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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Friday, July 8, 2016.

Met at six minutes past one o'clock P.M. (Mr. Brownsberger in the Chair).

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

Distinguished Guests.

There being no objection, the Chair (Mr. Brownsberger) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced, in the rear of the Chamber, members of the Ipswich Rotary Club from Massachusetts and the Ipswich Rotary Club from the UK. The mission of Rotary International is to provide service to others, promote integrity, and advance world understanding, goodwill, and peace through its fellowship of business, professional, and community leaders. They were led by Martha Mauser from Massachusetts and Liz Harsant from the United Kingdom. The Senate welcomed them with applause and they withdrew from the Chamber.

Report of a Committee.

By Mr. Welch, for the committee on Health Care Financing, on Senate, No. 1210, an Order relative to authorizing the joint committee on Health Care Financing to make an investigation and study of a certain current Senate document relative to electronic health records (Senate, No. 2411);

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

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 Environment, Natural Resources and Agriculture to make an investigation and study of certain current Senate documents relative to environmental issues (Senate, No. 2380);

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 financing of health care coverage and analysis (Senate, No. 2381);

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 health insurance premiums and hospital services (Senate, No. 2382);

Of the Senate Order relative to authorizing the joint committee on Housing to make an investigation and study of a certain current Senate document relative to housing matters (Senate, No. 2383);

Of the Senate Order relative to authorizing the joint committee on the Judiciary to make an investigation and study of a certain current Senate document relative to relative to judicial matters (Senate, No. 2384);

Of the Senate Order relative to authorizing the joint committee on Municipalities and Regional Government to make an investigation and study of certain current Senate documents relative to municipalities and local government issues (Senate, No. 2385);

Of the Senate Order relative to authorizing the joint committee on State Administration and Regulatory Oversight to make an investigation and study of certain current Senate documents relative to state administration and regulatory oversight matters

(Senate, No. 2386);

Of the Senate Order relative to authorizing the joint committee on Telecommunications, Utilities and Energy to make an investigation and study of certain current Senate documents relative to telecommunications, utilities and energy matters (Senate, No. 2388); and

Of the Senate 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. 2387);

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.

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4475) of Joseph D. McKenna and Ryan C. Fattman (by vote of the town) that the town of Webster be authorized to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises;

To the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 4476) of David T. Vieira and Timothy R. Madden (by vote of the town) that the town of Falmouth retirement board be authorized to increase the accidental disability retirement allowance paid to John R. Busby, Jr., a police officer of said town;

To the committee on Public Service.

Bills.

Relative to diabetes prevention (House, No. 3871,-- on House, Nos. 1888 and 1946); and

Establishing a sick leave bank for Michelle Kannler, an employee of the Department of Public Health (House, No. 4437, amended,-- on petition);

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

Bills

Authorizing the Department of Fish and Game to acquire land of the town of Townsend (House, No. 3748, amended,-- on petition) [Local approval received];

Authorizing the city of Holyoke to establish a program for enforcement against illegal dumping (House, No. 4262,-- on petition) [Local approval received]; and

Authorizing the city of New Bedford to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4306, amended,-- on House, No. 4132) [Local approval received on House, No. 4132];

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

Reports

Of the committee on Public Health asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 1889) of Jennifer E. Benson and others relative to the independent practice of advanced practice registered nursing by nurse practitioners;

Of the petition (accompanied by bill, House, No. 2031) of Sarah K. Peake, Ann-Margaret Ferrante and others for legislation to increase power plant safety preparedness by the Department of Public Health to twenty miles;

Of the petition (accompanied by bill, House, No. 2032) of Sarah K. Peake and others for an investigation by a special commission (including members of the General Court) relative to the health impacts from wind turbines and protecting the health of the citizens of the Commonwealth;

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.

The House Bill relative to the ride for hire industry (House, No. 4064),— came from the House with the endorsement that the House had NON-concurred in the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate, No. 2398; and striking out the title and inserting in place thereof the following title: “An Act regulating transportation network companies”) and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Michlewitz of Boston, Mariano of Quincy and Hill of Ipswich have been appointed the committee on the part of the House.

On motion of Mr. Tarr, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Spilka, Eldridge and Humason were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

The House Bill to promote energy diversity (House, No. 4385),— came from the House with the endorsement that the House had NON-concurred in the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate, No. 2400) and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Dempsey of Haverhill, Golden of Lowell and Jones of North Reading have been appointed the committee on the part of the House.

On motion of Mr. Tarr, the Senate insisted on its amendment and concurred in the appointment of a committee of

conference; and Senators Downing, Pacheco and Tarr were appointed on the part of the Senate. The bill was returned to the House endorsed accordingly.

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill relative to medical placement of terminal and incapacitated inmates (Senate, No. 843) (the committee on Health Care Financing having recommended that the bill be amended by substituting a new draft, Senate, No. 2304),-- ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2415).

Order Adopted.

Ms. Spilka offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill relative to medical placement of terminal and incapacitated inmates (Senate, No. 843) (the committee on Health Care Financing having recommended that the bill be amended by substituting a new draft, Senate, No. 2304 and the committee on Ways and Means having recommended that the bill be amended by substituting a new draft, Senate, No. 2415) shall be placed in the Orders of the Day for a second reading on Wednesday, July 13, 2016.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Monday, July 11, 2016. All such amendments shall be second-reading amendments to the Ways and Means new draft (Senate, No. 2415), 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. Tarr, and the order was considered forthwith and adopted.

The bill will be placed in the Orders of the Day for Wednesday, July 13, for a second reading with the amendments pending.

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill to prevent wage theft and promote employer accountability (Senate, No. 2207),-- ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2216).

Order Adopted.

Ms. Spilka offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill to prevent wage theft and promote employer accountability (Senate, No. 2207) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft, Senate, No. 2416), shall be placed in the Orders of the Day for a second reading on Wednesday, July 13, 2016.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Monday, July 11, 2016. All such amendments shall be second-reading amendments to Senate, No. 2416, 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. Tarr, and the order was considered forthwith and adopted.

The bill will be placed in the Orders of the Day for Wednesday, July 13, for a second reading with the amendment pending.

PAPERS FROM THE HOUSE.

A Bill relative to the conveyance of a certain parcel of land in the town of Foxborough to the Foxborough housing authority (House, No. 3938,-- 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. 4481) of Keiko M. Orrall, Christopher M. Markey and Marc R. Pacheco for legislation to establish a sick leave bank for Jamie Mascarello, an employee of the Office of the Commissioner of Probation;

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

Petition (accompanied by bill, House, No. 4482) of James M. Kelcourse and Leonard Mirra for legislation to designate the south bound section of the Interstate 95 bridge between the city of Amesbury and the city of Newburyport as the William Lloyd Garrison bridge;

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

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, on petition (accompanied by bill, Senate, No. 905), a Bill promoting transparency, best practices, and better outcomes for children and communities (Senate, No. 2417).

Order Adopted.

Ms. Spilka offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill promoting transparency, best practices, and better outcomes for children and communities (Senate, No. 2417) shall be placed in the Orders of the Day for a second reading on Tuesday, July, 12, 2016.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 12:00 noon, on Monday, July 11, 2016.

All such amendments shall be second-reading amendments to Senate, No. 2417, 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. Tarr, and the order was considered forthwith and adopted.

The bill will be placed in the Orders of the Day for Tuesday, July 12, for a second reading.

Order Adopted.

On motion of Mr. Tarr,--

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 the same Senator, at twenty-two minutes past eleven o'clock, A.M., the Senate adjourned to meet again on Monday next at eleven o'clock A.M.