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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Tuesday, July 19, 2016.

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

Report of a Committee.

By Mr. Keenan, for the committee on Bonding, Capital Expenditures and State Assets, that the House Bill financing improvements to municipal roads and bridges (House, No. 4424, 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 2447 [Bond authorization: \$185,000,000].

Referred, under Senate Rule 27, to the committee on Ways and Means.

There being no objection, at eleven minutes past eleven o'clock A.M., the Chair (Ms. Forry) declared a recess subject to the call of the Chair; and, at nine minutes before twelve o'clock noon, the Senate reassembled, Ms. Forry in the Chair.

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

Matter Taken Out of the Orders of the Day.

There being no objection, the following matter was taken out of the Orders of the Day and considered as follows:

The Senate Bill authorizing the town of Middleborough to exchange certain parcels of conservation land (Senate, No. 2090, changed),-- **was read a third time.**

Pending the question on passing the bill to be engrossed, Mr. Pacheco presented an amendment in section 2, striking out, in line 8, the word "may" and inserting in place thereof the following word:- "shall".

The amendment was **adopted.**

The bill (Senate, No. 2090, changed and amended) was then passed to be engrossed.

Sent to the House for concurrence.

Reports of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Ellen Atkinson, an employee of the Massachusetts Rehabilitation Commission (House, No. 4100),-- **ought to pass.**

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

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Christopher Mullen, an employee of the Hampshire Sheriff's Office (House, No. 4292),-- **ought to pass.**

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

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Michelle Kannler, an employee of the Department of Public Health (House, No. 4437, amended),-- **ought to pass.**

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

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 Bill to strengthen the anti-human trafficking law (Senate, No. 872) (the committee on Rules having recommended that the bill be amended substituting a new draft with the same title, Senate, No. 2444).

Order Adopted.

Mr. Brownsberger offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill to strengthen the anti-human trafficking law (Senate, No. 872) (the committee on Rules having recommended that the bill be amended by substituting a new draft, Senate, No. 2444) shall be placed in the Orders of the Day for a second reading on Saturday, July 23, 2016. All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Wednesday, July 20, 2016. All such amendments shall be second-reading amendments to the Rules new draft (Senate, No. 2444), 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 will be placed in the Orders of the Day for Saturday, July 23, for a second reading with the amendment pending.

Reports of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill establishing a family and medical leave and temporary disability leave insurance program (printed as House, No. 4351),-- **ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2446) [Estimated cost: this legislation is anticipated to cost the Commonwealth \$2,000,000 in start-up operating costs and approximately \$10,000,000 in capital costs for information technology].**

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 establishing a family and medical leave and temporary disability leave insurance program (printed as House, No. 4351) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft, Senate, No. 2446), shall be placed in the Orders of the Day for a second reading on Saturday, July 23, 2016.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 12:00 noon, on Thursday, July 21, 2016. All such amendments shall be second-reading amendments to Senate, No. 2446, 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 will be placed in the Orders of the Day for Saturday, July 23, for a second reading with the amendment pending.

PAPERS FROM THE HOUSE

Engrossed Bills.

The following engrossed bills (the first of which originated in the Senate), 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. Forry) and laid before the Governor for his approbation, to wit:

Relative to the membership of Berkshire County Regional Housing Authority (see Senate, No. 693);
Relative to school improvement plans (see House, No. 391, amended);

Emergency Preamble Adopted.

An engrossed Bill relative to MBTA fare increases (see House, No. 4492), 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. Forry) and sent to the House to be again enacted.

Engrossed Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor, returning with recommendation of amendment the engrossed Bill relative to the federal REAL ID law (see House, No. 4488), [being the text contained in Section 54 of the General Appropriations Bill (see House, No. 4450)] (for message, see Attachment G of House, No. 4505),— came from the House with an amendment in the form approved by the committee on Bills in the Third Reading as follows:-

“In section 1, in the third paragraph, by adding the following sentence:- “No license of any type may be issued to any person who does not have lawful presence in the United States.”.

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. Ross and the Governor’s amendment was considered forthwith.

On motion of the same Senator, the Governor’s amendment was adopted, in concurrence. (as correct House BTR)

Sent to the House for re-enactment.

Reports of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill further strengthening public safety by reducing unlicensed, uninsured driving by OUI offenders (Senate, No. 1895),-- **same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2445).**

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 further strengthening public safety by reducing unlicensed, uninsured driving by OUI offenders (Senate, No. 1895) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft, Senate, No. 2445) shall be placed in the Orders of the Day for a second reading on Saturday, July, 23, 2016.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 12:00 noon, on Thursday, July 21, 2016.

All such amendments shall be second-reading amendments to Senate, No. 2445, 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 will be placed in the Orders of the Day for Saturday, July 23, for a second reading with the amendment pending.

PAPER FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill relative to the federal REAL ID law (see House, No. 4488), 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. Forry) and sent to the House for re-enactment.

Engrossed Bill.

An engrossed Bill relative to MBTA fare increases (see House, No. 4492) (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 again enacted and signed by the Acting President (Ms. Forry) and again laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Ross,--

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 twenty-nine minutes before two o'clock, P.M., the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.