

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 16, 2015.

Met at five minutes past eleven o'clock A.M. (Mr. DiDomenico in the Chair).

The Chair (Mr. DiDomenico), members, guests and staff then recited the pledge of allegiance to the flag.

Communications.

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

Communication from the Honorable Bruce E. Tarr, Senate Minority Leader, announcing the appointment of Senator Viriato deMacedo to the Special Commission established (pursuant to the provisions of Section 75 of Chapter 144 of the Acts of 2014) to make an investigation and study of the adjudication of unemployment insurance claims;

Communications from the Department of Public Health relative to Plan of Correction for the following correctional facilities:

Western Mass Women's Correctional Center
NCCI, Gardner (received March 12, 2015).

Communication from the Office of the Comptroller (pursuant to Section 35T of Chapter 10 of the General Laws) submitting its March 2015 Certification of MBTA Base Sales Tax Revenues and Dedicated Sales Tax Revenues for FY2016 (received March 13, 2015);

Communication from the Office of the Comptroller (pursuant to Section 2H of Chapter 29 of the General Laws as amended by Section 4 of Chapter 237 of the Acts of 2014) submitting its report relative to settlement and judgment revenue, capital gains certification and interest revenue transfer for FY2015 (received March 13, 2015); and

Communication from the Office of the Comptroller (pursuant to Section 2E of Chapter 165 of the Acts of 2014) submitting the Fiscal Year 2015 revised transfer schedules for 1595-6368 Massachusetts Transportation Trust Fund and 1595-6369 Massachusetts Bay Transportation Authority (received March 13, 2015).

Reports.

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

Reports of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspection of the following correctional facilities:

NCCI Gardner
Massachusetts Treatment Center (received March 12, 2015).

Report of the Department of Public Health (pursuant to Section 102 of Chapter 284 of the Acts of 2014) submitting its Feasibility Proposal and Implementation Plan for a Public Health Data Warehouse (received March 13, 2015);

Report of the Division of Capital Asset Management and Maintenance (pursuant to the provisions of Section 6 of Chapter 7 of the General Laws) submitting its 2014 Annual Report on Construction and Design related to Minority and Women Business Enterprise participation (received March 13, 2015); and

Report of the Office of the Comptroller (under the provisions of Sections 1A and 1B of Chapter 38 of the Acts of 2013 and Sections 1A and 1B of Chapter 165 of the Acts of 2014) submitting reports on the comparison of Actual Revenue Collections to Budget for final balances for FY2014 and for the first two quarters of FY 2015 (received March 9, 2015).

Petitions

The following petition, having been timely filed by 5:00 P.M., on Friday, January 16, 2015, was considered as follows:-- Ms. Gobi presented a petition (accompanied by bill, Senate, No. 22) of Anne M. Gobi and Todd M. Smola (by vote of the town) for legislation to increase the membership of the board of selectmen for the town of Brimfield [Local approval received]; **Under Senate Rule 20, referred to the committee on Municipalities and Regional Government. Sent to the House for concurrence.**

Petitions were severally presented and referred as follows:

By Ms. Flanagan, a petition (subject to Joint Rule 12) (accompanied by bill) of Jennifer L. Flanagan for legislation relative to the addresses of time-share owners; and

By Mr. Moore, a petition (subject to Joint Rule 12) (accompanied by bill) of Michael O. Moore (by vote of the town) for legislation to authorize the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Shrewsbury;

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

Reports of a Committee.

By Mr. Timilty, for the committee on Public Service, on petition, a Bill to establish a sick leave bank for James O'Brien, an employee of the Department of Developmental Services (Senate, No. 18); and

By the same Senator, for the same committee, on petition, a Bill to establish a sick leave bank for Candida Leonard, an employee of the Department of Correction (Senate, No. 19);

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

PAPERS FROM THE HOUSE

A petition (accompanied by bill, House, No. 3186) of Paul W. Mark and Stanley C. Rosenberg (with the approval of the mayor and town council) that the city known as the town of Greenfield be authorized to issue an additional license for the sale of all alcohol beverages to be drunk on the premises,-- **was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.**

A Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain parcels of land in the town of North Reading (House, No. 66,-- on House, No. 57),-- **was 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 Messrs. Ross and Rush) "congratulating Annie Barringer on receiving a 2015 Prudential Spirit of Community Award."

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill making appropriations for the fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 65, amended),- **ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 21** [Estimated cost: Direct appropriations: \$402,247,030.00].

Order Adopted.

Ms. Spilka offered the following order:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill making appropriations for the fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities (House, No. 65, 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 document numbered 21) shall be placed in the Orders of the Day for a second reading on Thursday, March 19, 2015.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 2:00 P.M., on Wednesday, March 18, 2015. All such amendments shall be second-reading amendments to the recommended Senate Ways and Means new text (Senate, No. 21) 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. Ross, and, the order was considered forthwith and adopted.

The bill (House, No. 65, amended) was placed in the Orders of the Day for Thursday, March 19, 2015, with the Ways and Means new text (Senate, No. 21) pending.

Order Adopted.

On motion of Mr. Ross,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday next at one o'clock P.M., in a full formal session with a calendar.

Adjourn In Memory of Robert F. Chaffee

The Senator from Suffolk and Norfolk, Mr. Rush, moved that when the Senate adjourns today, it do so in memory of Robert F. Chaffee of Dedham.

Robert F. Chaffee passed away on March 6, 2015. Robert served his country during the Vietnam War as a member of the United States Army. He was constantly active in his community. Robert served as a Selectman for the town of Dedham for 9 years, was a long time Dedham Little League baseball coach, and a member of the American Legion Post 18.

Robert F. Chaffee was the loving husband of the late Pamela G. (Wallis) Chaffee, and devoted father of Mark, Kelly, and Timothy, all of Dedham.

Accordingly, as a mark of respect in memory of Robert F. Chaffee, at eight minutes past eleven o'clock A.M., on motion of Mr. Ross, the Senate adjourned to meet again on Thursday next at one o'clock P.M.