

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, August 10, 2015.

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

Communication.

Communication from the Norfolk Sheriff's Office Correctional Center relative to corrective actions taken pursuant to a Department of Public Health Inspection of the Dedham Alternative Center. Since no deficiencies were found, no plan of action report is required (received August 10, 2015),-- was placed on file.

Reports.

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

Report of the Department of Public Health (pursuant to Section 25A of Chapter 112 of the General Laws) submitting the Annual Report on the investigatory and disciplinary actions conducted by the MA Board of Registration in Pharmacy (received August 6, 2015);

Report of the Department of Public Health (pursuant to Chapter 313 of the Acts of 2010) submitting an annual summary of the state Fiscal Year 2015 activities related to screening for postpartum depression (copies having been forwarded as required to the Joint Committees on Public Health and Financial Services) (received August 7, 2015); and

Report of the Department of Public Health (pursuant to Sections 25L and 25N of Chapter 111 of the General Laws) submitting the Massachusetts Health Care Workforce Center Annual Report (received August 7, 2015).

Reports of a Committee.

By Mr. Lewis, for the committee on Public Health, on petition (accompanied by bill Senate, No. 1212), a Bill relative to protecting against the transmission of pertussis (Senate, No. 1993);

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

By Mr. Lewis, for the committee on Public Health, on petition (accompanied by bill Senate, No. 1229), a Bill to regulate tanning facilities (Senate, No. 1994);

Read and, under Senate Rule 26, referred to the committee on Rules.

PAPERS FROM THE HOUSE

A Bill establishing a sick leave bank for Michela T. Paone-Stuart, an employee of the Department of Correction (House, No. 3609,-- on petition),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill relative to the composition of the Nantucket Historic District Commission (House, No. 3618, amended,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Report of the committee on Consumer Protection and Professional Licensure asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 267) of John W. Scibak and others relative to access to telemedicine services by allowing certain clinicians to be credentialed and to allow for coverage of such services by all payers and the Medicaid program,- and recommending that the same be referred to the committee on Public Health,-- **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Emergency Preamble Adopted

An engrossed Bill establishing a sick leave bank for Jeremy Bray, an employee of the Department of Correction (see House, No. 3657, amended), 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. Brownsberger) and sent to the House for enactment.**

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 relative to the position of constable in the town of Carver (Senate, No. 1926),-- **was read a third time and passed to be engrossed.**
Sent to the House for concurrence.

Reports of Committees.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Robert McMahan, an employee of the Department of Public Health (Senate, No. 1951),-- **ought to pass, with an amendment by striking out, in line 4, the word "Whenever" and inserting in place thereof the following word:- "If"; and by inserting before the enacting clause 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 public health, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

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. 1951, amended) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

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 Jennifer L. Flanagan for legislation relative to the addresses of time-share owners.

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 Housing.

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 Jennifer L. Flanagan and Michael O. Moore for legislation relative to justice for rape victims.

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 the Judiciary.

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 Joan B. Lovely and Leah Cole for legislation to establish a sick leave bank for Susan Metheny, an employee of the Executive Office of Health and Human Services.

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.

Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE

A petition (accompanied by bill, House, No. 3273) of James J. O'Day and Harriette L. Chandler for legislation to establish a sick leave bank for Robert Aubrey, an employee of the Massachusetts Department of Transportation,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

Engrossed Bill.

An engrossed Bill establishing a sick leave bank for Jeremy Bray, an employee of the Department of Correction (see House, No. 3657, 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 enacted and signed by the Acting President (Mr. Brownsberger) and laid before the Governor for his approbation.

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., and that the Clerk be directed to dispense with the printing of a calendar.

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