

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, JUNE 8, 2017.

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JOURNAL OF THE SENATE.

Thursday, June 8, 2017.

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

Pledge of allegiance.

Petitions.

Petitions were severally presented and referred as follows:

By Ms. Gobi, a petition (accompanied by bill) (subject to Joint Rule 12) of Anne M. Gobi for legislation relative to street rods and custom vehicles; and

Custom vehicles,-- street rods. SD2225

By Mr. Humason, a petition (accompanied by bill) (subject to Joint Rule 12) of Donald F. Humason, Jr. and Nicholas A. Boldyga for legislation to designate a section of state highway route 10 and United States highway route 202 in the town of Southwick as the Purple Heart Trail;

Southwick,-- state highway designation. SD2224

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

Report of a Committee.

By Mr. Moore, for the committee on Higher Education, on Senate, Nos. 697 and 706 and House, Nos. 630, 632 and 648, a Bill relative to sexual violence on higher education campuses (Senate, No. 2081);

Sexual violence,-- higher education campuses.

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

Committee Discharged.

Ms. Gobi, for the committee on Environment, Natural Resources and Agriculture, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 415) of Eileen M. Donoghue, Richard J. Ross, William N. Brownsberger, Ryan C. Fattman and other members of the General Court for legislation to decrease food waste by standardizing the date labeling of food,-- and recommending that the same be referred to the committee on Public Health;

Food waste,-- labeling.

Under Senate Rule 36, the report was considered forthwith and accepted. Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 3737) of James Arciero and Eileen M. Donoghue (by vote of the town) that the town of Westford be authorized to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises;

Westford,-- liquor license.

Petition (accompanied by bill, House, No. 3738) of James Arciero and Eileen M. Donoghue (by vote of the town) that the town of Westford be authorized to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises; and

Westford,-- liquor license.

Petition (accompanied by bill, House, No. 3739) of Paul K. Frost and Michael O. Moore (by vote of the town) that the town of Millbury be authorized to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises;

Millbury,-- liquor license.

Severally, to the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 3725) of Bradley H. Jones, Jr., Bruce E. Tarr and Theodore C. Speliotis (by vote of the town) that the town of Middleton be authorized to elect a moderator for a term of three years and change the annual town meeting day to the third Tuesday in May;

Middleton,-- moderator and town meeting.

To the committee on Election Laws.

Petition (accompanied by bill, House, No. 3732) of Bradley H. Jones, Jr., Jason M. Lewis and James J. Dwyer (by vote of the town) that the town of Reading be authorized to prohibit marijuana establishments other than registered medical marijuana dispensaries;

Reading,--marijuana.

To the committee on Marijuana Policy.

Petition (accompanied by bill, House, No. 3726) of David K. Muradian, Jr., and Michael O. Moore (by vote of the town) that the town of Upton be authorized to enter into an employment contract with the director of public works for up to three years;

Upton,-- director of public works.

To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 3727) of Daniel J. Hunt (with the approval of the mayor and city council) that the city of Boston be authorized to appoint Anthony Verderico, Jr., as police officer, notwithstanding the maximum age requirement;

Boston,-- Anthony Verderico, Jr.

To the committee on Public Service.

The following petition, having been timely filed by 5 o'clock P.M. on January 20, 2017, was referred in concurrence as follows:

Petition (accompanied by bill, House, No. 3742) of Thomas A. Golden, Jr. and others relative to electric vehicles expansion;

Electric vehicles expansion.

To the committee on Telecommunications, Utilities and Energy.

A Bill establishing a sick leave bank for Alison Dejordy, an employee of the Department of Children and Families (House, No. 3715, amended,-- on petition),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Alison Dejordy,-- sick leave.

A Bill relative to the Mohawk Trail Regional school district and the Hawlemont Regional school district (House, No. 2859,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Mohawk Trail Regional school district.

Reports

Of the committee on Children, Families and Persons with Disabilities asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1956) of Kimberly N. Ferguson and others for an investigation by a

Brain Injury Commission.

UNCORRECTED PROOF.

special commission known as the Brain Injury Commission (including members of the General Court) to review data concerning the epidemiology of brain injuries,-- and recommending that the same be referred to the committee on Public Health;

Of the committee on Community Development and Small Business, asking to be discharged from further consideration;

Of the petition (accompanied by bill, Senate, No. 84) of Linda Dorcena Forry, Kevin G. Honan, Barbara A. L'Italien, James B. Eldridge and others for legislation relative to smart growth housing production;

Smart growth housing production.

Of the petition (accompanied by bill, House, No. 127) of Kevin G. Honan and others relative to the regulation of location, dimensions or design of accessory dwelling units; and

Accessory dwelling units.

Of the petition (accompanied by bill, House, No. 128) of Kevin G. Honan and others relative to smart growth housing production;

Smart growth housing production.

And recommending that the same severally be referred to the committee on Housing.

Of the committee on Education asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2877) of David M. Rogers and others that the Department of Elementary and Secondary Education develop a curriculum relative to the safe use of streets and premises open to pedestrians and bicyclists,-- and recommending that the same be referred to the committee on Transportation; and

Pedestrians and bicyclists,-- safety.

