

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, March 10, 2016.

Met at five minutes past eleven o'clock A.M.

The Senator from Essex and Middlesex, Mr. Tarr, then led the President, members, guests and staff in the recitation of the pledge of allegiance to the flag.

Distinguished Guests.

There being no objection, during consideration of the Orders of the Day, the President handed the gavel to Mr. Ross for the purpose of an introduction. Mr. Ross then introduced, in the rear of the Chamber, Dick Cauchi, the Health Program Director at the National Conference of State Legislatures. The Senate welcomed him with applause and he withdrew from the Chamber.

Communications.

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

Communications from the Honorable Stanley C. Rosenberg, President of the Senate, announcing the following appointments:

Senator Anne M. Gobi (pursuant to Section 6C of Chapter 20 of the General Laws) to the Food Policy Council;
Senators Karen E. Spilka and James B. Eldridge (pursuant to Section 233(a) of Chapter 119 of the Acts of 2015) to 495/MetroWest Suburban Edge Communities Commission; and
Kate Martin (pursuant to Section 154(a) of Chapter 96 of the Acts of 2015) to the Commission on Ovarian Cancer;
Communication from the Honorable Richard J. Ross in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Thursday, March 3, 2016 at a quarter past two o'clock P.M.);
Communication from the Middlesex Sheriff's Office relative to a plan of correction in response to a facility inspection January 25, 2016 (received March 7, 2016);
Communication from the Department of Public Health (pursuant to item 4530-9000 of Chapter 46 of the Acts of 2015) submitting its report entitled Teen Pregnancy Prevention Data Collection and Evaluation Pilot: Summary of Findings, FY14-FY15 (received March 10, 2016); and
Communication from the Department of Public Health (pursuant to item 4513-1020 of Chapter 46 of the Acts of 2015) submitting its report entitled Early Intervention SASID (State Assigned Student ID) Project (received March 10, 2016).

Reports.

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

Report of the Special Committee on Marijuana as created by the President of the Senate concerning the policy impacts of legalizing marijuana for recreational use in the Commonwealth (received March 8, 2016); and
Report of the Department of Public Health (pursuant to Sections 25L and 25N of Chapter 111 of the General Laws) submitting its report entitled the Massachusetts Health Care Workforce Center Annual Report (received March 10, 2016).

Petition.

Mr. Moore presented a petition (accompanied by bill) (subject to Joint Rule 12) of Michael O. Moore and Paul Tucker for legislation relative to full disability payments,-- and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of Committees.

By Ms. Gobi, for the committee on Environment, Natural Resources and Agriculture, on Senate No. 422 and House No. 769, a Bill relative to the use of artificial lights in hunting (Senate, No. 422);

By the same Senator, for the same committee, on petition, a Bill for a competitive economy through safer alternatives to toxic chemicals (Senate, No. 453);

By the same Senator, for the same committee, on Senate Nos. 411, 417, 419 and 425 and House Nos. 688, 689, 748 and 3648, a Bill to promote agriculture in the Commonwealth (Senate, No. 2171);

By Mr. McGee, for the committee on Transportation, on petition, a Bill relative to traffic safety (Senate, No. 1813);

By the same Senator, for the same committee, on petition, a Bill relative to addiction education for junior operators (Senate, No. 1819);

By the same Senator, for the same committee, on petition, a Bill relative to school bus driver testing (Senate, No. 1829);

By the same Senator, for the same committee, on petition, a Bill to promote and advance motorcycle safety (Senate, No. 1833);

By the same Senator, for the same committee, on petition, a Bill directing the Massachusetts Department of Transportation to conduct a highway noise study in Quincy (Senate, No. 1842);

By the same Senator, for the same committee, on petition, a Bill authorizing the Department of Highways to include mileage markers on hospital signs (Senate, No. 1847);

By the same Senator, for the same committee, on petition, a Bill to study the feasibility of high-speed rail access between Springfield and Boston (Senate, No. 1849);

By the same Senator, for the same committee, on petition, a Bill to provide for an air bag on-off switch to ensure safety to women, children and individuals with medical conditions (Senate, No. 1854);

