

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, December 24, 2015.

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

Reports.

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

Report of the UMass Board of Trustees (pursuant to Section 3 of Chapter 75 of the General Laws) submitting its rules and regulations adopted and/or amended by the Trustees of the University of Massachusetts in 2015 (copies having been forwarded as required to the Governor, the Secretary of Administration and Finance, and the House and Senate Chairs of the committees on Ways and Means) (received December 21, 2015);

Report of the Massachusetts Department of Transportation (pursuant to Section 207 of Chapter 46 of the Acts of 2015) submitting the first annual report of the MBTA Fiscal and Management Control Board (received December 22, 2015);

Report of the Treasurer and Receiver General (pursuant to Section 35QQ of Chapter 10 of the General Laws) submitting its annual report on the Economic Empowerment Trust Fund (formerly the Financial Literacy Trust Fund) (received December 23, 2015);

Report of Mass Development Finance Agency (pursuant to Section 45 of Chapter 23G of the General Laws) submitting its fourth annual report of the Advanced Manufacturing Futures Program (copies having been forwarded as required to the Chair of the Senate Committee on Ways and Means, the Senate Chair of the joint committee on Labor and Workforce Development and the Senate Chair of the joint committee on Economic Development and Emerging Technologies) (received December 23, 2015);

Report of Massachusetts Clean Water Trust (pursuant to Section 17 of Chapter 29C of the General Laws) submitting its annual report of the fiscal year ended in June 30, 2015 (copies having been forwarded as required to the President of the Senate and the Chair of the Senate Committee on Ways and Means) (received December 23, 2015); and

Report of the Springfield Parking Authority (pursuant to Section 8(g) of Chapter 161B of the General Laws) submitting its annual audit report for the fiscal year 2015 (received December 23, 2015).

Petitions.

Petitions were severally presented and referred, as follows:

By Mr. Fattman, a petition (accompanied by bill) (subject to Joint Rule 12) of Ryan C. Fattman and Kevin J. Kuros for legislation relative to the small commercial tax exemption; and

By Mr. Pacheco, a petition (accompanied by bill) (subject to Joint Rule 12) of Marc R. Pacheco and Patricia A. Haddad for

legislation to establish a sick leave bank for Tina Jennings, an employee of the Department of Developmental Services;
Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of Committees.

By Mr. Eldridge, for the committee on Financial Services, on petition (accompanied by bill Senate, No. 557), a Bill to protect access to confidential healthcare (Senate, No. 2081);

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

By Ms. L'Italien, for the committee on Consumer Protection and Professional Licensure, on petition, a Bill authorizing the town of Raynham to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2075) [Local approval received];

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

PAPERS FROM THE HOUSE

Message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to a town meeting held in the town of Rochester (House, No. 3918),-- **was referred, in concurrence, to the committee on Election Laws.**

A Bill establishing an appointed superintendent of streets in the town of Hardwick (House, No. 3865,-- on petition) [Local approval received],-- **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 Mr. Ross) "congratulating Jeffrey Carl Kennan of the town of Sherborn on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Ross) "congratulating Brandon Pereira of the town of Plainville on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Ross) "congratulating Adam Sorel of the town of Plainville on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Ross) "congratulating James Alyanakian Whitaker of the town of Sherborn on his elevation to the rank of Eagle Scout";

Communication.

The Clerk read the following communication:

Commonwealth of Massachusetts
MASSACHUSETTS SENATE

December 23, 2015

Senate President Stanley C. Rosenberg
State House, Room 332
Boston, MA 02133

Dear Senate President Rosenberg,

I am writing today to offer my irrevocable resignation today from the Massachusetts State Senate to be effective January 4, 2016.

I am offering my resignation at this time to provide you, your staff and the Senate to take action you deem necessary or appropriate to plan for filling the vacancy my resignation has created.

It has been an honor and a privilege representing the people of the Plymouth and Norfolk district and providing them the representation in the Massachusetts State Senate.

Personally, I have always appreciated your friendship and collaborating with you. I wish you the best of luck as you continue your journey as President of the Massachusetts State Senate. You should be very proud of all your accomplishments thus far.

Thank you in advance for your consideration and acceptance of this letter.

If you have any questions or comments please do not hesitate to contact me directly at 617-722-1646.

Sincerely,
ROBERT L. HEDLUND
*Massachusetts State Senate
Plymouth and Norfolk District*

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

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 relative to the sale of all alcoholic beverages in certain establishments in the town of Stoneham (House, No. 3375, amended),-- **was read a third time and passed to be engrossed, in concurrence.**

The House Bill authorizing the town of Bedford to grant 8 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3802) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time.**

Pending the question on passing the bill to be engrossed, Mr. Barrett presented an amendment in section 1 by striking out subsections (b) to (d), inclusive, and inserting in place thereof the following 3 subsections:-

“(b) The licensing authority may restrict the licenses issued pursuant to this act to holders of common victualler licenses.

(c) Once issued, the licensing authority shall not approve the transfer of a license granted pursuant to this act to any other location but it may grant a license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(d) If a license granted pursuant to this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant under the same conditions as specified in this act.”

The amendment was adopted.

The bill, as amended, was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

Report of a Committee.

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 authorizing the merger of the Annawon Council, Inc. and the Boy Scouts of America into the Narragansett Council, Boy Scouts of America (Senate, No. 2041).

There being no objection, the rules were suspended, on motion of Mr. Tarr and the bill 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 authorizing the merger of the Annawon Council, Inc., Boy Scouts of America into the Narragansett Council, Boy Scouts of America.”

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

The Senate Bill authorizing the town of Chelmsford to hold licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 1924),-- came from the House passed to be engrossed, in concurrence with an amendment in section 1 by striking out subsections (b) and (c) and inserting in place thereof the following 2 subsections:-

“(b) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Chelmsford may grant to the town hall advisory committee of the town of Chelmsford a license for the sale of all alcoholic beverages to be drunk on the premises at 1A North road pursuant to section 12 of said chapter 138. The license shall be subject to all of said chapter 138 except said section 17.

(c) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Chelmsford may grant to the north town hall advisory committee of the town of Chelmsford a license for the sale of all alcoholic beverages to be drunk on the premises at 31 Princeton street in said town pursuant to section 12 of said chapter 138. The license shall be subject to all of said chapter 138 except said section 17.”.

The rules were suspended, on motion of Mr. Tarr and the House amendment was considered forthwith and adopted, in concurrence (as corrected BTR).

A petition (accompanied by bill, House, No. 3921) of Diana DiZoglio and Kathleen O'Connor Ives for legislation to establish a sick leave bank for Brian Sheehan, an employee of the Middlesex Sheriff's Office,-- was referred in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.

Engrossed Bill.

An engrossed Bill designating the 2nd Sunday in June annually as Massachusetts Race Amity Day (see House, No. 2745, 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. Petruccelli) 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 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 thirteen minutes past eleven o'clock A.M., the Senate adjourned to meet again on Monday next at eleven o'clock A.M.