

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, March 14, 2016.

Met at seventeen minutes past eleven o'clock A.M. (Ms. Lovely 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. Lovely), members, guests and staff recited the pledge of allegiance to the flag.

Communication.

Communication from the Office of the Comptroller (pursuant to Section 35T of Chapter 10 of the General Laws) submitting its March 2016 certification of projected MBTA dedicated sales tax revenues for FY2017 (received March 11, 2016),-- **was placed on file.**

Report.

Report of the Massachusetts District Attorneys Association (pursuant to item 0340-2100 of Chapter 46 of the Acts of 2015) submitting its FY2015 Disabled Persons Protection Commission case referrals to the district attorneys (received March 11, 2016),-- **was placed on file.**

Reports of Committees.

By Ms. L'Italien, for the committee on Consumer Protection and Professional Licensure, on Senate No. 141 and House No. 152, a Bill to expand the sale of products by farmer breweries (Senate, No. 141);

By the same Senator, for the same committee, on Senate No. 152 and House Nos. 207 and 213, a Bill creating a maximum allowable check-cashing rate (Senate, No. 152);

By the same Senator, for the same committee, on petition, a Bill protecting Massachusetts businesses from abusive patent infringement claims (Senate, No. 178);

By the same Senator, for the same committee, on petition, a Bill relative to retail liquor sales to caterers (Senate, No. 207);

By Ms. L'Italien, for the same committee on Municipalities and Regional Government, on petition, a Bill improving local decision making (Senate, No. 1211);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1111), a Bill relative to auxiliary police officers (Senate, No. 2175);

By Mr. Timilty, for the same committee on Public Safety and Homeland Security, on petition, a Bill relative to the installation of approved smoke detectors in certain residential buildings and structures (Senate, No. 1249) (Representative Vieira of East Falmouth dissenting);

By the same Senator, for the same committee, on petition, a Bill to reform sheriff civil process operations (Senate, No. 1251);

By the same Senator, for the same committee, on petition, a Bill relative to suppressors (Senate, No. 1271);

By the same Senator, for the same committee, on petition, a Bill relative to the use of community corrections for pre-trial detainees and criminal defendants (Senate, No. 1275);

By the same Senator, for the same committee, on petition, a Bill establishing the Correctional Officers' Procedural Bill of Rights (Senate, No. 1285);

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

By Mr. Eldridge, for the committee on Financial Services, on petition, a Bill clarifying municipal authority regarding cash sureties (Senate, No. 41);

By Ms. L'Italien, for the committee on Municipalities and Regional Government, on petition, a Bill relative to vacant, foreclosing and foreclosed property in the Commonwealth (Senate, No. 1090);

By the same Senator, for the same committee, on petition, a Bill providing for a workforce housing financial plan (Senate, No. 1100);

By the same Senator, for the same committee, on petition, a Bill relative to the expenditure of certain municipal and district monies (Senate, No. 1109);

By the same Senator, for the same committee, on petition, a Bill relative to increase the amount that may be appropriated from the balance of a capital project fund (Senate, No. 1110);

By the same Senator, for the same committee, on petition, a Bill relative to the appointment of town managers (Senate, No. 1112);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1072), a Bill protecting abandoned animals in vacant properties (Senate, No. 2174);

Severally read and, under Senate Rule 26, referred to the committee on Rules.

By Ms. L'Italien, for the committee on Municipalities and Regional Government, on petition, a Bill authorizing the town of Middleborough to exchange certain parcels of conservation land (Senate, No. 2090, changed in line 2 by inserting after the word "convey" the following "subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws") [Local approval received]; and

By the same Senator, for the same committee, on petition, a Bill authorizing 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 (Senate, No. 2130) [Local approval received];

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

Committees Discharged.

Mr. Lewis, for the committee on Public Health, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1228) of James E. Timilty for legislation relative to parity in the restroom facility requirement for stadiums,-- **and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure;**

Of the petition (accompanied by bill, Senate, No. 1181) of Joan B. Lovely, James J. Dwyer, Dennis A. Rosa, Colleen M. Garry and other members of the General Court relative to providing for a presumptive eligibility program for MassHealth applicants,-- **and recommending that the same be referred to the committee on Health Care Financing; and**

Of the petition (accompanied by bill, Senate, No. 1213) of Richard J. Ross for legislation relative to health care proxies,-- **and recommending that the same be referred to the committee on Judiciary;**

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

Severally sent to the House for concurrence.

Mr. Lewis, for the committee on Public Health, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 747) of Cynthia S. Creem for legislation relative to the age of tobacco purchase,-- **and**

recommending that the same be referred to the committee on the Ways and Means;

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

Sent to the House for concurrence in the discharge of the joint committee.

