

**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.

*Tuesday, January 21, 2014.*

Met at two minutes past eleven o'clock A.M. (Mr. Petrucci 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 (Mr. Petrucci), members, guests and staff then recited the pledge of allegiance to the flag.

#### *Distinguished Guests.*

There being no objection, the Chair (Mr. Petrucci) handed the gavel to Mr. Ross for the purpose of an introduction. Mr. Ross then introduced, in the rear of the Chamber, the fourth grade class from Hingham Elementary School. The class was on a field trip to the State House learning about the different aspects of state government. They were led by their teacher, Ms. Fahey. The Senate welcomed them with applause and they withdrew from the Chamber. They were also guests of Senator Hedlund and Representative Bradley of Hingham.

#### *Report.*

Report of the District Attorney of Essex County (under the provisions of Section 99 of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2013 (received January 17, 2014),-- **was read and sent to the House for its information.**

#### *Petition.*

Mr. Richard T. Moore presented a petition (subject to Joint Rule 12) of Richard T. Moore and Ryan C. Fattman for legislation to authorize the Wilkinsonville Water District to convey a certain parcel of land,-- **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

#### *Reports of Committees.*

By Mr. Joyce, for the committee on Bonding, Capital Expenditures and State Assets, that the Senate Bill to authorize the Department of Fish and Game to exchange the release of a conservation restriction held over certain property in the town of Winchendon for the conveyance of other property in the same town (Senate, No. 1455),-- **ought to pass; Under Senate Rule 27, referred to the committee on Ways and Means.**

By Mr. Joyce, for the committee on Bonding, Capital Expenditures and State Assets, that the House Bill encouraging the improvement, expansion and development of military installations in the Commonwealth (House, No. 3736),-- **ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of the Senate document numbered 1982;**

**Under Senate Rule 27, referred to the committee on Ways and Means, with the amendment pending.**

By Mr. Barrett, for the committee on Children, Families and Persons with Disabilities, on petition, a Bill to require child and parent involvement in permanency and placement planning (Senate, No. 20); and  
By Mr. Brownsberger, for the committee on the Judiciary, on petition, a Bill to establish a sick leave bank for Richard Maynard, an employee of the Trial Court (Senate, No. 1974);  
**Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.**

#### **PAPERS FROM THE HOUSE**

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 3852) of Nicholas A. Boldyga and Donald F. Humason, Jr., (by vote of the town) that the town of Southwick be authorized to reinstate Richard L. Cross as a reserve police officer in said town; and  
Petition (accompanied by bill, House, No. 3853) of Nicholas A. Boldyga and Donald F. Humason, Jr., (by vote of the town) that the town of Southwick be authorized to reinstate Kenneth G. Laxton as a reserve police officer in said town;

**Severally, to the committee on Public Service.**

#### *Resolutions.*

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

Resolutions (filed by Ms. Flanagan) “congratulating Leon J. Zlotnik on his ninetieth birthday.”

#### *Communication.*

The Clerk read the following communication:

COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE  
OFFICE OF THE ASSISTANT MAJORITY LEADER

*January 23, 2014*

The Honorable William F. Welch  
Senate Clerk  
State House, Room 335  
Boston, MA 02133

Dear Mr. Clerk,

On January 16, 2014, due to a prior commitment I was regretfully absent from the chamber for the beginning of the formal session. Had I been present, I would have voted in the affirmative on the following amendment:

- Amendment #3, Allowing Citizens Seventeen Years of Age to Vote in the City of Lowell Municipal Elections  
– RC #233 [30 – 7]

I respectfully request that this communication be printed in the Senate Journal. Thank you in advance for your assistance in this matter.

*Sincerely,*  
HARRIETTE L. CHANDLER

On motion of Ms. O'Connor Ives, the above communication was ordered printed in the Journal of the Senate.

