

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..

Thursday, September 18, 2014.

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

Distinguished Guests.

There being no objection, the Chair (Ms. Spilka) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced, in the rear of the Chamber, a group of sophomores and juniors from St. Kevin's College in Melbourne, Australia. The students were on a school trip to Boston and learning about the different aspects of state government. The Senate welcomed them with applause and they withdrew from the Chamber. They were accompanied by Mary Hardwick. They were also guests of Representative Hill.

Communications.

The following communications were severally received and placed on file:

Communications from the Honorable Therese Murray, President of the Senate, announcing the following appointments: Senator John F. Keenan to the Special Commission established (pursuant to Section 272 of Chapter 165 of the Acts of 2014) to make an investigation and study relative to aphasia; Senator Karen E. Spilka to the Special Commission established (pursuant to Section 47 of Chapter 260 of the Acts of 2014) to make an investigation and study on housing and shelter options available to victims of domestic violence and sexual violence; Senator John F. Keenan to the Special Commission established (pursuant to Section 42 of Chapter 258 of the Acts of 2014) to make an investigation and study of the development of criteria for mandated treatment or monitoring of nonviolent offenders with substance addictions; Senator Michael J. Barrett to the Special Commission established (pursuant to Section 1 of Chapter 226 of the Acts of 2014) to make an investigation and study of Autism; and Senator Jennifer L. Flanagan (pursuant to Section 43 of Chapter 258 of the Acts of 2014) to the Massachusetts Interagency Council on Substance Abuse.

Report.

Report of the Department of Unemployment Assistance (under the provisions of Section 14F of Chapter 151A of the General Laws) submitting a report on the Unemployment Insurance Trust Fund through July 31, 2014 (received September 15, 2014),--
was placed on file.

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 2363) of Mark C. Montigny and Christopher M. Markey (by vote of the town) for legislation to authorize the appointment of special police officers in the town of Dartmouth [Local approval received];

**Under Senate Rule 20, to the committee on Public Service.
Sent to the House for concurrence.**

By Mr. Donnelly, a petition (subject to Joint Rule 12) of Kenneth J. Donnelly and David M. Rogers for legislation to establish a sick leave bank for Joseph Quinn, an employee of the Trial Court;

Under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Report of a Committee.

By Mr. Brownsberger, for the committee on the Judiciary, on petition, a Bill relative to accosting and annoying (Senate, No. 2362);

Read and, under Senate Rule 26, referred to the committee on Ethics and Rules.

PAPER FROM THE HOUSE

Bills

Authorizing the town of Hudson to grant additional licenses for the sale of alcoholic beverages to be drunk on the premises in the Highland Commons (House, No. 4411,-- on House, No. 4313) [Local approval received on House, No. 4313]; and
Authorizing the town of Hudson to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4412,-- on House, No. 4314) [Local approval received on House, No. 4314];

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

Resolutions.

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

Resolutions (filed by Mr. Timilty) “recognizing Cornelius Vincent Harrington for his selfless volunteerism and many years of service to the town of Rehoboth”; and

Resolutions (filed by Mr. Timilty) “honoring Fire Chief Alan Jack on the occasion of his retirement.”

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 Senate Bill authorizing the town of Freetown to pay a certain unpaid bill (Senate, No. 2353),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed.**

Sent to the House for concurrence.

The Senate Bill establishing a gaming revenue stabilization fund in the town of Plainville (Senate, No. 2354),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed.**

Sent to the House for concurrence.

The House Bill relative to certain municipal salaries in the city of Lynn (House, No. 4335),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Reports of Committees.

Mr. Rosenberg, for the committee on Ethics and Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The House Bill validating the results of a certain election held in the town of Lancaster (printed in House, No. 4331).

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.

PAPERS FROM THE HOUSE.

The Senate Bill establishing the MetroWest commission on the status of women and girls (Senate, No. 1920),-- came from the House passed to be engrossed, in concurrence with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4356; and by striking out the title and inserting in place thereof the following title: “An Act establishing the MetroWest commission on the status of women.”.

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

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 (Ms. Spilka) and laid before the Governor for his approbation, to wit:

Authorizing the town of Dartmouth to establish an enterprise fund (see House, No. 3623);
Granting an additional license for the sale of alcoholic beverages in the town of Milton (see House, No. 4191, amended);
Establishing a sick leave bank for Kathleen Restuccia, an employee of the Trial Court (see House, No. 4381, amended); and
Establishing a sick leave bank for Michael J. Macuch, an employee of the Department of Correction (see House, No. 4407, amended).

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Tracy Longvall-Rivera, an employee of the Department of Youth Services (see House, No. 3904), 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. Spilka) and sent to the House for enactment.

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 (Ms. Spilka) and laid before the Governor for his approbation, to wit:

Relative to the collector of taxes in the town of Blandford (see House, No. 4170);
Authorizing the town of Southborough to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 4311); and
Authorizing the town of Southborough to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 4312).

Report of Committees.

By Mr. Rosenberg, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Michael O. Moore for legislation to establish a sick leave bank for Emily Coollick-Burgess, an employee of the Massachusetts Rehabilitation Commission.

Senate Rule 36 was suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Public Service. Sent to the House for concurrence.

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.

Adjourn In Memory of Army Specialist Brian K. Arsenault

The Senator from Worcester, Ms. Chandler, moved that when the Senate adjourns today, it do so in memory of Army Specialist Brian K. Arsenault of Northborough.

Brian K. Arsenault, of Northborough, was valiantly killed in action on Thursday, September 4, 2014 at the age of 28 while serving with Company B, 1st Battalion 504th Parachute Infantry Regiment, 1st Brigade Combat Team, 82nd Airborne Division in Ghazni, Afghanistan.

An excellent athlete, Specialist Arsenault played varsity hockey for four years while attending Algonquin Regional High School.

He completed U.S. Army Basic Training and Infantry School at Fort Benning, Georgia in 2011, and graduated from Airborne School at Fort Benning and was then assigned to his current unit in 2012.

The Bronze Star, Purple Heart, Army Commendation Medal, Combat Infantry Badge, National Service Medal, Afghanistan Service Medal and numerous others have been awarded to Specialist Arsenault.

He is survived by his loving parents, Daniel W. and Leslie (Sebastian) Arsenault and beloved sister, Lindsey Beth Arsenault, all of Northborough. He also leaves many aunts, uncles, cousins and extended family which include a large group of close friends, many since preschool.

Accordingly, as a mark of respect in memory of Army Specialist Brian K. Arsenault at twenty-one minutes past eleven o'clock A.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.