

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, December 29, 2014.

Met at two minutes past eleven o'clock A.M. (Mr. Rosenberg in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

The Senator from Essex and Middlesex, Mr. Tarr, then led the Chair (Mr. Rosenberg), members, guests and staff in the recitation of the pledge of allegiance to the flag.

Communication.

Communication from the Department of Correction submitting a plan of correction relative to inspection of Bridgewater State Hospital (received December 29, 2014),-- **was placed on file.**

Reports.

The following reports were severally received and placed on file to wit:
Report of the Office of the Comptroller (under the provisions of Section 12 of Chapter 7A of the General Laws) submitting its Comprehensive Annual Financial Report for the fiscal year ended June 30, 2014 (received December 24, 2014); and
Report of the Campaign Finance and Disclosure Task Force (pursuant to Section 29 of Chapter 210 of the Acts of 2014) submitting a report on its finding and recommendations (received December 29, 2014).

PAPERS FROM THE HOUSE.

A Bill relative to the registration of antique snowmobiles (House, No. 3858,-- on House, No. 752), -- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Bills

Authorizing the board of selectmen of the town of Clinton to appoint the town collector (House, No. 4507,-- on petition) [Local approval received]; and

Repealing the city of Lowell financial conditions act (House, No. 4550,-- on petition) [Local approval received]

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

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 Senate Bill authorizing the appointment of special police officers in the town of Dartmouth (Senate, No. 2363),-- was read a second time.

Pending the question on ordering the bill to a third reading, Mr. Montigny presented an amendment in section 1, by striking out, in line 2, the word “special”; and by striking out section 10 and inserting in place thereof the following section:-
“SECTION 10. This act shall take effect upon its passage.”

The amendment was adopted.

The bill (Senate, No. 2363, amended) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

Reports of a Committee.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill relative to property and casualty actuarial opinions and reports (House, No. 4323),-- ought to pass.

There being no objection, the rules were suspended, on motion of Mr. Finegold, 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. Brewer, for the committee on Ways and Means, that the House Bill promoting housing and support services to unaccompanied homeless youth (House, No. 4517, amended),-- ought to pass, with an amendment striking out section 2 and inserting in place thereof the following section:-

“SECTION 2. The appointed members of the commission established in section 16W of chapter 6A of the General Laws shall be appointed within 90 days after the effective date of this act.”; and

By striking out section 4. [Estimated cost: \$500,000].

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

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act promoting housing and support services to unaccompanied homeless youths.”

Sent to the House for concurrence in the amendment.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill relative to the treatment of mentally ill in prisons (House, No. 4545),-- ought to pass, with an amendment striking out, in lines 16 and 17, the words “correctional facilities of the commonwealth” and inserting in place thereof the following words:- “state correctional facilities, as defined in section 1 of chapter 125”;

By striking out, in line 31 and in lines 37 and 38, the words “correctional institution of the commonwealth” and inserting in place thereof, in each instance, the following words:- “state correctional facility, as defined in section 1 of chapter 125”; and

By striking out, in lines 32 and 33, the words “correctional institution of the commonwealth” and inserting in place thereof the following words:- “state correctional facility, as defined in said section 1 of said chapter 125”. [Estimated cost: \$13,000,000] (Senator Ross dissenting).

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

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill relative to licensing massage therapists (House, No. 4551),-- ought to pass.

There being no objection, the rules were suspended, on motion of Mr. Eldridge, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act further regulating the licensing requirements for massage therapists”.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4569) of Paul R. Heroux and Richard J. Ross for legislation to establish a sick leave bank for John Morrill, an employee of the Trial Court;

Under suspension of Joint Rule 12, to the committee on the Judiciary.

Petition (accompanied by bill, House, No. 4570) of Paul R. Heroux and Richard J. Ross for legislation to establish a sick leave bank for Marie Silva, an employee of the Department of Developmental Services;

Under suspension of Joint Rule 12, to the committee on Public Service.

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Janet Frame, an employee of the Department of Developmental Services (see House, No. 4539), 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 3 to 0.

The bill was signed by the Acting President (Mr. Rosenberg) and sent to the House for enactment.

Moment of Silence.

At the request of the Chair (Mr. Rosenberg), the members, guests and staff stood in a moment of silence and reflection to the memory of John Arters Bewick of Hingham.