By the same Senator, for the same committee, on petition, a Bill promoting road safety (Senate, No. 1889);

By the same Senator, for the same committee, on petition, a Bill providing for a distinctive registration plate for Olympians (Senate, No. 1897);

By the same Senator, for the same committee, on petition, a Bill to provide for the issuance of a distinctive registration plate for congenital heart defects research and treatment (Senate, No. 1898);

By the same Senator, for the same committee, on petition, a Bill relative to the expansion of charitable license plates (Senate, No. 1899);

By the same Senator, for the same committee, on petition, a Bill relative to educational requirements for Class 2 motor vehicle licensees (Senate, No. 1903); and

By the same Senator, for the same committee, on petition, a Bill relative to drivers' license information (Senate, No. 1904);

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

By Ms. Gobi, for the committee on Environment, Natural Resources and Agriculture, on petition, a Bill relative to New England Convenience Stores and Energy Marketers Association (Senate, No. 2096);

By the same Senator, for the same committee, on petition, a Bill preserving public trust rights in land affected by ocean erosion (printed as House, No. 753); and

By Mr. McGee, for the committee on Transportation, on petition, a Bill relative to the transfer of boat registration between family members (Senate, No. 1843);

Severally read and, under Senate Rule 26, referred to the committee on Rules.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4051) of Garrett J. Bradley (by vote of the town) that the town of Hingham be authorized to establish a reserve fund in said town,-- was referred, in concurrence, to the committee on Municipalities and Regional Government.

A Bill relative to the town of Mattapoisett general by-laws (House, No. 3924,-- on petition) [Local approval received],-- was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Reports

Of the committee on Joint Ways and Means, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 3177) of James Arciero, Jonathan D. Zlotnik and Geoff Diehl for legislation to require that fiscal notes be attached to legislation providing unfunded mandates on municipal governments;

Of the petition (accompanied by bill, House, No. 3178) of Jay R. Kaufman and others for legislation to establish a legislative

budget office;

Of the petition (accompanied by bill, House, No. 3179) of Jay R. Kaufman for legislation to require estimated amounts of appropriations for a subsequent fiscal year on appropriation bills;

Of the petition (accompanied by bill, House, No. 3180) of Shaunna L. O'Connell and others for legislation to require the House and Senate committees on Ways and Means to conduct public hearings on proposed legislation to establish, increase or expand taxes or fees;

Of the petition (accompanied by bill, House, No. 3181) of David T. Vieira for legislation to authorize the incurring of liability and expenditures in excess of available appropriations for snow and ice removal; and

Of the petition (accompanied by bill, House, No. 3182) of Timothy R. Whelan, Timothy R. Madden and Bruce E. Tarr relative to the distribution of funds to the Gaming Local Aid Fund and the Local Aid Stabilization Fund;

And recommending that the same severally be referred to the House committee on Ways and Means.

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

Resolutions.

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

Resolutions (filed by Ms. Chandler) "commending the International Essential Tremor Foundation on its recognition of March 2016 as Essential Tremor Awareness Month"; and

Resolutions (filed by Mr. Ross) "congratulating Theodore Joubert on his retirement as Chief of the North Attleborough Fire Department."

PAPERS FROM THE HOUSE

Committee of Conference Report.

A report of the committee of conference of the disagreeing votes of the two branches, with reference to the Senate amendments to the House Bill relative to substance use, treatment, education and prevention (House, No. 3947) (amended by the Senate by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2103) reported, on the residue, the accompanying bill (House, No. 4056),-- came from the House, and was read.

The rules were suspended, on motion of Mr. Fattman, and the report was considered forthwith and accepted, in concurrence.

Communication.

The Clerk read the following communication:

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE

March 8, 2016

William Welch, Clerk
Massachusetts State Senate
State House, Room 334
Boston, MA 02133

Dear Mr. Clerk:

Due to my attendance at a national conference on Criminal Justice Reform held by the State Legislative Leaders Foundation and Loyola University, I was absent from the Chamber on Thursday, March 3, 2016.