Of the committee on Public Safety and Homeland Security asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1245) of Marjorie C. Decker and others for the establishment of a chronic hazard advisory panel to study and make recommendations relative to children's products and upholstered furniture containing certain flame retardants,-- and recommending that the same be referred to the committee on Public Health;

Chronic hazard advisory panel.

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Dean Canada, an employee of the Department of Correction (see Senate, No. 2073), 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.

Dean Canada,-- sick leave.

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

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:-

Resolutions (filed by Ms. L'Italien, Mr. Brady, Ms. Chandler, Ms. Creem, Messrs. Cyr and Eldridge, Ms. Gobi, Ms. Lovely and Messrs. Rush and Timilty) "commending Hebrew SeniorLife, Inc. on its recognition of June 15, 2017 as World Elder Abuse Awareness Day";

Hebrew SeniorLife, Inc.

Resolutions (filed by Ms. Lovely) "congratulating Kendra Clemenzi of the town of Danvers on receiving the Gold Award of the Girl Scouts of America";

Kendra Clemenzi.

UNCORRECTED PROOF.

Resolutions (filed by Ms. Lovely) “congratulating Marissa Clemenzi of the town of Danvers on receiving the Gold Award of the Girl Scouts of America”;	Marissa Clemenzi.
Resolutions (filed by Mr. Ross) “congratulating Qian Long of the town of Wayland on receiving the Silver Award of the Girl Scouts of America”;	Qian Long.
Resolutions (filed by Mr. Ross) “congratulating Rohini Ramesh of the town of Wayland on receiving the Silver Award of the Girl Scouts of America”;	Rohini Ramesh.
Resolutions (filed by Mr. Ross) “congratulating Rosalind Ross of the town of Wayland on receiving the Silver Award of the Girl Scouts of America”;	Rosalind Ross.
Resolutions (filed by Mr. Ross) “congratulating Sabrina Xie of the town of Wayland on receiving the Silver Award of the Girl Scouts of America”;	Sabrina Xie
Resolutions (filed by Mr. Tarr) “commending the Committee of Saint Peter's Fiesta on the ninetieth anniversary of Saint Peter's Fiesta in the city of Gloucester”;	Committee of Saint Peter's Fiesta.
and	
Resolutions (filed by Mr. Tarr and Ms. O’Connor-Ives) “commending Smolak Farms on its ninetieth anniversary.”	Smolak Farms.

PAPERS FROM THE HOUSE.

The House Bill making appropriations for the fiscal year 2017 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3718, amended),-- came from the House with the endorsement that the House had concurred in the Senate amendment <i>with a further amendment</i> by striking out section 7 (inserted by amendment by the Senate).	Supplemental appropriations bill.
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The rules were suspended, on motion of Mr. Tarr, and the further House amendment was adopted, in concurrence.

A petition (accompanied by bill, House, No. 3743) of James M. Cantwell, Patrick M. O'Connor and others relative to civil liability for improper flood hazard determinations,-- was referred in concurrence, under suspension of Joint Rule 12, to the committee on Financial Services.	Flood hazard,-- determinations.
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Engrossed Bills.

The following engrossed bills (both 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. Gobi) and laid before the Governor for his approbation, to wit:

Authorizing the City of Somerville to borrow funds to pay certain costs of the Green Line Extension (see Senate, No. 1139); and	Bills laid before the Governor.
Establishing a sick leave bank for Dean Canada, an employee of the Department of Correction (see Senate, No. 2073).	

Recess.

There being no objection, at eighteen minuets past eleven o’clock A.M., the Chair (Ms. Gobi) declared a recess subject to the call of the Chair; and, at ten minutes past twelve o’clock noon, the Senate reassembled, Ms. Gobi in the Chair.	Recess.
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PAPER FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill making appropriations for the fiscal year 2017 to provide for supplementing certain existing appropriations and for certain other activities	Supplemental appropriations bill.
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and projects (see House, No. 3718, 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 (Ms. Gobi) 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 House Bill authorizing the town of Deerfield to convey a certain parcel of land (printed in House, No. 3670) (its title having been changed by the committee on Bills in the Third Reading),-- was read a third time.

Deerfield land.

Pending the question on passing the bill to be engrossed, Mr. Rosenberg presented an amendment striking out section 1 and inserting in place thereof the following section:-

“SECTION 1. Notwithstanding section 16 of chapter 30B of the General Laws, the town of Deerfield, acting by and through its board of selectmen, may convey to New England Natural Bakers, Inc. a certain parcel of land identified as ‘Lot 2’ on a plan entitled “‘Subdivision Approval Not Required’ Plan of Land in Deerfield, Massachusetts, Prepared for the Town of Deerfield”, dated September 30, 2016 and recorded in the Franklin district registry of deeds at plan book 140 page 41.”

The amendment as 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.

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill making appropriations for the fiscal year 2017 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 3718, 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 (Ms. Gobi) and laid before the Governor for his approbation.**

Bill laid before the Governor.

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.

Time of meeting.

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