#### *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 exempting David Eddy from the Maximum Age Requirement For Firefighters in the City of Methuen (House, No. 2226),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to water service in the town of Somerset (House, No. 3618, amended),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

#### *Report of a Committee.*

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Maria A. DeCoste, an employee of the Department of Transitional Assistance (Senate, No. 1969),-- **ought to pass, with an amendment substituting a new draft entitled “An Act establishing a sick leave bank for Maria A. DeCoste, an employee of the office of Medicaid” (Senate, No. 1983).**

**There being no objection, the rules were suspended, on motion of Mr. Timilty, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.**

**The bill (Senate, No. 1983) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.**

#### **PAPERS FROM THE HOUSE**

A petition (accompanied by bill, House, No. 3865) of John J. Binienda relative to the commitment for observation of criminal defendants requiring strict security,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on the Judiciary.**

#### *Engrossed Bills.*

The following engrossed bills (all of which originated in the House), 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 Acting President (Mr. Petruccelli) and laid before the Governor for his approbation, to wit:

Authorizing the town of Belmont to grant licenses for the sale of alcoholic beverages not to be drunk on the premises (see House, No. 3656);

Establishing the position of town administrator in the town of Belmont (see House, No. 3657); and

Authorizing the town of Belmont to grant licenses for the sale of wines and malt beverages to be drunk on the premises (see House, No. 3780, amended).

#### *House Order Adopted.*

The following House Order (approved by the House committee on Rules) was considered forthwith, as follows, to wit:

*Ordered*, That a convention of the two branches be held at a quarter before seven o'clock P.M., on Tuesday, January 21, 2014, for the purpose of receiving such communication as the Governor, Deval L. Patrick may be pleased to make to them relating to the concerns of the Commonwealth.

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

#### *Moment of Silence.*

At the request of the Chair (Mr. Petruccelli) the members, guests and staff stood in a moment of silence and reflection to the memory of Sam Berns of Foxborough.

#### *Time of Meeting.*

On motion of Mr. Timilty,--

*Ordered*, That when the Senate adjourns today, it adjourn to meet again on Thursday next at one o'clock P.M., in a full formal session with a calendar.

#### *Adjourn In Memory of Sam G. Berns*

The Senator from Bristol and Norfolk, Mr. Timilty, moved that when the Senate adjourns today, it do so in memory of Sam G. Berns of Foxborough.

Sam passed away on Friday, January 10, 2014 at his home in Foxborough after his lifelong battle with Hutchinson-Gilford Progeria Syndrome, also known as Progeria.

Sam was born on October 23, 1996 to parents Dr. Leslie Gordon and Dr. Scott Berns. A straight-A student at Foxborough High School, Sam achieved high honors in his junior year and was recently selected to be a member of the National Honor Society. Sam will be remembered for being an avid sports and music fan, becoming friendly with the New England Patriots, the Boston Bruins, and the Dave Matthews Band in his later years. With an aptitude for playing the drums, Sam secured a place as the percussion section leader in the Foxborough High School marching band. On June 2, 2013, Sam earned the Boy Scouts of America's highest rank, the Eagle Scout, after completing his service project designing and posting a billboard on a major state highway to raise awareness of Progeria.

Sam was diagnosed with Progeria at the age of 22 months, a rare genetic condition which accelerates the aging process in children. In 1999, his parents founded the Progeria Research Foundation to address the lack of progress being made for the estimated 250 children affected by the condition worldwide. Their commitment and determination enabled the Progeria Research Foundation to make great achievements in their research, isolating the Progeria gene in 2003, initiating the first-ever clinical drug trials in 2007, and discovering the first treatment for Progeria in 2012. To date, the Progeria Research Foundation remains the only organization in the world solely dedicated to the mission of finding treatments and the cure for Progeria and its aging-related disorders.

Sam was a highlighted speaker at TEDxMidAtlantic 2013 and his story was the subject of the HBO documentary Life According to Sam, which premiered to help raise awareness of Progeria.

The lasting impact of Sam's life far outweighs the seventeen years he spent on Earth. Sam will long be remembered for his courage, spirit, kindness and love and will continue to inspire many for years to come.

Accordingly, as a mark of respect in memory of Sam G. Berns, at twenty-five minutes past eleven o'clock AM, on motion of Mr. Timilty, the Senate adjourned to meet again on Thursday next at one o'clock P.M.