

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, April 23, 2014.

Met at five minutes past eleven o'clock A.M. (Mrs. L'Italien in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

The Scouts of Brownie Troop 4289 from Attleboro and Boy Scout Pack 113 Den 1 from Groveland then led the Chair (Mrs. L'Italien), members, guests and staff in the recitation of the pledge of allegiance to the flag.

Distinguished Guests.

There being no objection, the Chair (Mrs. L'Italien) handed the gavel to Mr. Timilty for the purpose of an introduction. Mr. Timilty then introduced, in the rear of the Chamber, Brownie Troop 4289 from Attleboro. They were accompanied by Troop Leader Donna Castillo. The Senate welcomed them with applause and they withdrew from the Chamber.

There being no objection, the Chair (Mrs. L'Italien) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced, in the rear of the Chamber, Boy Scout Pack 113 Den 1 from Groveland. Among the group were Benjamin Whitlock, Nickolas Barboza, Nathan Blake, Ian Rose, Danny Harriman, Morgan Lawless, Nicholas Basler and Tommy Drewett. The group was accompanied by Troop Leaders Dean Rose and Dan Harriman. The Senate welcomed them with applause and they withdrew from the Chamber. They were also guests of Representative Mirra.

Communication.

Communication from the Office of the Comptroller (pursuant to Section 6B of Chapter 29 of the General Laws) submitting the quarterly report on the status of federal funds applied for, received and expended (received April 17, 2015),-- **was placed on file.**

Reports.

Report of the Massachusetts Bay Transportation Authority (pursuant to Section 151 of Chapter 127 of the Acts of 1999) submitting its report on net operating investment per passenger mile ratio for fiscal years 2013 through 2017 (received April 21, 2015),-- **was read and sent to the House for its information.**

Report of the Department of Revenue (pursuant to Section 264 of Chapter 165 of the Acts of 2014) submitting a report detailing the results of the Fall 2014 tax amnesty program (received April 23, 2015),-- **was placed on file.**

Petition.

Mr. Tarr presented a petition (accompanied by bill, Senate, No. 1918) of Bruce E. Tarr and Bradford R. Hill (by vote of the town) for legislation to authorize the town of Wenham to pay a certain unpaid bill [Local approval received]; **Under Senate Rule 20, referred to the committee on Municipalities and Regional Government. Sent to the House for concurrence.**

Reports of Committees.

By Mr. Timilty, for the committee on Public Service, on petition, a Bill to establish a sick leave bank for Margaret Carey, an employee of the Department of Public Health (Senate, No. 953); and
By the same Senator, for the same committee, on petition, a Bill to establish a sick leave bank for Eileen Bazinet, an employee of the Massachusetts Rehabilitation Commission (Senate, No. 1441);
Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Mrs. L'Italien, for the committee on Municipalities and Regional Government, on petition, a Bill to authorize the town of Bourne to grant easements over certain parcels of land (Senate, No. 33) [Local approval received];
Read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Committee Discharged.

Ms. O'Connor Ives, for the committee on Community Development and Small Business, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 110) of Eileen M. Donoghue and Kathleen O'Connor Ives for legislation to lessen the financial burden on small limited liability companies,-- **and recommending that the same be referred to the committee on Economic Development and Emerging Technologies; and**
Mr. Rodrigues, for the committee on Revenue, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1502) of John F. Keenan, Tackey Chan, Denise Provost, James J. Dwyer and other members of the General Court for legislation to provide access to full spectrum addiction treatment services,-- **and recommending that the same be referred to the committee on Mental Health and Substance Abuse;**
Under Senate Rule 36, the reports were severally considered forthwith and accepted.
Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE

A Bill establishing a sick leave bank for Ignacio "Iggy" Farias, an employee of the Massachusetts Department of Transportation (House, No. 3338,-- on petition),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill relative to certain elections in the town of Newton (House, No. 3324, amended,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Notice was received from the House of Representatives announcing that the Minority Leader has made the following changes to House and Joint committees:

To the House Committee on Personnel and Administration: Relieving Representative David K. Muradian, Jr., of Grafton and James M. Kelcourse of Amesbury and appointing Representative Geoff Diehl of Whitman and Representative Hannah E. Kane of Shrewsbury;

To the House Committee on Redistricting: Relieving Representative Shawn Dooley of Norfolk and appointing Representative Hannah E. Kane of Shrewsbury; and

To the Joint Committee on Transportation: Relieving Representative Geoff Diehl of Whitman and appointing Representative Hannah E. Kane of Shrewsbury.

Resolutions.

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

Resolutions (filed by Mr. deMacedo) "congratulating Coach Robert E. Corradi on the occasion of his retirement from Massachusetts Maritime Academy";

Resolutions (filed by Mr. Hedlund) "congratulating David Geddes of the town of Marshfield on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Ross) "congratulating Mark Gregory McGonagle, Jr. of the town of Wayland on his elevation to the rank of Eagle Scout"; and

Resolutions (filed by Mr. Ross and Ms. Spilka) "congratulating the town of Franklin upon being named a Purple Heart Community by the Massachusetts Chapter of the Military Order of the Purple Heart."

