

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.

Monday, September 16, 2013.

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

Communication.

A communication from the Honorable Therese Murray, President on the Senate, announcing the appointment (under the provisions of Section 183 of Chapter 38 of the Acts of 2013) of Senator Gale D. Candaras to the Special Commission on the economic impact of the illegal tobacco market in the Commonwealth,-- **was placed on file.**

Report.

A report of the Massachusetts Department of Transportation (pursuant to Section 79 of Chapter 46 of the Acts of 2013) submitting its report on revenues collected through the use of sponsorship agreements,-- **was placed on file.**

Petition.

Mr. Timilty presented a petition (subject to Joint Rule 12) of James E. Timilty and Louis L. Kafka for legislation to establish a sick leave bank for Joshua Rocha, an employee of the Department of Correction,-- **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Reports of a Committee.

By Mr. Brownsberger, for the committee on Public Service, on petition, a Bill to establish a sick leave bank for Marianne McVarish, an employee of the Department of Public Health (Senate, No. 1862); and

By the same Senator, for the same committee, on petition, a Bill to establish a sick leave bank for Tina Giangregorio, an employee of the highway division of the Massachusetts Department of Transportation (Senate, No. 1863);

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

PAPERS FROM THE HOUSE

A report of the committee on Economic Development and Emerging Technologies, recommending that the Message from His Excellency the Governor relative to the "Tribal State Compact between the Mashpee Wampanoag Tribe and the Commonwealth of Massachusetts" (House, No. 3375) be placed on file,-- **came up accepted by the House.**

Under Senate Rules 36, the report was considered forthwith and accepted in concurrence.

Bills

Authorizing the town of Norfolk to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 307, amended,-- on petition) [Local approval received];

Authorizing the town of Westborough to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3471, changed,-- on petition) [Local approval received];
Providing for recall elections in the town of Middlefield (House, No. 3495, amended) [Local approval received];
Relative to the disposal of property known as the Nobscot Chapel in the town of Framingham (House, No. 3512) [Local approval received];
Authorizing the town of Concord to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 3615) [Local approval received]; and
Authorizing the town of Natick to grant a license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3616) [Local approval received];

Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session

A report of the committee on Education asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3292) of Kate Hogan and others for legislation relative to the Massachusetts center for the book,-- **and recommending that the same be referred to the committee on Tourism, Arts and Cultural Development,- was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Resolutions.

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

Resolutions (filed by Ms. Chandler, Messrs. Brewer and Eldridge, Ms. Flanagan and Mr. Michael O. Moore) "congratulating Quinsigamond Community College on the occasion of its fiftieth anniversary."

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 amending the charter for the town of Randolph (House, No. 3439),-- **was read a third time.**

Pending the question on passing the bill to be engrossed, Mr. Joyce presented an amendment in section 5, in line 71, by striking out the words "state secretary" and inserting in place thereof the following words:- "town attorney"; and by adding the following section:-

"SECTION 6. This act shall take effect upon its passage."

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.

The House Bill validating the actions taken by assistant tax collector, Rosemarie Driscoll, in the town of Weymouth (House, No. 3446),-- **was read a third time and passed to be engrossed, in concurrence.**

Report of Committees.

By Mr. Rosenberg, for the committees on Rules of the two branches, acting concurrently, that Joint Rules 12 and 9 be suspended on the Senate petition of Sal N. DiDomenico for legislation to exempt a certain parcel of land in the Charlestown portion in the city of Boston from any designated port area.

Senate Rule 36 was suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rules 12 and 9 was suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture.

Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 3652) of James J. O'Day (by vote of the town) relative to affordable housing in the town of West Boylston; and

Petition (accompanied by bill, House, No. 3653) of James J. O'Day relative to the calculation of affordable housing units by municipalities;

Severally to the committee on Housing.

Petition (accompanied by bill, House, No. 3648) of Randy Hunt and Daniel A. Wolf that the West Barnstable Fire District be authorized to fund library services for the Whelden Memorial Library; and

Petition (accompanied by bill, House, No. 3650) of Brian S. Dempsey relative to the incorporation of the Greater Haverhill Foundation;

Severally to the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 3654) of Denise Provost and others (with the approval of the mayor and city council) that the city of Somerville be authorized to retire Mario Oliveira, a police officer of said city;

To the committee on Public Service.

Petition (accompanied by bill, House, No. 3651) of Paul J. Donato and Patricia D. Jehlen for legislation to authorize the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the city of Medford for municipal purposes;

To the committee on State Administration and Regulatory Oversight

Petition (accompanied by bill, House, No. 3649) of Kathi-Anne Reinstein, Robert A. DeLeo and Anthony W. Petrucci for legislation to designate a certain bridge in the city of Revere as the Rita Singer Bridge;

To the committee on Transportation.

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Kathleen Meinhofer, an employee of the Department of Children and Families (see Senate, No. 1285, 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. Donoghue) and sent to the House for enactment.

Engrossed Bills.

The following engrossed bills (the first three 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 Acting President (Ms. Donoghue) and laid before the Governor for his approbation, to wit:

Limiting the number of terms served by the President of the city council of the city of Holyoke (see Senate, No. 956);

Further regulating dogs in the town of Wareham (see Senate, No. 965);

Authorizing the town of Nahant to issue certain bond anticipation notes (see Senate, No. 1786);

Relative to health insurance for elected officials in the town of Harwich (see House, No. 1872); and

Relative to the capital investment fund of the town of Sterling (see House, No. 3357).

Order Adopted.

On motion of Mr. Tarr,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday 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 William "Bill" Taylor of Franklin.

The Senator from Middlesex and Norfolk, Ms. Spilka, and the Senator from Norfolk, Bristol and Middlesex, Mr. Ross, moved that when the Senate adjourns today, it do so in memory of William "Bill" Taylor of Franklin.

Bill Taylor died on August 22, 2013, at age 61, after a battle with esophageal cancer. He was the President and CEO of Advocates Inc. for over 30 years. He was also a board member of the Provider's Council, the Association for Behavioral Health, and the Association of Developmental Disabilities Providers. Bill Taylor had two loves in his life: his family and his life's work in the human services community. He was a tireless advocate on behalf of people with disabilities as well as their caregivers. Bill was a firm believer in the value of every single life. He was genuine, he was kind, and he had a heart of gold. Bill is survived by his wife, mother, three children, and three grandchildren.

Accordingly, as a mark of respect to the memory of William "Bill" Taylor, at twenty-one minutes past eleven o'clock A.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.