Had I been present, I would have voted in the affirmative on the following roll calls:

- Senate Bill, No. 2140, Roll Call 244
- Senate Bill, No. 2142, Roll Call 246
- Senate Bill, No. 1323, Roll Call 247
- House Bill, No. 3969, Roll Call 249

And had I been present I would have voted in the negative on the following roll calls:

- Amendment 5 to Senate Bill, No. 2142, Roll Call 245
- Amendment 4 to Senate Bill, No. 2143, Roll Call 248

I respectfully request that a copy of this letter be printed in the Senate Journal as part of the official records for the next session. Thank you in advance for your attention to this important matter.

Sincerely,
CYNTHIA STONE CREEM
State Senator

On motion of Ms. Flanagan, the above communication was ordered printed in the Journal of the Senate.

Reports of Committees.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Diane Ranno, an employee of the Department of Conservation and Recreation (House, No. 3744),-- **ought to pass.**

There being no objection, the rules were suspended, at the request of Mr. Rush, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Denise Martinez, an employee of the Massachusetts Commission for the Deaf and Hard of Hearing (House, No. 4017, changed and amended),-- **ought to pass.**

There being no objection, the rules were suspended, at the request of Ms. Jehlen, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in 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 Eric P. Lesser and Brian M. Ashe for legislation relative to retirement benefits for Mary Donna Nodurf.

The rules were suspended, at the request of Mr. Montigny, 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 committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Michael J. Barrett and Cory Atkins for legislation to authorize the commissioner of capital asset management and maintenance to convey a certain parcel of land in the town of Concord.

The rules were suspended, at the request of Mr. Montigny, 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.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A Bill designating a certain bridge in the town of Harwich as the U.S. Navy Lieutenant Junior Grade Ralph Wallace Burns Memorial Bridge (House, No. 3801,-- on petition),--**was read.**

There being no objection, the rules were suspended, at the request of Mr. Wolf, and the bill was read a second time and ordered to a third reading.

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

Petition (accompanied by bill, House, No. 4062) benzodiazepines and non-benzodiazepine hypnotics;

Under suspension of Joint Rule 12, to the committee on Mental Health and Substance Abuse

Petition (accompanied by bill, House, No. 4063) of Colleen M. Garry for legislation to authorize the commissioner of Capital Asset Management and Maintenance to convey an easement over a certain parcel of land in the town of Dracut;

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

Engrossed Bills.

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 President and laid before the Governor for his approbation, to wit:

Further regulating certain affordable housing in the East Boston section of the city of Boston (see Senate, No. 1966); and Authorizing the town of Shrewsbury to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 3880, amended).

Orders of the Day.

The Orders of the Day were considered as follows:

Bills

Authorizing the city of Easthampton to grant eight additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2055);

Authorizing one additional license for the sale of all alcoholic beverages to be drunk on the premises and one additional license for the sale of an all alcoholic beverages to be drunk off the premises in the town of West Bridgewater (Senate, No. 2072); Authorizing the town of Becket to establish a parks and recreation committee (Senate, No. 2085); and Increasing the membership of the board of selectmen of the town of Milton from three to five members (Senate, No. 2112); **Were severally read a second time and ordered to a third reading.**

There being no objection, the following matter was taken out of order, and considered as follows:

The Senate Bill relative to State Police Station C-3 (Senate, No. 2060),-- was read a second time. After remarks and pending the question on ordering the bill to a third reading, the bill was amended, as previously recommended by the committee on Ways and Means, substituting a new draft entitled "An Act regulating the closure of state police barracks" (Senate, No. 2154).

The bill (Senate, No. 2154) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

Recess.

At twenty-four minutes past eleven o'clock A.M., at the request of Mr. Tarr, for the purpose of a minority caucus, the President declared a recess; and, at twelve minutes before one o'clock P.M., the Senate reassembled, the President in the Chair.

PAPERS FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill relative to substance use, treatment, education and prevention (see House, No. 4056), 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 President and sent to the House for enactment.

At eight minutes before one o'clock P.M., Mr. Tarr doubted the presence of a quorum. The President having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently, at four minutes before one o'clock P.M., a quorum was declared present

Orders of the Day.

