

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, June 6, 2016.

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

Communication.

Communication from the Honorable Bruce E. Tarr, Senate Minority Leader, announcing the appointment (pursuant to Section 1 of Chapter 226 of the Acts of 2014) of Senator Richard J. Ross to the Commission on Autism (Senator Ross' constituent services director, Katlin McInnis when necessary will represent him on the Commission),-- was placed on file

Reports.

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

Report of The Property and Casualty Initiative, LLC (pursuant to Section 3 of Chapter 259 of the Acts of 1998) submitting its 2015 annual report (copies having been forwarded as required to the Senate Committee on Ways and Means and the Joint Committees on Revenue and Financial Services) (received May 27, 2016);

Report of the Massachusetts Commission on the Status of Women (pursuant to Section 66 of Chapter 3 of the General Laws) submitting its Fiscal Year 2016 Annual Report (received June 2, 2016); and

Report of the Department of Housing and Community Development (pursuant to Section 66(g) of Chapter 23A of the General Laws) submitting the Rural Policy Advisory Commission FY2015 annual report (copies having been forwarded as required to the Joint Committee on Economic Development and Emerging Technologies) (received June 3, 2016).

Petition.

Ms. Gobi presented a petition (accompanied by bill, Senate, No. 2319) of Anne M. Gobi and Todd M. Smola (by vote of the town) for legislation to authorize the town of Warren to continue the employment of Dennis Desrosiers [Local approval received];

**Referred, under Senate Rule 20, to the committee on Public Service.
Sent to the House for concurrence.**

Reports of Committees.

By Mr. Lewis, for the committee on Public Health, on petition, a Bill to enhance computerized physician order entry (CPOE) to ensure access to medically necessary services (Senate, No. 1210); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1165), a Bill relative to the

dispensing of certain cancer related drugs (Senate, No. 2313);

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Chang-Diaz, for the committee on Education, on Senate, Nos. 246, 263, 273, 274, 292, 295, 296, 303, 304, 321, 334 and 339, an Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to charter schools (Senate, No. 2315);

By Ms. Jehlen, for the committee on Elder Affairs, on Senate, Nos. 362, 363 and 369, an Order relative to authorizing the joint committee on Elder Affairs to make an investigation and study of certain current Senate documents relative to elder affairs matters (Senate, No. 2316);

By Mr. Eldridge, for the committee on Financial Services, on Senate, Nos. 147, 182, 479, 480, 481, 482, 484, 486, 487, 488, 489, 490, 491, 492, 496, 497, 498, 499, 500, 501, 503, 504, 505, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 531, 532, 534, 535, 537, 538, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 552, 553, 554, 555, 556, 558, 560 and 562, an Order relative to authorizing the joint committee on Financial Services to make an investigation and study of certain current Senate documents relative to financial service matters (Senate, No. 2318) [Representative Cantwell of Marshfield dissenting inasmuch as relates to Senate, No. 512];

By Mr. Timilty, for the committee on Public Service, on Senate, Nos. 35, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1337, 1338, 1339, 1341, 1342, 1343, 1344, 1347, 1348, 1350, 1352, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1366, 1367, 1369, 1370, 1373, 1374, 1375, 1378, 1379, 1380, 1384, 1385, 1386, 1387, 1388, 1389, 1399, 1401, 1402, 1406, 1410, 1412, 1413, 1414, 1415, 1417, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1432 and 1433, an Order relative to authorizing the joint committee on Public Service to make an investigation and study of certain current Senate documents relative to public service issues (Senate, No. 2314); and

By Mr. McGee, for the committee on Transportation, on Senate, Nos. 1838, 1841 and 1867, an Order relative to authorizing the joint committee on Transportation to make an investigation and study of certain current Senate documents relative to transportation matters (Senate, No. 2317);

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Ms. L'Italien, for the committee on Consumer Protection and Professional Licensure, on petition, a Bill to protect consumers in the issuance of sports and entertainment tickets (Senate, No. 142);

By the same Senator, for the same committee, on petition, a Bill relative to the fair distribution and pricing of event tickets (Senate, No. 187);

By Mr. Moore, for the committee on Higher Education, on petition, a Bill establishing the Finish Line Scholarship Program (Senate, No. 683); and

By Mr. Brownsberger, for the committee on the Judiciary, on petition, a Bill establishing the murder victim families assistance fund (Senate, No. 951);

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

By Ms. L'Italien, for committee on Municipalities and Regional Government, on petition, a Bill authorizing the town of Mendon to return a certain parcel in the town of Mendon to John D. Gannett, Jr. and Ute D. Gannett (Senate, No. 2250) [Local approval received];

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

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

The Senate report of the committee on Labor and Workforce Development ought NOT to pass, on the petition (accompanied by bill, Senate, No. 1004) of Michael J. Rodrigues, Bruce E. Tarr and Steven S. Howitt for legislation to clarify the earned sick time ballot question.

Committees Discharged.

Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration

Of the Senate Order relative to authorizing the joint committee on Health Care Financing to make an investigation and study of certain current Senate documents relative to the financing and delivery of health care to children (Senate, No. 2306); and
Of the Senate Order relative to authorizing the joint committee on Health Care Financing to make an investigation and study of certain current Senate documents relative to the financing and delivery of health care (Senate, No. 2307);

**And recommending that the same severally be referred to the committee on Rules;
Under Senate Rule 36, the reports were severally considered forthwith and accepted.**

PAPERS FROM THE HOUSE

A Bill to establish a sick leave bank for Rick Freni, an employee of the Massachusetts Department of Transportation (House, No. 4267,-- on petition),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill designating the town of Billerica as the Yankee Doodle town (House, No. 4251,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Reports

Of the committee on Health Care Financing, asking to be discharged from further consideration

Of the Senate Bill to protect children and families from harmful flame retardants (Senate, No. 2302); and
Of the House Bill to protect children, firefighters and families from harmful flame retardants (House, No. 4241);
**And recommending that the same severally be referred to the committee on House Ways and Means.
Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Distinguished Guests.

