

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**MONDAY, JULY 24, 2017.**

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JOURNAL OF THE SENATE.

Monday, July 24, 2017.

Met at seven minutes past eleven o'clock A.M. (Ms. O'Connor Ives in the Chair).

The Chair (Ms. O'Connor Ives), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Reports.

The following reports were severally received and placed on file, to wit: Report of the Department of Transitional Assistance (pursuant to Section 2(o) of Chapter 18 of the General Laws) submitting its Transitional Aid to Families with Dependent Children Work Participation Report(received July 20, 2017); and Report of the Office of the State Auditor (pursuant to Section 17 of Chapter 11 of the General Laws submitting the Bureau of Special Investigations fiscal year 2017 3rd quarter report (received July 20, 2017).

DTA,-- TAFDC work participation report. SD2273 Auditor,-- BSI 3rd quarter report . SD2275

Reports of Committees.

By Mr. Pacheco, for the committee on Global Warming and Climate Change, that the Senate Bill providing for the establishment of a comprehensive adaptation management plan in response to climate change (Senate, No. 472, changed) [Senator Barrett dissenting],-- ought to pass;

Climate change,-- plan.

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

By Ms. L'Italien, for the committee on Consumer Protection and Professional Licensure, on petition, a Bill to provide increased access to hearing aids (Senate, No. 144); and

Hearing aids,-- access.

By the same Senator, for the same committee, on petition, a Bill establishing the licensure of interpreters and oral transliterators for the deaf (Senate, No. 174);

Interpreters,-- licensure.

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

By Mr. Timilty, for the committee on State Administration and Regulatory Oversight, on petition, a Bill providing for the abandonment of a certain water line easement in Revere and Malden (Senate, No. 1676);

Revere and Malden,-- water line easement.

By the same Senator, for the same committee, on petition, a Bill authorizing the transfer of a parcel of land in the city of Taunton (Senate, No. 1754); and

Taunton,-- land transfer.

By the same Senator, for the same committee, on petition, a Bill authorizing the lease of a certain parcel of land to the town of Milton (Senate, No. 1818);

Milton,-- land lease.

Severally read and, under Senate Rule 26C, referred to the committee on Bonding, Capital Expenditures and State Assets.

By Ms. L'Italien, for the committee on Consumer Protection and Professional Licensure, on petition, a Bill protecting the interests of shareholders (Senate, No. 118);

Shareholders,-- protection.

**UNCORRECTED PROOF.**

By the same Senator, for the same committee, on petition, a Bill relative to mobile spas (Senate, No. 148);

Mobile spas,--  
licenses.

By the same Senator, for the same committee, on petition, a Bill requiring licensed auto insurance damage appraisers to provide safety notices to the owners of damaged motor vehicles (Senate, No. 157); and

Appraisers,--  
safety notices.

By the same Senator, for the same committee, on petition, a Bill relative to retail liquor sales to caterers (Senate, No. 171);

Liquor sales,--  
caterers.

**Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.**

By Ms. L'Italien, for the committee on Consumer Protection and Professional Licensure, on petition, a Bill relative to protecting biometric information under the security breach law (Senate, No. 95);

Security breach law.

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

PAPERS FROM THE HOUSE

A message from His Excellency the Governor recommending legislation relative to promoting affordable health care options (House, No. 3829),-- **was referred, in concurrence, to the committee on Health Care Financing.**

Health care,--  
affordable options.

A petition (accompanied by bill, House, No. 3838) of Stephen Kulik and Adam G. Hinds (by vote of the town) that the town of Shelburne be authorized to allow persons sixteen years of age or older to vote in town elections in said town,-- **was referred, in concurrence, to the committee on Election Laws.**

Shelburne,-- voting  
age.

Bills

Authorizing the town of Truro to convey a perpetual trail easement on conservation land to Truro Conservation Trust (House, No. 2424,-- on petition) [Local approval received]; and

Truro,-- easement.

Relative to town meeting members in the town of Burlington (House, No. 2789,-- on petition) [Local approval received];

Burlington,-- town  
meeting members.

**Severally 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. Pacheco) "congratulating Beth Lynn Boersdamm of the town of Middleborough on her achievement of the Girl Scout Gold Award"; and

Beth Lynn  
Boersdamm.

Resolutions (filed by Messrs. Timilty, O'Connor and deMacedo) "congratulating Phyllis Losordo Chapman on her one hundredth birthday."

Phyllis Losordo  
Chapman.

*Communication.*

The Clerk read the following communication:

THE COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE

Senator Barbara A.  
L'Italien-- absence  
from Chamber.

July 19, 2017

William Welch, *Senate Clerk*  
State House, Room 335  
Boston, MA 02119

Dear Senate Clerk,

Due to my attendance at a wake in Dracut I missed the following vote on April 5<sup>th</sup>:

Roll Call #10. Had I been present, I would have voted YES.

Due to my attendance at a legislative conference I missed the following votes on June 22<sup>nd</sup>:

Roll Call #50: Had I been present, I would have voted YES.

Roll Call #51: Had I been present, I would have voted YES.

Roll Call #52: Had I been present, I would have voted YES.

Had I been present for roll call #51 on the passing of

I request that this be printed with the Senate Journal. Please do not hesitate to contact me if you have any questions about this or need any clarification about these votes.

Sincerely,  
BARBARA L'ITALIEN  
*State Senator*  
*Second Middlesex and Essex District.*

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

Ordered printed.

*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 House Bill establishing the first week in August as ice bucket challenge week (House, No. 1697) (the committee on Rules recommending that the bill be amended by inserting before the enacting clause the following emergency preamble:

Ice bucket challenge week.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith Ice Bucket Challenge Week during the first week in August, 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 Rules.**

**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.**

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill relative to sexual violence on higher education campuses (Senate, No. 2081),--ought to pass [Estimated cost: \$1,000,000].

Higher ed campuses,-  
- sexual violence.

**UNCORRECTED PROOF.**

**There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and ordered to a third reading.**

PAPERS FROM THE HOUSE

A Bill protecting sunlight and promoting economic development in the city of Boston (House, No. 3749,-- on petition) [Local approval received],-- was read.

Boston,-- sunlight.

**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, in concurrence.**

*Order Adopted.*

The following House Order was considered forthwith, as follows, to wit:

*Ordered*, the joint committee on Ways and Means and the joint committee on Health Care Financing be authorized to sit jointly for the purposes of conducting a public oversight hearing on Tuesday, July 25, 2017 at 10:00 o'clock A.M., in Gardner Auditorium relative to Medicaid funding and other related matters.

Medicaid funding.

**The rules were suspended, on motion of Mr. Tarr, and the order was adopted, in concurrence.**

*Recess.*

There being no objection, at twenty-two minutes before twelve o'clock noon, the Chair (Ms. O'Connor Ives) declared a recess subject to the call of the Chair; and, at twenty-eight minutes past one o'clock P.M., the Senate reassembled, Mr. Pacheco in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

Recess.

PAPERS FROM THE HOUSE

*Emergency Preamble.*

An engrossed Bill establishing the first week in August as ice bucket challenge week (see House, No. 1697, 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.

Ice bucket challenge week.

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

*Engrossed Bill.*

An engrossed Bill protecting sunlight and promoting economic development in the city of Boston (see House, No. 3749) (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. Pacheco) 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 Wednesday next at one o'clock P.M., in a full formal session without a calendar.

Time of meeting.

**UNCORRECTED PROOF.**

On motion of the same Senator, at twenty-eight minutes before two o'clock P.M., the Senate adjourned to meet again on Wednesday next at one o'clock P.M.