The Orders of the Day were further considered as follows:

The Senate Bill relative to defense against abusive waivers (Senate, No. 958),-- **was read a second time.**

After remarks and pending the question on adoption of the pending amendment, previously recommended by the committee on Ways and Means, substituting a new draft with the same title (Senate, No. 2153), and pending the main question on ordering the bill to a third reading Mr. Tarr moved that the proposed new draft be amended by inserting at the end thereof the following new section:-

"SECTION __. Section 2 of Chapter 251 of the General Laws is hereby amended by adding the following new section:-

(f) An action or proceeding involving an issue subject to arbitration shall require an expedited evidentiary hearing on a dispute as to a material fact before the action or proceeding may continue to arbitration."

After debate, the amendment was *rejected*.

Mr. Tarr moved that the proposed new draft be amended by inserting in the end thereof the following section:-

"SECTION __. Section 192 of chapter 149 shall not prohibit instances where an employer and an employee elect or agree to enter into an arbitration agreement."

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at fourteen minutes past one o'clock P.M., on motion of Mr. Tarr, as follows, to wit (*yeas 5 — nays 29*) **[Yeas and Nays No. 250]:**

YEAS.

deMacedo, Viriato M.

Ross, Richard J.

Fattman, Ryan C.

Tarr, Bruce E. — **5.**

Humason, Donald F., Jr.

NAYS.

Brady, Michael D.

Lesser, Eric P.

Brownsberger, William N.

Lewis, Jason M.

Chandler, Harriett
L.

L'Italien, Barbara A.

Chang-Diaz, Sonia

Lovely, Joan B.

Creem, Cynthia Stone

McGee, Thomas M.

DiDomenico, Sal N.

Montigny, Mark C.

Donnelly, Kenneth J.

Moore, Michael O.

Donoghue, Eileen M.

Pacheco, Marc R.

Downing, Benjamin B.

Rodrigues, Michael J.

Eldridge, James B.

Rush, Michael F.

Flanagan, Jennifer L.

Spilka, Karen E.

Forry, Linda Dorcena

Timilty, James E.

Gobi, Anne M.

Welch, James T.

Jehlen, Patricia D.

Wolf, Daniel A. – **29.**

Keenan, John F.

ABSENT OR NOT VOTING.

Barrett, Michael J.

O'Connor Ives, Kathleen – **3.**

Joyce, Brian A.

**The yeas and nays having been completed at twenty minutes past one o'clock P.M., the amendment was rejected.
The Ways and Means amendment was then adopted.
The bill (Senate, No. 2153) was then ordered to third reading, read a third time and passed to be engrossed.
Sent to the House for concurrence.**

The Senate Bill relative to horse riding instructor's licenses (Senate, No. 2108),-- **was read a second time.**

After remarks and pending the question on adoption of the pending amendment, previously recommended by the committee on Ways and Means, substituting a new draft with the same title (Senate, No. 2155), and pending the main question on ordering the bill to a third reading Messrs. Moore and Rodrigues moved that the proposed new draft be amended in section 1, in proposed section 172N, by adding the following subsection:-

“(b) Notwithstanding section 172 or any other general or special law to the contrary, and except as otherwise provided in subsection (a), the department may disclose, upon a request made by a parent or guardian of a child 18 years of age or under, all criminal record information of a person who purports to be a horse riding instructor for hire, who is not affiliated or contracted with a riding school or a stable licensed pursuant to section 2B of chapter 128 and who may have direct and unmonitored contact with children 18 years of age or under. The department shall obtain written consent from a horse riding instructor for hire prior to disclosing criminal record information to a parent or guardian.”

After debate, the amendment was **adopted.**

The Ways and Means amendment was then adopted, as amended.

