

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, JUNE 5, 2017.

[52]

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Monday, June 5, 2017.

Met at ten 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.

Pledge of allegiance.

Communication.

Communication from the Senate of the State of Missouri, transmitting Senate concurrent Resolution No. 4, Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government [having been adopted by the Senate of the State of Missouri on April 13, 2017, and by the House of Representatives of the State of Missouri on May 12, 2017],-- was placed on file.

Missouri,— Article V Constitutional convention.

Reports.

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

Report of the State Retiree Benefits Trust Board (pursuant to Section 24(f) of Chapter 32A of the General Laws) submitting its budget for fiscal year 2018 (received June 1, 2017); and

SRBT,-- FY18 budget. SD2221

Report of the Massachusetts Life Insurance Community Investment Initiative, LLC (pursuant to Section 2(e) of Chapter 259 of the Acts of 1998) submitting its 2016 annual report and statement of financial condition (received June 2, 2017).

Life Initiative,-- 2016 annual report. SD2222

Petition.

Mr. Brownsberger presented a petition (accompanied by bill) (subject to Joint Rule 12) of William N. Brownsberger for legislation relative to the A-B-C Stormwater Flooding Board;

Stormwater Flooding Board. SD2223

Referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Report of a Committee.

By Mr. Brownsberger, for the committee on the Judiciary, on petition, a Bill establishing a sick leave bank for Gail Weinberg-Kraus, an employee of the Trial Court (Senate, No. 2044);

Gail Weinberg-Kraus,-- sick leave.

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

PAPERS FROM THE HOUSE.

A message from His Excellency the Governor submitting (under Article LXXXVII of the Amendments to the Constitution) Reorganization Plan Number 2

Reorganization Plan Number 2.

of 2017, relative to reorganizing the information technology function of the Commonwealth to improve data security, safeguard privacy and promote better service delivery (House, No. 3731),-- **was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.**

Bills

Authorizing the town of Charlemont to establish a tax on commercial recreation services (House, No. 2623,-- on petition) [Local approval received];

Charlemont,--
commercial
recreation tax.
Lowell,-- land use.

Authorizing the city of Lowell to use certain municipal land for school purposes (House, No. 3654, changed and amended,-- on petition) [Local approval received]; and

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

Report of the committee on the Judiciary asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3582) of Carmine L. Gentile and others to prohibit certain pharmacy claims fees,-- and recommending that the same be referred to the committee on Health Care Financing,-- **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Pharmacies,--
claims.

Emergency Preambles Adopted.

An engrossed Bill establishing a sick leave bank for Angeline Lee, an employee of the Department of Children and Families (see House, No. 3456), 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.

Angeline Lee,--
sick leave.

The bill was signed by the Acting President (Mr. Brownsberger) and sent to the House for enactment.

An engrossed Bill establishing a sick leave bank for Donald Stuart, an employee of the Department of Correction (see House, No. 3647), 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.

Donald Stuart,--
sick leave.

The bill was signed by the Acting President (Mr. Brownsberger) 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 Senate Bill authorizing the town of Warren to continue the employment of Dennis Desrosiers (Senate, No. 1420),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed.**

Dennis Desrosiers,--
employment.

Sent to the House for concurrence.

UNCORRECTED PROOF.

The Senate Bill exempting certain positions in the police department of the town of Millis from the civil service law (Senate, No. 1452),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.**

Millis,--
civil service law.

The House Bill authorizing the city of Chicopee to lease a certain building (House, No. 2781),-- was read a second time.

Chicopee,--
building lease.

Pending the question on ordering the bill to a third reading, Mr. Welch presented an amendment in section 1, by inserting after the word “contrary”, in line 2, the following words:- “but subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws”.

The amendment was adopted.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment. Sent to the House for concurrence in the amendment.

Reports of Committees.

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 validating actions taken by the town of Templeton at the annual town meeting held on November 9, 2015 (printed in Senate, No. 2064, changed).

Templeton,--
town meeting.

There being no objection, the rules were suspended, on motion of Mr. O’Connor, 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 a s follows: “An Act validating actions taken by the town of Templeton at the special town meeting held on November 9, 2015”.

Sent to the House for 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 validating actions taken by the town of Templeton at the annual town meeting held on May 14, 2016 (printed in Senate, No. 2065).

Id.

There being no objection, the rules were suspended, on motion of Mr. O’Connor, and the bill was read a second time, 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 Michael O. Moore for legislation to exempt residents of the Commonwealth from payment of tuition or mandatory curriculum fees at community colleges.

Community
college,—
tuition and fees.
SD2094

The rules were suspended, on motion of Mr. O’Connor, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Higher Education.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows, to wit:

UNCORRECTED PROOF.

Petition (accompanied by bill, House, No. 3733) of Patricia A. Haddad relative to requiring instruction in cardiopulmonary resuscitation and the use of defibrillators for high school graduation;

High schools,--
CPR/AED
instruction.

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

Petition (accompanied by bill, House, No. 3734) of Paul J. Donato for legislation to establish a sick leave bank for David Senatillaka, an employee of the Department of Correction;

David Senatillaka,--
sick leave.

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

Petition (accompanied by bill, House, No. 3735) of Stephen Kulik relative to providing for the annual observance of the month of March as Massachusetts maple month and designating pure Massachusetts maple syrup as the official sweetener of the Commonwealth;

Maple month.

Under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Engrossed Bills.

The following engrossed bills (both of which originated in the House), 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 (Mr. Brownsberger) and laid before the Governor for his approbation, to wit:

Establishing a sick leave bank for Angeline Lee, an employee of the Department of Children and Families (see House, No. 3456); and

Bills laid before the
Governor.

Establishing a sick leave bank for Donald Stuart, an employee of the Department of Correction (see House, No. 3647).

Order Adopted.

On motion of Mr. O'Connor,--

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.

Time of meeting.

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