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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Thursday, September 8, 2016.

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

Communication

Communication from the Office of the Comptroller (pursuant to Section 5 of Chapter 62F of the General Laws) submitting its letter to certify certain State Tax Revenues for Fiscal Year 2016 (received September 6, 2016),-- was placed on file.

Report

Report of the Massachusetts Life Sciences Center (pursuant to Section 5(e)(2) of Chapter 23I of the General Laws) submitting its report on extension of time to determine certification status of certain life sciences companies (copies having been forwarded as required to the Senate Committee on Ways and Means and the Joint Committees on Economic Development and Emerging Technologies and Revenue (received September 6, 2016),-- was placed on file.

PAPERS FROM THE HOUSE

A Bill establishing a sick leave bank for Irene Carr, an employee of the Division of Professional Licensure (House, No. 4556),-- was read and, under Senate Rule 27, referred to the committee on Ways and Means.

Emergency Preamble Adopted

An engrossed Bill authorizing the conveyance of a certain parcel of land in the town of Grafton for the Massachusetts State Police Museum and Learning Center (see House, No. 3973, 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. Forry) 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. Creem) "congratulating Doctor Paul Daniel Lipsitt on his ninetieth birthday"; and Resolutions (filed by Ms. Lovely, Ms. Gobi and Mr. Welch) "commending Urology Care Foundation for recognizing November 2016 as 'Bladder Health Month'."

Report of a Committee

The following report was laid before the Senate, the time within which the said committee was required to report having expired:---

Of the committee on Public Service, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 2376) of Benjamin B. Downing and Stephen Kulik (by vote of the town) for legislation relative to the provision of health insurance in the town of Huntington.

The rules were suspended, on motion of Mr. Tarr; and, on motion of the same Senator, the petition was recommitted to the Joint Committee on Public Service.

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 relative to preservation of evidence for victims of rape and sexual assault (House, No. 4364),-- **was read a third time.**

Pending the question on passing the bill to be engrossed, Mr. Moore presented an amendment inserting after the second paragraph the following paragraph:-

“A governmental entity that is unable to meet the requirements of the preceding paragraph may request a waiver from the forensic sciences advisory board. Waivers shall be granted to: (i) a governmental entity that lacks the capacity to ensure proper retention or preservation of evidence; and (ii) a local law enforcement agency that consists primarily of intermittent or reserve officers. The waiver shall provide for the retention and preservation of forensic evidence of the requesting governmental entity by the crime laboratory.”.

The amendment was adopted.

Ms. Creem and Mr. Tarr offered an amendment inserting after the word “entity”, in line 8, the following words:- “, including a local law enforcement agency, a district attorney’s office or any other official body of the commonwealth or of a county, city or town,”; and by adding the following 2 sections:-

“SECTION 2. The director of the crime laboratory within the department of state police shall report on the feasibility of and the requirements for establishing a single location or multiple regional locations for the retention and preservation of all forensic evidence collected in the commonwealth. The report and any recommendations shall be filed with the clerks of the senate and the house of representatives, the chairs of the joint committee on the judiciary and the chairs of the house and the senate committees on ways and means not later than January 1, 2018.

SECTION 3. This act shall apply to all forensic evidence collected and retained for its potential evidentiary value in the investigation of a rape or sexual assault, including any such forensic evidence collected and retained before the effective date of this act.”.

After remarks, the amendment was adopted.

The bill (House, No 4364) was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

PAPERS FROM THE HOUSE

A Bill amending the charter of the town of Concord (House, No. 3685,-- on petition) [Local approval received],-- **was read. 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.**

A Bill establishing an appointed Highway Superintendent in the town of Plympton (House, No. 4531,-- on petition) [Local approval received],-- **was read.**

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.

Engrossed Bill.

An engrossed Bill authorizing the conveyance of a certain parcel of land in the town of Grafton for the Massachusetts State Police Museum and Learning Center (see House, No. 3973, 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. Forry) 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.

Moment of Silence.

At the request of the Chair (Ms. Forry), the members, guests and staff stood in a moment of silence and reflection to the memory of John J. "Jack" McGlynn.

Adjourn In Memory of John J. "Jack" McGlynn

The Senator from Essex, Ms. Lovely, and the Senator from Middlesex, Ms. Jehlen, moved that when the Senate adjourns today, it adjourn in memory of John J. "Jack" McGlynn.

John J. "Jack" McGlynn, former Medford Mayor, City Councillor, State Representative, and World War II Ghost Army veteran, died peacefully at home in the company of his family on August 20, 2016. He was 94. Raised on Harvard St in Medford, he was the son of the late Anthony C. and Catherine P. (McCormack) McGlynn.