The bill (Senate, No. 2155, amended) was then ordered to third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

The Senate Bill relative to larceny (Senate, No. 2132),-- **was read a second time.**

After remarks and pending the question on adoption of the pending amendment, previously recommended by the committee on Ways and Means, substituting a new draft with the same title (Senate, No. 2156), and pending the main question on ordering the bill to a third reading Mr. Keenan moved that the proposed new draft be amended by inserting the following section:-

“SECTION __. Section 37A of chapter 266, as appearing in the 2014 Official Edition, is hereby amended in the definition of ‘credit card’, by inserting after the word ‘name’ in line 7 the following:- ‘, or the code or number used to identify said instrument or device or an account of credit or cash accessed by said instrument or device’; and is hereby further amended by inserting after the word ‘credit’ in line 9 the following:- ‘or by debit from a cash account’.”

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at one minute before two o'clock P.M., on motion of Mr. Keenan, as follows, to wit (*yeas 35 — nays 0*) [**Yeas and Nays No. 251**]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Brady, Michael D.	Lesser, Eric P.
Brownsberger, William N.	Lewis, Jason M.
Chandler, Harriette L.	L'Italien, Barbara A.
Chang-Diaz, Sonia	Lovely, Joan B.
Creem, Cynthia Stone	McGee, Thomas M.
deMacedo, Viriato M.	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	Pacheco, Marc R.
Donoghue, Eileen M.	Rodrigues, Michael J.
Downing, Benjamin B.	Ross, Richard J.
Eldridge, James B.	Rush, Michael F.

Fattman, Ryan C.

Spilka, Karen E.

Flanagan, Jennifer L.

Tarr, Bruce E.

Forry, Linda Dorcena

Timilty, James E.

Gobi, Anne M.

Welch, James T.

Humason, Donald F., Jr.

Wolf, Daniel A. – **35.**

Jehlen, Patricia D.

NAYS – 0.

ABSENT OR NOT VOTING.

Joyce, Brian A.

O'Connor Ives, Kathleen – **2.**

The yeas and nays having been completed at three minutes past two o'clock P.M., the amendment was **adopted**.

Ms. Creem moved that the proposed new draft be amended by inserting at the end thereof the following sections:-

“SECTION XX. Section 23 of chapter 90 of the General Laws, as most recently amended by section 67 of Chapter 27 of the Acts of 2009, is hereby further amended by inserting after the words, ‘not more than \$500’, in the first sentence of the second paragraph the following:- ; provided further, that notwithstanding any general or special law to the contrary, a finding of delinquency shall not be entered against any person against whom such a complaint has been issued.

SECTION XX. The fourth paragraph of section 34J of said chapter 90 of the General Laws, as most recently amended by section 70 of chapter 27 of the Acts of 2009, is hereby further amended by adding at the end thereof the following:- ; provided further, that notwithstanding any general or special law to the contrary, any person who violates this section and has not been previously determined responsible for or convicted therefor, or against whom a finding of delinquency or a finding of sufficient facts to support a conviction has not previously been rendered, shall not have a finding of delinquency entered against him.

SECTION XX. Section 53 of chapter 272 of the General Laws, as most recently amended by section 98 of chapter 27 of the Acts of 2009, is hereby further amended by inserting at the end thereof the following new clause:- (c) Notwithstanding any general or special law to the contrary, any person who violates clause (b) of this section shall not have a finding of delinquency entered against him.”

The amendment was *rejected*.

Ms. Creem moved that the proposed new draft be amended by inserting at the end thereof the following new section:-

“SECTION XX. Section 144 of the chapter 127 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out the word ‘thirty’ and inserting in place thereof the word:- ‘sixty’.”

The amendment was *rejected*.

Recess.

At nine minutes past two o'clock A.M., the President declared a recess, subject to the call of the Chair; and, at three minutes past three o'clock P.M., the Senate reassembled, the President in the Chair.

Orders of the Day.

The Orders of the Day were further considered as follows:

The Senate Bill relative to larceny (Senate, No. 2132),-- **was further considered, the main question being on ordering the bill to a third reading.**

Messrs. Brownsberger and Donnelly moved that the proposed new draft be amended by adding the following new sections:-

“SECTION XX. Section 37B of chapter 266 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended

by striking out, in lines 24 to 25, 29 to 30, 37 to 38 and 45 to 46, the words ‘two hundred and fifty dollars’ and inserting in place thereof, in each instance, the figure:- \$1,500.

