

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**WEDNESDAY, NOVEMBER 23, 2016.**

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## JOURNAL OF THE SENATE.

Wednesday, November 23, 2016.

Met at four 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 the pledge of allegiance to the flag.

Pledge of allegiance.

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### *Report.*

Report of the Massachusetts Department of Transportation (pursuant to Section 6(b) of Chapter 6C of the General Laws) submitting its annual performance management report for fiscal year 2016 (received November 22, 2016),-- **was placed on file.**

MassDOT,-- annual report.  
SD2750

### *Petition.*

Ms. O'Connor Ives presented a petition (accompanied by bill, Senate, No. 2508) of Kathleen O'Connor Ives and James M. Kelcourse (with approval of the mayor and city council) for legislation to authorize the city of Amesbury to issue three additional liquor licenses [Local approval received];

Amesbury,-- liquor licenses.

**Referred, under Senate Rule 20, to the committee on Consumer Protection and Professional Licensure.**

**Sent to the House for concurrence.**

## PAPERS FROM THE HOUSE

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

That (under Executive Order 572) Matthew Mincieli of Hingham has been appointed to serve as his designee on the special working group on autonomous vehicles.

Autonomous vehicles,-- working group.

A petition (accompanied by bill, House, No. 4739) of Ronald Mariano and others (with the approval of the mayor and city council) relative to facilitating urban redevelopment in the city of Quincy,-- **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Quincy,-- urban redevelopment.

A Bill renaming the Massachusetts AIDS Fund to be called the State Public Health HIV and Hepatitis Fund (House, No. 3960,-- on House, No. 2448),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

State Public Health HIV and Hepatitis Fund.

### *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 House Bill protecting the rights of custodial and other non-teaching employees of school districts (House, No. 2319),-- **was read a third time and**

Custodial and other non-teaching

**passed to be engrossed, in concurrence, with the amendment.**

**Sent to the House for concurrence in the amendment previously adopted by the Senate.**

employees.

The House Bill authorizing the town of Webster to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4530) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Webster,-- liquor license.

The House Bill relative to the residential exemption (House, No. 4717),-- was read a third time.

Residential tax exemptions.

Pending the question on passing the bill to be engrossed, Mr. Rodrigues presented an amendment inserting before the enacting clause the following emergency preamble:-

*“Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to provide for certain residential exemptions, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.*

**The amendment was 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.

The Senate Bill requiring automated external defibrillators in schools (Senate, No. 2449),-- came from the House passed to be engrossed, in concurrence, with an amendment by striking all after the enacting clause and inserting in place thereof the text contained in House document numbered 4719, amended; and by inserting before the enacting clause the following emergency preamble:

Defibrillators,-- schools.

*“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to require forthwith automated external defibrillator’s in schools, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.*

The rules were suspended, on motion of Mr. Tarr, and the House amendment was considered forthwith.

Mr. Montigny moved that the Senate concur with the House amendment *with a further amendment* in section 1, as inserted by the House amendment, by striking out, in line 3, the word “Each” and inserting in place thereof the following words:- “Notwithstanding section 27C of chapter 29 of the General Laws or any other general or special law to the contrary, each”;

In said section 1, in subsection (b), as so inserted, by striking out the last sentence and inserting in place thereof the following sentence:- “The department of elementary and secondary education, in consultation with the department of public health, shall make available to school districts, vocational districts, charter schools, approved private day or residential schools and collaborative schools a list of grants and other funding sources that are available to facilitate the purchase of AEDs.”;

In said section 1, as so inserted, by striking out subsection (c) and inserting in place thereof the following subsection:-

*“(c) Any person, including an AED provider, who, in good faith, attempts*

to render emergency care under this section shall not be liable for acts or omissions in accordance with section 12V and 12V ½ of chapter 112.”;

In said section 1, as so inserted, by striking out subsection (d) and inserting in place thereof the following subsection:-

“(d) The department of elementary and secondary education shall promulgate regulations and guidelines for the implementation, training, support and supervision of this section and shall collaborate with the department of public health to promulgate such regulations and guidelines.”; and

In section 3, as so inserted, by striking out the words “July 1, 2018” and inserting in place thereof the following words:- “September 1, 2017”.

**The motion was accepted; and the Senate concurred in the House amendment with a further amendment.**

**Sent to the House for concurrence in the further amendment.**

#### PAPERS FROM THE HOUSE

##### *Emergency Preamble Adopted.*

An engrossed Bill authorizing the division of capital asset management and maintenance to grant an easement to the town of Grafton over a certain parcel of land (see Senate, No. 2427, 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 President and sent to the House for enactment.**

Grafton,-- easement..

A Bill establishing a sick leave bank for Theresa Casey, an employee of the Massachusetts Rehabilitation Commission (House, No. 4729,-- on petition),-- was read.

Theresa Casey,-- sick leave.

**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.**

##### *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:

Authorizing the division of capital asset management and maintenance to grant an easement to the town of Grafton over a certain parcel of land (see Senate, No. 2427, amended); and

Bills laid before the Governor.

Providing for nondiscrimination in access to organ transplantation (see House, No. 4332, amended).

##### *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.

**UNCORRECTED PROOF.**

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