PAPERS FROM THE HOUSE

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. Rosenberg) and laid before the Governor for his approbation, to wit:

Relative to the Glenwood Cemetery Perpetual Care Fund (see Senate, No. 2408);

Validating certain actions, proceedings and policies of the town of Ashby (see House, No. 4100);

Authorizing the appointment of special police officers in the town of Merrimac (see House, No. 4224);

Relative to the retirement benefits of the surviving spouse of the Honorable Jonathan Brant (see House, No. 4250);

Relative to driver's licenses and identification cards photographs (see House, No. 4369, amended);

Authorizing the town of Wakefield to designate a check-off box on its tax bills for the Wakefield Veterans Relief Fund (see House, No. 4512);

Authorizing the town of Wakefield to designate a check-off box on its tax bills for the Wakefield Veterans Memorial and Patriotic Celebration Fund (see House, No. 4513);

Establishing 6-year career plans for all Massachusetts public school students (see House, No. 4527, amended);

Amending the charter of the city of Chicopee (see House, No. 4528);

Establishing a sick leave bank for Janet Frame, an employee of the Department of Developmental Services (see House, No. 4539); and

Relative to the Board of Health of the city of Chicopee (see House, No. 4542).

An engrossed Bill validating the results of a certain election held in the town of Chilmark (see House Bill, printed in House, No. 4543) (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, two-thirds of the members present having voted in the affirmative, and signed by the Acting President (Mr. Rosenberg) and laid before the Governor for his approbation.**

Recess.

There being no objection, at four minutes before twelve o'clock noon, the Chair (Mr. Rosenberg) declared a recess subject to the call of the Chair; and at a half past four o'clock P.M., the Senate reassembled, Mr. Petruccelli in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

PAPERS FROM THE HOUSE

Engrossed Bills.

The following engrossed bills (the first two 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. Petruccelli) and laid before the Governor for his approbation, to wit:

Regulating pharmacy audits (see Senate, No. 2286, amended);

Authorizing the Wareham Fire District to pay a certain unpaid bill (see Senate, No. 2366);

Relative to property and casualty actuarial opinions and reports (see House, No. 4323);

Relative to the treatment of mentally ill in prisons (see House, No. 4545, amended); and

Further regulating the licensing requirements for massage therapists (House, No. 4551).

Report of a Committee.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill adjusting the number of racing days at Suffolk Downs (Senate, No. 2289),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2421) (Senators Kennedy and Timilty dissenting).

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

The bill (Senate, No. 2421) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

Order Adopted.

On motion of Mr. Ross,-- *Ordered*, That when the Senate adjourns today, it adjourn to meet again on Wednesday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

Adjournment in Memory of John Arters Bewick.

The Senator from Plymouth and Norfolk, Mr. Hedlund, requested that when the Senate adjourns today, it adjourn in memory of John Arters Bewick of Hingham.

John Arters Bewick of Hingham, formerly of Newton, passed away at home on Christmas Day.

The son of Robert Dixon and Catherine Arters Bewick, John was born in Baltimore. A proud graduate of Baltimore Polytechnic Institute, he attended Cornell, where he majored in engineering physics, managed the Big Red Band, and was a leader in the Wesley Foundation.

Following Cornell, he attended the University of Michigan, where he earned an MS in nuclear engineering. Following work for the Rickover Navy at Bettis Atomic Power Laboratory in Pittsburgh, and inspired by President Kennedy, John joined the Peace Corps, and taught physics at Ahmadu Bello University in Nigeria.

Concerned about what he observed as corruption in government, he applied to the Harvard Business School, with the intention of bringing integrity to government administration. He received an MBA, as well as a DBA in statistical decision theory.

John's career took him from the New York City Environmental Protection Agency to the Atomic Energy Commission. He moved to the Boston area to work with the Cabot Corporation in research and development. In 1979, Governor Edward F. King appointed him Secretary of the Executive Office of Environmental Affairs, where he personally advocated, and his office implemented the first bottle bill. He oversaw the signing of the Barrier Beach Executive Order, the first Scenic River in Massachusetts, the hazardous waste regulation, management and disposal statute, restoration of the bald eagle, and the Agricultural Preservation Act, among other initiatives.

Following his work in the public sector John created the Tufts University Center for Environmental Management with Jean Mayer, then left to form his own consultancies, focused on a range of environmental issues. He taught the Environmental Management course at MIT's Department of Urban Studies and Planning, and organized climate change forums.

John was active in many organizations and was most proud of his work as an organizer in a two-year effort to alleviate the starvation in Biafra in the 1970s. John loved to sing, solve the problems of the world with his friends, and was famous for his annual Christmas fruitcakes.

John is the father of three beloved children, John Wallace Bewick of Tewksbury, Sarah Bewick of Lexington, and Benjamin Bewick of San Francisco. He leaves his dear wife Martha Reardon Bewick, with whom he celebrated their 15th anniversary in November, his brother Robert Dixon Bewick of Dover, Delaware, and many other family members and friends who also loved him dearly.

Accordingly, as a mark of respect to the memory of John Arters Bewick, at a quarter before five o'clock P.M., on motion of Mr. Ross, the Senate adjourned to meet again on Wednesday at eleven o'clock A.M.