SECTION XX. Said section 37B of said chapter 266, as so appearing, is hereby further amended by striking out, in lines 49 to 50, the words ‘five hundred dollars’ and inserting in place thereof the figure:- \$3,000.”

After remarks, the amendment was **adopted**.

Ms. Chang-Diaz moved that the proposed new draft be amended by inserting after section 3 following 3 sections:-

“SECTION 3A. Section 30A of said chapter 266, as so appearing, is amended by striking out, in line 35, the words ‘one hundred dollars’ and inserting in place thereof the following figure:- ‘\$250’.

SECTION 3B. Said section 30A of said chapter 266, as so appearing, is hereby further amended by striking out, in line 42, the words ‘one hundred dollars’ and inserting in place thereof the following figure: ‘\$250’.

SECTION 3C. Said section 30A of said chapter 266, as so appearing, is hereby further amended by striking out, in lines 46 and 47, the words ‘one hundred dollars’ and inserting in place thereof the following figure: ‘\$250’.”

After remarks, the amendment was **adopted**.

Messrs. Tarr, Moore, Timilty, deMacedo, Ross and Fattman moved that the proposed new draft be amended by striking out section 2 and inserting in place thereof the following section:-

“SECTION 2. Said section 30 of said chapter 266, as so appearing, is hereby amended by adding after the word ‘dollars’, in line 15, the following words:- ‘; or, if the value of the property stolen exceeds \$250 but is less than \$500, shall be punished by imprisonment in a jail or house of correction for not more than 1 year or by a fine of not more than \$500; or, if the value of the property stolen exceeds \$500 but is less than \$1,000, shall be punished by imprisonment in a jail or house of correction for not more than 1 year or by a fine of not more than \$1,000; or, if the value of the property stolen exceeds \$1,000 but is less than \$1,500, shall be punished by imprisonment in a jail or house of correction for not more than 1 year or by a fine of not more than \$2,500’.”; and

By inserting after section 3 the following section:-

“SECTION 3A. Said section 30 of said chapter 266, as so appearing, is hereby further amended by adding the following paragraph:-

(6) Law enforcement officers may arrest without warrant any person an officer has probable cause to believe has committed the offense of larceny as defined in this section where the value of the property stolen exceeds \$250.”.

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at nine minutes past three o'clock P.M., on motion of Mr. Tarr, as follows, to wit (*yeas 35 — nays 0*) [**Yeas and Nays No. 252**]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Brady, Michael D.

Lesser, Eric P.

Brownsberger, William N.

Lewis, Jason M.

Chandler, Harriette L.

L'Italien, Barbara A.

Chang-Diaz, Sonia

Lovely, Joan B.

Creem, Cynthia Stone

McGee, Thomas M.

deMacedo, Viriato M.

Montigny, Mark C.

DiDomenico, Sal N.

Moore, Michael O.

Donnelly, Kenneth J.

Pacheco, Marc R.

Donoghue, Eileen M.

Rodrigues, Michael J.

Downing, Benjamin B.

Ross, Richard J.

Eldridge, James B.

Rush, Michael F.

Fattman, Ryan C.

Spilka, Karen E.

Flanagan, Jennifer L.

Tarr, Bruce E.

Forry, Linda Dorcena

Timilty, James E.

Gobi, Anne M.

Welch, James T.

Humason, Donald F., Jr.

Wolf, Daniel A. – **35.**

Jehlen, Patricia D.

NAYS – 0.

ABSENT OR NOT VOTING.

Joyce, Brian A.

O'Connor Ives, Kathleen – **2.**

The yeas and nays having been completed at thirteen minutes past three o'clock P.M., the amendment was adopted.

The Ways and Means amendment was then adopted, as amended.

The bill (Senate, No. 2156, amended) was then ordered to third reading, read a third time and passed to be engrossed [For text of bill, see Senate, No. 2176].

Sent to the House for concurrence.

Matter Taken Out of the Notice Section of the Calendar.

