

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, May 4, 2015.

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

Distinguished Guests.

There being no objection, the Chair (Ms. Spilka) handed the gavel to Mr. Lewis for the purpose of an introduction. Mr. Lewis then introduced, in the rear of the Chamber, students from across the Commonwealth that were recognized as the Boys and Girls Club Youth of the Year recipients. Club members who earn this title embody the values of leadership service; academic excellence; and healthy lifestyles. They exemplify the critical impact that Boys and Girls Clubs have on the lives of young people. The Senate welcomed them with applause and they withdrew from the Chamber.

Communications.

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

Communication from the Honorable Anne M. Gobi, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Friday, May 1, 2015, at ten minutes before ten o'clock A.M.); and Communication from the Department of Public Health (pursuant to Section 35X of Chapter 10 of the General Laws) submitting this 2014 annual report on the Quality in Health Professions Trust Fund (received May 1, 2015).

Petition.

Mr. Fattman presented a petition (accompanied by bill) (subject to Joint Rule 12) of Ryan C. Fattman for legislation relative to free speech in elections,-- **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Report.

Report of the Workers' Compensation Advisory Council (under the provisions of Section 17 of Chapter 23E of the General Laws) submitting its Fiscal Year 2014 Annual Report: The State of the Massachusetts Workers' Compensation System (received April 30, 2015),-- **was placed on file.**

Committee Discharged.

Mr. Rodrigues, for the committee on Revenue, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1519) of Joan B. Lovely, Paul Tucker, Brian M. Ashe, Chris Walsh and others for legislation to impose a penalty for the damaging of historic homes,-- **and recommending that the same be referred to the committee on the Judiciary;**

**Under Senate Rule 36, the report was considered forthwith and accepted.
Sent to the House for concurrence.**

PAPERS FROM THE HOUSE

A Message from His Excellency the Governor recommending legislation relative to establishing Department of Public Utilities oversight of transportation network companies (House, No. 3351),-- **was referred, in concurrence, to the committee on Financial Services.**

A Bill authorizing the city known as the town of Greenfield to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3186, amended,-- on petition) [Local approval received],-- **was 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. DiDomenico) "congratulating the Massachusetts Youth of the Year candidates selected by the Massachusetts Alliance of Boys and Girls Clubs";

Resolutions (filed by Messrs. Donnelly, Barrett and Brownsberger, Ms. Chandler, Messrs. DiDomenico, Downing and Eldridge, Ms. Jehlen, Messrs. Keenan, Kennedy and Lesser, Mrs. L'Italien, Messrs. Moore, Pacheco and Rush, Ms. Spilka and Messrs. Timilty, Welch and Wolf) "celebrating North American Occupational Safety and Health Week and Occupational Safety and Health Professional Day";

Resolutions (filed by Mr. Eldridge) "congratulating Roland L. Plante on his retirement after 55 years of dedicated service to the town of Hudson";

Resolutions (filed by Mr. Hedlund) "congratulating Christopher Johnson of the town of Hingham on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Pacheco) "congratulating Jeannette Mitchell Rioux on the happy occasion of her one hundredth birthday";

Resolutions (filed by Mr. Ross) "congratulating Eric Wilson Carey of the town of North Attleboro on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Ross) "congratulating Daniel Roger Courtemanche of the town of North Attleboro on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Ross) "congratulating Timothy Vijay Post of the town of North Attleboro on his elevation to the rank of Eagle Scout"; and

Resolutions (filed by Mr. Ross) "congratulating Andrew William Sharples of the town of North Attleboro on his elevation to the rank of Eagle Scout."

Order Adopted.

Mr. Downing offered the following order, to wit:

Ordered, That the General Court is hereby authorized and directed to accept the report of the Net Metering and Solar Task Force (pursuant to the provisions of section 7 of Chapter 251 of the Acts of 2014), the time within which said task force was required to file having expired.

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 was adopted.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE

Committee of Conference Report.

A report of the committee of conference of the disagreeing votes of the two branches, with reference to the Senate amendments to the House Bill relative to state personnel (House, No. 3189, amended) (amended by the Senate by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 50; 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 provide forthwith for a fair and orderly manner in which the number of executive department employees may be reduced in order to decrease expenditures by the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."; and striking out the title and inserting in place thereof the following title: "An Act relative to state personnel.") reporting the following bill (House, No. 3353), -- **came from the House, and was read.**

The rules were suspended, on motion of Mr. Ross, the report was accepted, in concurrence.

Emergency Preamble Adopted

An engrossed Bill establishing a sick leave bank for Joseph Esposito, an employee of the Massachusetts Department of Transportation (see House, No. 3185), 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. Spilka) and sent to the House for enactment.

Engrossed Bill.

An engrossed Bill exempting the position of deputy police chief in the city of Haverhill from the civil service law (see House, No. 3330) (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. Spilka) and laid before the Governor for his approbation.

Recess.

There being no objection, at twenty-two minutes past eleven o'clock A.M., the Chair (Ms. Spilka) declared a recess subject to the call of the Chair; and, at twelve minutes before one o'clock P.M., the Senate reassembled, Ms. Spilka in the Chair.

PAPERS FROM THE HOUSE

Emergency Preamble Adopted

An engrossed Bill relative to state personnel (see House, No. 3353), 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. Spilka) and sent to the House for enactment.

Engrossed Bills.

The following engrossed bills (both of which originated in the House), 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 Acting President (Ms. Spilka) and laid before the Governor for his approbation, to wit:

Establishing a sick leave bank for Joseph Esposito, an employee of the Massachusetts Department of Transportation (see House, No. 3185); and
Relative to state personnel (see House, No. 3353).

Order Adopted.

On motion of Mr. deMacedo,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

On motion of the same Senator, at five minutes before one o'clock P.M., the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.