PAPERS FROM THE HOUSE.

A Bill relative to the ride for hire industry (House, No. 4064,-- on Senate, No. 559 and House Nos. 931, 3351 and 3702),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means..**

A Bill relative to certain affordable housing in the city of Boston (House, No. 3617,-- 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 Consumer Protection and Professional Licensure asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 258) of Angelo J. Puppulo, Jr. relative to motor vehicle service contracts,-- **and recommending that the same be referred to the committee on Financial Services,-- was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Emergency Preambles Adopted.

An engrossed Bill establishing a sick leave bank for Diane Ranno, an employee of the Department of Conservation and Recreation (see House, No. 3744), 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 (Ms. Lovely) and sent to the House for enactment.

An engrossed Bill establishing a sick leave bank for Denise Martinez, an employee of the Massachusetts Commission for the Deaf and Hard of Hearing (see House, No. 4017, 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 (Ms. Lovely) and sent to the House for enactment.

A Bill relative to the Canoe River aquifer advisory committee (House, No. 3800,-- on petition),-- **was read.**

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and ordered to a third reading.

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

Petition (accompanied by bill, House, No. 4070) of Antonio F. D. Cabral and others relative to benefits of individuals who have been locked out of their place of employment by their employers; and

Petition (accompanied by bill, House, No. 4071) of Tackey Chan relative to workers' compensation insurance;

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

Petition (accompanied by bill, House, No. 4072) of Garrett J. Bradley for legislation to authorize employees of the South Shore Charter School to join the state employees retirement system;

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

Petition (accompanied by bill, House, No. 4073) of Diana DiZoglio and others for legislation to exempt members of the armed forces serving on active duty from the automobile excise tax;

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

Petition (accompanied by bill, House, No. 4074) of Linda Dean Campbell, Paul Tucker and others relative to the annual observance of Massachusetts Women's Defense Corps remembrance day; and

Petition (accompanied by bill, House, No. 4075) of Alan Silvia and others for legislation to designate the Gold Star Families Memorial Monument located in Bicentennial Park in the city of Fall River as the official Gold Star Families Memorial Monument of the Commonwealth;

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

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Helen Annese, an employee of the Trial Court (House, No. 3958),-- **ought to pass.**

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

Order Adopted.

On motion of Mr. Ross,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Wednesday 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 Arthur Worth Collins, Jr.

The Senator from Middlesex and Norfolk, Ms. Creem, moved that when the Senate adjourns today, it adjourn in memory of Arthur Worth Collins, Jr.

Arthur Worth Collins, Jr. was born on June 17, 1929, in Lima, Ohio, and grew up in Berea, where his father worked at Baldwin-Wallace College as a coach and the athletic director.

“Bud” Collins, as he was known throughout his professional life, played tennis at the college and covered sports for the school’s newspaper until his graduation in 1951. He served in the United State Army before moving to Massachusetts, where he continued his studies in the public relations master’s program at Boston University.

He began working as a sportswriter at the Boston Herald, becoming its lead sports columnist in 1959, while also coaching the Brandeis University tennis team. Bud moved to the Boston Globe in 1963, and began reporting on tennis for WGBH-TV. He went on to broadcast for NBC, CBS, and ESPN, covering tournaments at Forest Hills, Wimbledon and elsewhere. He is credited by his peers as a major force in heightening the public’s interest in tennis, and as a good friend to many in his profession.

Bud was known for his voluminous knowledge of the game, and also gained notoriety for his bow ties and colorful pants. He received many awards over his lifetime, including the prestigious Red Smith Award for sports writing from the Associated Press Sports Editors in 1999. And, in May 2009, he finally received his master’s degree in public relations from Boston University, based on his writings on the history of tennis which were deemed sufficiently scholarly, including “Bud Collins' Encyclopedia of Tennis” and “The Education of a Tennis Player”.

He died at home in Brookline, Massachusetts, on March 4, 2016. He is survived by his wife, Anita Ruthling Klaussen, and stepchildren from that marriage, Danielle Klaussen and Karl Klaussen; a daughter, Suzanna Mathews, from his first marriage, to Palmer Collins; his stepchildren Betsy Bartelt, Kristin Hunt, Sharon McMillan and Gretchen West from his second marriage, to Mary Lou Barnum; Rob Lacy, a son of Judy Lacy, a companion of Collins’s and now deceased, whom he raised with her; and 11 grandchildren.

Accordingly, as a mark of respect in memory of Arthur Worth Collins Jr., at twenty-nine minutes before twelve o’clock noon, on motion of Mr. Tarr, the Senate adjourned to meet again on Wednesday next at eleven o’clock A.M.