

**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 25, 2014.

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

#### *Communication.*

Communication from Martin J. Benison, Comptroller, (pursuant to Section 172(b) of Chapter 38 of the Acts of 2013 and Section 259(b) of Chapter 165 of the Acts of 2014) relative to Stabilization Fund transfers for FY2014 and FY2015 (received September 25, 2014),-- **was placed on file.**

#### *Reports of a Committee.*

By Mr. Lewis, for the committee on Public Service, on petition, a Bill to establish a sick leave bank for Christopher Johnson, an employee of the Department of Correction (Senate, No. 2371);  
By the same Senator, for the same committee, on petition, a Bill to establish a sick leave bank for Norma Brown, an employee of the Department of Youth Services (Senate, No. 2372); and  
By the same Senator, for the same committee, on petition, a Bill to establish a sick leave bank for Emily Coollick-Burgess, an employee of the Massachusetts Rehabilitation Commission (Senate, No. 2373);  
**Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.**

### PAPER FROM THE HOUSE

#### *Bills.*

Authorizing the town of Whately to continue the employment of Donald Dufault and John DuBois (House, No. 4222, amended,-- on petition) [Local approval received]; and  
Establishing the position of town administrator in the town of Fairhaven (House, No. 4478,-- on House, No. 4129) [Local approval received on House, No. 4129];  
Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

#### *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 designating the last Tuesday of May as Southbridge Lions Club Bow Ties For Esophageal Cancer Awareness Day (House, No. 4205).

**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.**

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 Kenneth J. Donnelly and David M. Rogers for legislation to establish a sick leave bank for Joseph Quinn, an employee of the Trial Court.

**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 Judiciary. Sent to the House for concurrence.**

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 James T. Welch and Benjamin Swan for legislation to establish a sick leave bank for Marisol Rodriguez, an employee of the Department of Children and Families.

**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.**

*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 Ipswich to grant 2 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2279) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time.**

Pending the question on passing the bill to be engrossed, Mr. Tarr moved that the bill be amended in section 1, by striking out, in lines 3 to 5, inclusive, the words "the establishments known as Bunz Burger, located at 20 Mitchell Road in the town of Ipswich and Christopher DeStefano, located at 5 Depot Square in the town of Ipswich, Massachusetts" and inserting in place thereof the following words:- "an establishment located at 20 Mitchell road and to an establishment located at 5 Depot square".

**The amendment was adopted.**

**The bill (Senate, No. 2279, amended) was the passed to be engrossed.**

**Sent to the House for concurrence.**

The Senate Bill exempting the police department of the town of Westwood from the civil service law (Senate, No. 1944) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

The Senate Bill to increase the number of all alcohol licenses for restaurants in the town of Arlington (Senate, No. 2177),-- **was read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

The Senate Bill authorizing Cary Gould of the city of Gloucester to take the examination for appointment as a police officer in the city notwithstanding the maximum age requirement (Senate, No. 2282),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act authorizing Cary Gould to take the civil service examination for appointment as a police officer in the city of Gloucester notwithstanding the maximum age requirement."**

**PAPERS FROM THE HOUSE.**

The House Bill relative to the list of legal investments prepared by the Commissioner of Banks (House, No. 3954, amended),-- **came from the House with the endorsement that the House had concurred in the Senate amendments with a further amendment striking out section 5.**

**The rules were suspended on motion of Mr. Tarr and the further House amendment was adopted, 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 Acting President (Mr. DiDomenico) and laid before the Governor for his approbation, to wit:

Authorizing the abatement of a certain sewer betterment assessment in the town of Sturbridge (see Senate, No. 2140); Relative to the membership of the Historic District Commission for the town of Nantucket (see House, No. 4102); and Relative to private road maintenance (see House, No. 4336).

*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 City Councilor Jacqueline M. Hardy*

The Senator from Essex and Middlesex, Mr. Tarr moves that when the Senate adjourns today, it adjourns in memory of City Councilor Jacqueline M. Hardy of Gloucester, who died September 5, 2014, at the age of 64, after a long battle with cancer. The daughter of Newton M. McCarthy and the late Elizabeth McCarthy, Councilor Hardy graduated from Gloucester High School in 1968.

Mrs. Hardy dedicated her entire adult life to public service beginning at the Gloucester District Court where she met her husband, Gloucester police officer, Edward Hardy. In 1994, Councilor Hardy began working for Gloucester Mayor Bruce Tobey. Mrs. Hardy served as executive secretary to the Mayor during his time in office, forming an enduring partnership over the years.

Starting in 2005 Councilor Hardy was elected to serve as Ward 4 City Councilor where she served for nine years. During her second term on the Council, she served as Chair of the Planning and Development. Continuing her service to Gloucester, Mrs. Hardy served as City Council President from 2010 until 2013 during her third and fourth terms as Councilor.

Councilor Hardy's legacy will undoubtedly survive in Gloucester as a result of her unwavering devotion to improving her beloved city. A fierce advocate for animal welfare, she helped establish the Christopher Cutler Rich Animal Shelter at the Cape Ann Animal Aid and the Gloucester Dog Park at Stage Fort Park where the entryway was ceremoniously named in her honor. In 2010, Mrs. Hardy advocated for "Jackson's Law" to strengthen pediatric organ donation in honor of a young Gloucester resident, Jackson Altieri, who received a heart transplant. Councilor Hardy rallied the City to overwhelmingly support Jackson, and worked with the legislature to pass "Jackson's Law."

Councilor Hardy was in middle of her fifth term as Ward 4 City Councilor at the time of her passing. While always serving the City of Gloucester, Mrs. Hardy never missed an opportunity to spend time with family. She is survived by husband, Edward; her brothers, Michael and Newton; her godchildren, Carlotta, Kelly, and Lillian; several nieces and nephews; and numerous great-nieces and great nephews.

Accordingly, as a mark of respect in memory of Jacqueline M. Hardy twenty-two 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.