November 28, 2015, after a brief and sudden illness. The mother of eight children, Maureen will be remembered for her service to the Lawrence community, as well as her compassion and care for so many friends and neighbors throughout her life.

Maureen spent her life in the Merrimack Valley: attending St. Laurence O'Toole Grammar School, St. Mary's high school, and Bryant-McIntosh Junior College, where she met her late husband of 36 years, Phillip A. Blanchette. Together they raised a family and made their home in the Prospect Hill neighborhood of Lawrence. Maureen was active in many church, social, and civic activities, and took the greatest delight spending summers on Boar's Head in Hampton Beach. She was the mother of eight children, two of whom entered public service: former State Representative Kevin Blanchette, who served in the house for 15 years and former Lawrence City Council President Patrick Blanchette.

Maureen's life was defined by commitment to her family, including care for her mother in her long struggle with multiple sclerosis, as well as service to her community. Inspired by her children, including her son with Cerebral Palsy, Maureen actively advocated to improve educational opportunities and the quality of life for him and other individuals with disabilities well before the advent of Chapter 766 inclusion in school settings. She also spent decades volunteering on campaigns and in politics to ensure that Lawrence was represented by hardworking politicians. Perhaps her finest quality, however, was her generosity of time and spirit. Maureen was known throughout the community as someone who would always find a way to help a friend or neighbor in need. Even during the most difficult of times, she had an open-door policy and never turned her back on a member of the Lawrence community who needed her help.

Maureen is survived by her husband, Vincent Pekarski of Methuen; and her eight children, Brian of Lebanon, New Hampshire, Kevin, and his wife Debbie of Byfield, Peter, and his wife Jane of Lawrence, Paul, and his wife Carol of Peabody, Daniel of Methuen, Phillip and his wife Kelly of Newmarket, New Hampshire, MaryKate Karagiorgos, and her husband Dimitri of Methuen, and Patrick and his wife Gloria., also of Lawrence. Maureen leaves 11 grandchildren, whom she adored; as well as many in-laws, cousins, nieces, nephews, and dear friends, including her first cousin and god daughter, State Senator Barbara L'Italien.

Accordingly, as a mark of respect in memory of Maureen Sullivan Blanchette Pekarski, at twenty-nine minutes past three o'clock P.M., on motion of Mr. Humason, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.