

**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.

*Thursday, September 3, 2015.*

Met at three 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).

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

#### *Communications.*

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

Communication from the Office of the Comptroller (pursuant to Section 2E of Chapter 165 of the Acts of 2014) submitting an updated Fiscal Year 2015 transfer schedule for the following account: 1595-1068 Medical Assistance Trust Fund (received August 31, 2015);

Communication from the Department of Public Health (pursuant to Item 4513-1020 of Chapter 165 of the Acts of 2014) submitting the Early Intervention program report for the fourth quarter of FY15; and

Communication from the Honorable Stanley C. Rosenberg, President of the Senate, announcing the re-appointment (pursuant to Section 69 of Chapter 3 of the General Laws) of Senator Patricia D. Jehlen to a two year term on the Commission on the Status of Grandparents Raising Grandchildren.

#### *Reports.*

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

Report of MassDOT (pursuant to Section 65 of Chapter 46 of the Acts of 2013) submitting its report on the status of the use of rights-of-way in the state highway system, the turnpike and the metropolitan highway system (received September 1, 2015); and Report of the Massachusetts Capital Resource Company (pursuant to Section 12 of Chapter 816 of the Acts of 1977) submitting its Annual Report on the current status of said corporation (received September 2, 2015).

#### *Petitions.*

Petitions were severally presented and referred as follows:

Ms. Gobi presented a petition (accompanied by bill) (subject to Joint Rule 12) of Anne M. Gobi and Todd M. Smola for legislation to provide distinctive registration plates for certain veterans who participated in the testing of atomic weapons; **Under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Mr. Rodrigues presented a petition (subject to Joint Rules 12 and 9) of Michael J. Rodrigues, Steven S. Howitt, F. Jay Barrows and James E. Timilty for legislation to authorize the merger of the Annawon Council, Inc. and the Boy Scouts of America into the Narragansett Council, Boy Scouts of America,-- **and the same was transmitted, under the provisions of Section 7 of Chapter 3 of the General Laws, to the Secretary of State.**

*Reports of Committees.*

By Mr. Timilty, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for Susan Metheny, an employee of the Executive Office of Health and Human Services (Senate, No. 1998);  
**Read and, under Senate Rule 27, referred to the committee on Ways and Means.**

By Mr. Timilty, for the committee on Public Service, on petition, a Bill regarding group health insurance for eligible retirees in the town of Carver (Senate, No. 1921) [Local approval received];  
Read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

**PAPER FROM THE HOUSE**

A Bill authorizing the town of Dedham to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3372,-- on House, No. 3193) [Local approval received on House, No. 3193],-- 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 Ms. Gobi) "congratulating the Congregational Church of Holland on the occasion of its two hundredth and fiftieth anniversary"; and  
Resolutions (filed by Messrs. Timilty and Ross) "congratulating Linda Alger on her retirement after 30 years of service to the city of Attleboro."

**PAPERS FROM THE HOUSE**

*Emergency Preambles 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 3 to 0. The bill was signed by the Acting President (Ms. Forry) and sent to the House for enactment.**

An engrossed Bill establishing a sick leave bank for Paula Campbell, an employee of the Trial Court (see House No. 3652, 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 3 to 0. The bill was signed by the Acting President (Ms. Forry) and sent to the House for enactment.**

*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 relative to the appointment of firefighters in the town of Plainville (House, No. 3574),-- **was read a second time.**  
Pending the question on ordering the bill to a third reading, Mr. Ross presented an amendment striking out all after the enacting clause and inserting in place thereof the following text:-  
"SECTION 1. Notwithstanding any general or special law to the contrary, the personnel administrator of the human resources division shall certify Dean M. Casbarra to be eligible for original appointment to the position of firefighter in the town of Plainville according to the grade he received on the examination for firefighter held in April 2014, notwithstanding the maximum age requirement for that position. If Dean M. Casbarra meets all other requirements for certification as a firefighter, the town of Plainville may appoint him to that position.  
SECTION 2. This act shall take effect upon its passage."; and  
By striking out the title and inserting in place thereof the following title:- "AN ACT AUTHORIZING THE APPOINTMENT OF DEAN M. CASBARRA AS A FIREFIGHTER IN THE TOWN OF PLAINVILLE NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENT."  
**The amendment was adopted.**  
**The bill (House, No. 3574), as amended, was then ordered to a third reading, read a third time and passed to be engrossed.**  
**Sent to the House for concurrence in the amendment.**

The Senate Bill amending the Gloucester city charter (Senate, No. 45),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act regulating preliminary elections in the city of Gloucester".**  
**Sent to the House for concurrence.**

The House Bill exempting the position of police chief in the town of Hull from the civil service law (House, No. 3596),-- was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

*Reports of Committees.*

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 Anne M. Gobi and Susannah M. Whipps Lee for legislation to establish a sick leave bank for Roger Sweeney, 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.**

By Mr. Montigny, for the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Robert L. Hedlund for legislation relative to trigeminal neuralgia awareness month;

**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 State Administration and Regulatory Oversight. Severally sent to the House for concurrence.**

**PAPERS FROM THE HOUSE**

A petition (accompanied by bill, House, No. 3750) of William M. Straus and Michael J. Rodrigues for legislation to establish a sick leave bank for Wendy Savary, an employee of the Department of Unemployment Assistance,-- referred in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.

*Engrossed Bills.*

An engrossed Bill validating the actions taken at an annual town meeting and election held in the town of Essex (see House, No. 3559) (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, two-thirds of the members present having voted in the affirmative, and signed by the Acting President (Ms. Forry) and laid before the Governor for his approbation.

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 re-enacted and signed by the Acting President (Ms. Forry) and again laid before the Governor for his approbation.

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 authorization of the retirement board of the city of Westfield to grant a superannuation retirement benefit to Lynda Cavanaugh (see Senate, No. 1920);

Authorizing the appointment of retired police officers as special police officers in the city of Boston (see House, No. 2339);

Authorizing the town of Williamsburg to continue the employment of firefighter Paul Sanderson (see House, No. 3191, amended);

Establishing a sick leave bank for Paula Campbell, an employee of the Trial Court (see House, No. 3652, amended); and

Authorizing the appointment of Dean M. Casbarra as a firefighter in the town of Plainville notwithstanding the Maximum age requirement (see House, No. 3574, amended).

*Order Adopted.*

On motion of Mr. Tarr,--

*Ordered*, That when the Senate adjourn today, it adjourn to meet again on Tuesday 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 a nineteen minutes past twelve o'clock noon, the Senate adjourned to meet again on Tuesday next at eleven o'clock A.M.