There being no objection, the following matter was taken out of the Notice Section of the Calendar and considered as follows:

The Senate Bill to protect access to confidential healthcare (Senate, No. 2138),-- **was read a third time.**

After debate, the question on passing the bill to be engrossed was determined by a call of the yeas and nays at twenty-two minutes past three o'clock P.M., on motion of Ms. Spilka, as follows, to wit (*yeas 30 — nays 5*) [**Yeas and Nays No. 253**]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Brady, Michael D.

Lesser, Eric P.

Brownsberger, William N.

Lewis, Jason M.

Chandler, Harriette L.

L'Italien, Barbara A.

Chang-Diaz, Sonia

Lovely, Joan B.

Creem, Cynthia Stone

McGee, Thomas M.

DiDomenico, Sal N.

Montigny, Mark C.

Donnelly, Kenneth J.

Moore, Michael O.

Donoghue, Eileen M.

Pacheco, Marc R.

Downing, Benjamin B.

Rodrigues, Michael J.

Eldridge, James B.

Ross, Richard J.

Flanagan, Jennifer L.

Spilka, Karen E.

Forry, Linda Dorcena

Timilty, James E.

Gobi, Anne M.

Welch, James T.

Jehlen, Patricia D.

Wolf, Daniel A. – **30.**

NAYS.

deMacedo, Viriato M.

Rush, Michael F.

Fattman, Ryan C.

Tarr, Bruce E. – **5.**

Humason, Donald F., Jr.

ABSENT OR NOT VOTING.

Joyce, Brian A.

O'Connor Ives, Kathleen – **2.**

The yeas and nays having been completed at twenty-five minutes past three o'clock P.M., the bill was passed to be engrossed.

Sent to the House for concurrence.

Moment of Silence.

At the request of the President, the members, guests and staff stood in a moment of silence and reflection to the memory of Officer Ashley Guindon .

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill relative to substance use, treatment, education and prevention (see House, No. 4056) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage. After remarks, the question on passing it to be enacted was determined by a call of the yeas and nays, at three minutes past four o'clock P.M., on motion of Ms. Spilka, as follows, to wit (*yeas 37 - nays 0*) [**Yeas and Nays No. 254**]:

YEAS.

Barrett, Michael J.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	Pacheco, Marc R.
Donoghue, Eileen M.	Rodrigues, Michael J.
Downing, Benjamin B.	Rosenberg, Stanley C.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 37.
Keenan, John F.	

NAYS – 0.

ABSENT OR NOT VOTING.

Joyce, Brian A. – 1.

The yeas and nays having been completed at six minutes past four o'clock P.M., the bill was passed to be enacted, two thirds of the members present having agreed to pass the same, and it was signed by the President 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.

Adjourn In Memory of Officer Ashley Guindon

The Senator from Hampden, Mr. Welch, moved that when the Senate adjourns today, it adjourn in memory of Officer Ashley Guindon of Woodbridge, Virginia.

Officer Ashley Guindon, age 28, was killed in the line of duty on February 27, 2016 on her first patrol as a police officer, having been sworn in to the Prince William Police Department only the day before.

Officer Guindon was born in Springfield and lived in Agawam before her family settled in Merrimack, New Hampshire. She graduated from Merrimack High School, where she was a cheerleader and a member of Junior ROTC, in 2005, and from Embry-Riddle Aeronautical University in 2011. She served her country for six years in the Marine Corps Reserves, during which time she continued to pursue her interest in aeronautics.

Officer Guindon began her law enforcement career on May 27, 2012 with the Prince William County, Virginia Police Department as an intern with the Special Victims Unit, and graduated with honors from the Police Academy in June of 2015. After taking a short leave of absence, she returned to the Prince William Police Department and was sworn in February 26, 2016.

In addition to her professional accomplishments, Officer Guindon will be remembered for her kindness and compassion, and for her love for animals, fashion, and volunteering in her community.

Officer Guindon is survived by her mother, Sharon Nowak Guindon, and predeceased by her father, David Guindon, an Air National Guardsman who served in Iraq. She also leaves her grandmother, Dorothy Guindon, and many aunts, uncles, and cousins.

Officer Guindon was laid to rest next to her father in West Springfield on March 7, 2016.

Accordingly, as a mark of respect in memory of Officer Ashley Guindon, at seven minutes past four o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.