A graduate of St. Clement High School, Class of 1939, Jack enlisted in the Army in 1942, soon after America's entry into the War. Jack, like many young men of his generation, was nurtured in the austerities of the Great Depression, and was tried and tested in the battlefield of freedom. He served in what became known as the Ghost Army. After basic training, Jack was trained as a cryptographer. He was then selected and trained for a top-secret group, which engaged in psychological warfare and deceptive tactics against the Germans. Once Staff Sergeant McGlynn's unit landed on Utah Beach, they went about the work of creating false radio traffic, dummy equipment depots for fictitious units, and staged mock advances with the help of amplified recordings of tanks and soldiers. This confounded German efforts to hold back the Allied advance and helped hasten the end of the War. Jack earned four combat stars among other commendations for his wartime service. The work of the unit was only recently uncovered. Because of its classified tactics and existence, veterans of the group never spoke of the details of their combat until the information became unclassified.

Jack married the love of his life, Helen (Lenox), just before his departure for Europe. Upon his return from the military and reunion with Helen, they not only began their family, but also a business, McGlynn Florist in Medford, which Jack operated for many years. He also continued his education, earning a Bachelor of Laws from New England School of Law and completing Pre-Legal studies at Northeastern and Suffolk Universities. Jack also embarked on a career in public service, which spanned over 50 years. Again, like many of the men and women who served during the War, Jack continued on a path of service to his fellow citizens. He was first elected to the Medford City Council in 1956, serving until 1977. He was also elected as State Representative, 26 Middlesex District in 1958 serving until 1973. He served as Medford's Mayor, which also included the chairmanship of the School Committee, from 1962 to 1967, 1970 to 1971 and 1976 to 1977. Mayor McGlynn's accomplishments improved the lives Medford's citizens and provided a framework for the City's steady growth and stability. He led the way to build a new Medford High School after the devastating fire of 1965. He pioneered efforts in support of civil rights in the City. He led the way to increase senior citizen housing opportunities. He was instrumental in getting both Hormel Stadium and LoConte Rink built. As a Legislator on Beacon Hill, he introduced and fought for the enactment of the Public Records Law.

Once out of the Legislature, Jack served as Deputy Secretary of State under Paul Guzzi. There, Jack was the driving force behind the construction of a new state archives and record center. Jack served in the Administration of Governor Edward J. King, first as director of Intergovernmental Relations, and then as Chief Secretary to the Governor, managing the Governor's 70 member staff, directing policy and programing for the executive branch, and carrying forward all necessary executive actions in the Governor's absence.

From 1983 to 1997, Jack was Commissioner of the Division of Public Employee Retirement. He oversaw and protected over 100 retirement systems and ensured the consistent application of public retirement laws. He implemented safeguards against retirement fraud and implemented programs to assist injured workers in rehabilitation and return to the workforce. From 1998 until his retirement, Jack was a Special Sheriff in Middlesex County and established community counseling centers in Cambridge and Lowell to assist those on probation to reintegrate into their communities.

A disabled veteran, Jack was a member of the Disabled American Veterans, American Legion, and the Veterans of Foreign Wars. He strongly advocated as a Mayor, Councillor and Representative, for the promotion of veteran's rights and benefits.

A onetime candidate for Lieutenant Governor, Jack was active in the campaigns of many local state and national candidates. He was a friend, supporter and organizer for President John F. Kennedy. As a member of the Board of Directors and as Chairman of the Medford Co-operative Bank, he advocated for the common man and made sure people could receive reasonable mortgage rates to buy homes.

The beloved husband of the late Helen (Lenox) McGlynn, Jack is the devoted father of: Attorney Jack McGlynn, Jr. and his wife Attorney Diane McGlynn of Ipswich; Attorney Dick McGlynn and his wife Paula, Karen McGlynn Devine, Former Mayor Michael J. McGlynn and his wife Sheila, Bernadette Davis and her husband Jon, all of Medford; and Kevin B. McGlynn of New York City. He leaves his loving grandchildren: Stacey Stone and her husband Donnie; Colleen Moody and her husband Craig; Annie Walsh and her husband Former Representative Steve Walsh; Richard; Michael and his wife Jessica; and John McGlynn; Kristina Devine Pycz and her husband Patrick; Jeffrey Devine; Kathleen Brady and her husband Attorney William Brady;

Jennifer Belanger and her husband Aaron; Amanda McGlynn and her fiancé Patrick Collins; Jonathan and Kaitlyn Davis. He was a loving and proud great-grandfather to Jack, Margaret and Claire Stone; Buckley “Bo” and Traigh Moody; Coley, Myles, Maeve and Brigid Helen Walsh; Cameron and Brennan Belanger; Helen, Catherine and Nora Brady; and the late CJ Moody. Jack also was a dear brother to Jacqueline Raimo and her late husband Frank; Richard McGlynn and his wife Betty; Maureen McGillicuddy and her husband Gene; the late Claire Valente and her late husband James; and also many nieces and nephews.

Accordingly, as a mark of respect in memory of John J. “Jack” McGlynn, twenty-seven minutes to noon, on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o’clock A.M.