

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**THURSDAY, JANUARY 19, 2017.**

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JOURNAL OF THE SENATE.

Thursday, January 19, 2017.

Met at five minutes past eleven o'clock A.M. (Ms. Lovely in the Chair).

The Chair (Ms. Lovely), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Communications.

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

Communication from the Honorable Richard J. Ross, Chair of the Republican Party Caucus announcing the unanimous appointment of the Honorable Bruce E. Tarr of First Essex and Middlesex as the Minority Leader in the Senate for the 2017-2018 legislative session;

Minority Leader.

Communication from the Honorable Bruce E. Tarr, Senate Minority Leader, announcing the following Leadership and Senate Committee appointments:

Minority Party appointments.

- Senator Bruce E. Tarr -- Ranking Member of Bills in the Third Reading
Senator Donald F. Humason, Jr. -- Assistant Minority Leader and Ranking Member of Rules
Senator Richard J. Ross -- Assistant Minority Leader and Ranking Member of Ethics
Senator Ryan C. Fattman -- Minority Whip
Senator Patrick M. O'Connor -- Assistant Minority Whip
Senator Viriato M. deMacedo -- Ranking Member of Ways and Means

Communication from the Department of Public Health relative to a plans of correction for Pondville Correctional Center, Norfolk; NCCI Gardner; Essex County Correctional Alternative Center, Lawrence and Souza-Baranowski Correctional Center (received January 13, 2017);

DPH,-- plans of correction. SD714

Communication from the Honorable Joan B. Lovely, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Thursday, January 19, 2017 at a quarter past eleven o'clock A.M.);

Senator Joan B. Lovely,-- Chapter 268A.

Communication from the Honorable Karen E. Spilka, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Thursday, January 19, 2017 at a half past eleven o'clock A.M.);

Senator Karen E. Spilka,-- Chapter 268A.

Communication from the Honorable Viriato M. deMacedo, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Thursday, January 19, 2017 at twenty minutes past twelve o'clock noon);

Senator Viriato M. deMacedo,-- Chapter 268A.

Communication from the Honorable Sal N. DiDomenico, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Thursday, January 19, 2017 at twenty minutes past twelve o'clock noon);

Senator Sal N. DiDomenico,-- Chapter 268A.

Communication from the Honorable Thomas M. McGee, in compliance with

Senator Thomas M.

**UNCORRECTED PROOF.**

Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Thursday, January 19, 2017 at twenty minutes past twelve o'clock noon);

McGee,-- Chapter 268A.

Communication from the Honorable Donald F. Humason, Jr., in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Thursday, January 19, 2017 at twenty minutes past twelve o'clock noon);

Senator Donald F. Humason, Jr.,-- Chapter 268A.

Communication from the Honorable James E. Timilty, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Thursday, January 19, 2017 at twenty minutes past twelve o'clock noon);

Senator James E. Timilty,-- Chapter 268A.

Communication from the Honorable Kenneth J. Donnelly, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Thursday, January 19, 2017 at twenty minutes past twelve o'clock noon);

Senator Kenneth J. Donnelly,-- Chapter 268A.

Communication from the Honorable John F. Keenan, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Thursday, January 19, 2017 at twenty minutes past twelve o'clock noon);

Senator John F. Keenan,-- Chapter 268A.

Communication from the Honorable Eileen M. Donoghue, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Thursday, January 19, 2017 at twenty minutes past twelve o'clock noon);

Senator Eileen M. Donoghue,-- Chapter 268A.

Communication from the Honorable William N. Brownsberger, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Thursday, January 19, 2017 at twenty minutes past twelve o'clock noon); and

Senator William N. Brownsberger,-- Chapter 268A.

Communication from the Honorable Kathleen O'Connor Ives, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Thursday, January 19, 2017 at one o'clock P.M.).

Senator Kathleen O'Connor Ives,-- Chapter 268A.

*Reports.*

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

Report of the Department of Public Health (under the provisions of Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspections of Barnstable County; Dukes County Jail & HOC; MCI Shirley; MCI Plymouth, Pondville Correctional Center; Old Colony Correctional Center; Old Colony Correctional Center Kitchen Core Services; MCI Concord and Hampshire County Jail & HOC (received January 13, 2017);

DPH,-- facility inspections. SD716

Report of the District Attorney for Norfolk County (pursuant to Section 99 of Chapter 272 of the General Laws) submitting its report relative to wiretaps for the calendar year 2016 (received January 17, 2017); and

Norfolk County DA, - wiretaps..SD718

Report of the District Attorney for Cape and Islands (pursuant to Section 6 of Chapter 258B) submitting its Victim/Witness Assistance Program plan (received January 17, 2017).

Cape & Islands DA,-- v/w assistance program plan. SD721

PAPER FROM THE HOUSE.

Notice was received from the House of Representatives announcing the following appointment by the Speaker:

Representative Michlewitz of Boston to the Ride For Hire Task Force

Ride for hire.

**UNCORRECTED PROOF.**

established (under Section 7 of Chapter 187 of the Acts of 2016) to review the current laws, regulations and local ordinances governing licensed hackneys, taxis, livery and transportation network companies in the Commonwealth and to make recommendations concerning public safety, consumer protection and the economic fairness and equity of the regulatory structure governing the ride for hire industry.

*Resolutions.*

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

Resolutions (filed by Mr. Pacheco) “congratulating Margaret ‘Jane’ Donahue on her retirement from the Defense Institute of International Legal Studies.”

Margaret ‘Jane’  
Donahue.

There being no objection, at six minutes past eleven o’clock A.M., the Chair (Ms. Lovely) declared a recess subject to the call of the Chair; and, at eleven minutes past twelve o’clock noon, the Senate reassembled, Ms. Lovely in the Chair.

Recess.

*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.

Time of meeting.

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