There being no objection, the Chair (Mr. Boncore) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced and invited to the Rostrum Her Honor the Lieutenant-Governor, Karyn E. Polito. The Lieutenant-Governor briefly addressed the Senate and guests on the importance that scouting has on the Commonwealth and the impact it has on our everyday lives.

There being no objection, the Chair (Mr. Tarr) then introduced and invited to the Rostrum, Eagle Scout Justin St. Louis from Troop 7 in Lowell, Webelos Cub Scout Garreth Gray, Police Explorer Melony Ellis, Sea Scout Emily Newell, Venturer Michelle Merritt and 1st Class Zachariah Morris. The group was accompanied by Director of Field and Service Jonathan Pleva and many different scouting groups from Massachusetts. Eagle Scout Justin St. Louis briefly addressed the Senate on the accomplishments of scouting in Massachusetts and the many benefits boys and girls received through scouting.

The group presented the Chair (Mr. Tarr) with the 2015 Report on the State of Scouting in Massachusetts, as follows:

- 40,054 Youth Members
- 15,667 Adult Volunteers
- 205,465 Hours of Community Service
- 965 Eagle Scouts awarded
- 24,178 Rank Advancements
- 43,503 Merit Badges Earned (including)
 - o Citizenship
 - o Fitness
 - o STEM
- 114,626 Camper Nights

The Senate welcomed them with applause and the scout members along with Executive Director Pleva withdrew from the Chamber.

On motion of Mr. Tarr, the report was ordered printed in the Journal of the Senate.

PAPERS FROM THE HOUSE Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Laurie Godwin, an employee of the Department of Youth Services (see House, No. 4189), 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 (Mr. Boncore) and sent to the House for enactment.

Resolutions.

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

Resolutions (filed by Messrs. Barrett, Donnelly, Eldridge, Lewis and Tarr) "congratulating Joan Butler on her retirement";
Resolutions (filed by Messrs. Ross and Timilty) "congratulating Ryan Beck of the city of Attleboro on his elevation to the rank of Eagle Scout";
Resolutions (filed by Messrs. Ross and Timilty) "congratulating Jacob Blackwell of the city of Attleboro on his elevation to the rank of Eagle Scout";
Resolutions (filed by Messrs. Ross and Timilty) "congratulating Matthew McKearney of the city of Attleboro on his elevation to the rank of Eagle Scout";
Resolutions (filed by Messrs. Ross and Timilty) "congratulating Timothy O'Brien of the city of Attleboro on his elevation to the rank of Eagle Scout";
Resolutions (filed by Messrs. Ross and Timilty) "congratulating Kaelan O'Neill of the city of Attleboro on his elevation to the rank of Eagle Scout"; and
Resolutions (filed by Messrs. Ross and Timilty) "congratulating Timothy Vermilgea of the city of Attleboro on his elevation to the rank of Eagle Scout."

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 House Bill designating a certain bridge in the town of Harwich as the United States Navy Lieutenant Junior Grade Ralph Wallace Burns Memorial Bridge (House, No. 3801, changed and amended) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to the membership of the South Essex Sewerage District Board (House, No. 4007) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Reports of Committees.

The following report was laid before the Senate, the time within which the said committee was required to report having expired:---

Of the committee on Elder Affairs, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 2277) of Patricia D. Jehlen, Paul R. Heroux, Paul J. Donato, Mathew Muratore and other members of the General Court for legislation relative to protecting elders and persons with disabilities.

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the matter was considered forthwith.
On further motion of the same Senator, the bill was substituted for the report of the committee.

The bill (Senate, No. 2277) was read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of James B. Eldridge for legislation to establish a sick leave bank for Matthew P. March, an employee of the Massachusetts Department of Correction.

The rules were suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4372) of Timothy R. Madden and Daniel A. Wolf for legislation relative to changing the town line between the towns of Aquinnah and Chilmark;

Under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 4373) of Paul J. Donato relative to retirement benefits of special investigators of the Alcohol Beverage Control Commission;

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

Order Adopted.

On motion of Mr. Tarr,--

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

Adjourn In Memory of James J. McAdams

The Senator from Norfolk and Suffolk, Mr. Rush, moved that when the Senate adjourns today, it adjourn in memory of James J. McAdams.

James J. McAdams of West Roxbury was a retired captain of the Boston Fire Department and United States Marine Corps veteran of the Vietnam War.

James is survived by his wife Carolyn (Nevins) McAdams and their children: James and his wife Sarah of West Roxbury; Thomas and his wife Antoinette of Walpole; Michelle and her husband Timothy Francis of Millis; Kristin and her husband James McBrien of Norwood; Kathleen T. McAdams of West Roxbury; and the late William J. McAdams.

He is also survived by 10 grandchildren as well as his brothers Charles, John, Paul, Larry and Michael.

Accordingly, as a mark of respect in memory of James J. McAdams, at thirteen minutes before twelve o'clock noon, on motion of Mr. Tarr, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.