Communication.

The Clerk read the following communication:

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE

April 29, 2015

Senate President Stan Rosenberg
State House, Room 332
Boston, MA 02133

Dear Mr. President:

I am writing to inform you that from Sunday, April 26th, 2015 until Monday, May 11th, 2015, I will be serving on military duty out of state as part of my annual training obligations to the United States Navy. Therefore, I will not be present to cast a vote in the event of any roll calls during this time period. If you have any questions or concerns regarding any legislative matter please contact my Chief of Staff, John Regan.

Sincerely,
MICHAEL F. RUSH
State Senator
Norfolk & Suffolk District

On motion of Mr. Donnelly, the above communication was ordered printed in the Journal of the Senate.

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 sewer commissioners in the town of Wareham (Senate, No. 34),-- was read a second time.
Pending the question on ordering the bill to a third reading, Mr. Pacheco presented an amendment adding the following section:-
"SECTION 5. This act shall take effect upon its passage."

The amendment was adopted.

The bill (Senate, No. 34, amended) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

The House Bill exempting the police department in the town of Burlington from the civil service law (House, No. 3188, changed),-- was read a second time.

Pending the question on ordering the bill to a third reading, Mr. Donnelly offered an amendment in section 3, by striking out the words "except for entry level positions which shall take effect upon expiration of the police officer 2013 civil service eligibility list for the town of Burlington".

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.

Reports of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Marlo Carter, an employee of the Department of Correction (Senate, No. 42),-- ought to pass, with an amendment striking out, in line 4, the words "Carter. Whenever" and inserting in place thereof the following words:- "Carter to care for her daughter. If".

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 42, amended) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Rachel Zwetchkenbaum, an employee of the Department of Unemployment Assistance (House, No. 3190),-- ought to pass, with an amendment striking out, in line 3, the words ", to care for her sister".

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

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.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Deborah Hawkins, an employee of the Office of the State Auditor (House, No. 3204),-- ought to pass, with amendments striking out, in lines 1, 2, 3, 5 and 8, the word "office" and inserting in place thereof the following word:- "department"; by striking out, in line 6, the words "extended illness" and inserting in place thereof the following words:- "department of the state auditor's catastrophic illness or injury"; by striking out the emergency preamble and inserting in place thereof the following emergency preamble:-
"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of the state auditor, therefore it is hereby declared to be an emergency law, necessary for

the immediate preservation of the public convenience.”; and

By striking out the title and inserting in place thereof the following title:- “An Act establishing a sick leave bank for Deborah Hawkins, an employee of the Department of the State Auditor.”.

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

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

Sent to the House for concurrence in the amendments.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Edward Conley, an employee of the Middlesex Sheriff’s Office (House, No. 3341),-- **ought to pass.**

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

Petition.

On motion of Mr. Donnelly, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Mr. Ross (accompanied by bill) of Richard J. Ross, Karen E. Spilka, Shawn Dooley and Jeffrey N. Roy for legislation to authorize the board of directors of Metacomet Emergency Communications Center to accept chapter 32B of the General Laws,— **and the same was referred to the committee on Public Service.**

Sent to the House for concurrence.

PAPER FROM THE HOUSE

A petition (accompanied by bill, House, No. 3346) of Frank A. Moran and Barbara L’Italien for legislation to establish a sick leave bank for Susan Comeau, an employee of Massachusetts Rehabilitation Commission,— was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.

There being no objection, at twenty minutes past eleven o’clock A.M., the Chair (Mrs. L’Italien) declared a recess subject to the call of the Chair; and, at four minutes past twelve o’clock noon, the Senate reassembled, Mrs.L’Italien in the Chair.

PAPERS FROM THE HOUSE.

Engrossed Bill Returned with Recommendation of Amendment.

A message from the Secretary of the Commonwealth, Acting Governor, returning with recommendation of amendment the engrossed Bill exempting the police department of the town of Westwood from the civil service law (see House, No. 2370, amended) [for message, see House, No. 3345],— came from the House with endorsement that the House adopted the amendment recommended by the Governor (as approved by committee on Bills in the Third Reading), as follows:

In section 2 (as engrossed), by striking out the word “uniformed”.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

The rules were suspended, on motion of Mr. Tarr, and the amendment considered forthwith and adopted, in concurrence. Sent to the House for re-enactment.

Engrossed Bill.

An engrossed Bill exempting the police department of the town of Westwood from the civil service law (see House, No. 2370, 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 (Mrs. L’Italien) and again laid before the Governor for his approbation

Order.

On motion of Mr. Donnelly,--

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.

On motion of Mr. Tarr, at eighteen minutes past twelve o’clock noon, the Senate adjourned to meet again on Monday next at eleven o’clock A.M.