

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, July 13, 2015.

Met at seven minutes past eleven o'clock A.M. (Ms. O'Connor Ives in the Chair).

The Chair (Ms. O'Connor Ives), members, guests and staff then recited the pledge of allegiance to the flag.

Distinguished Guests.

There being no objection, the Chair (Ms. O'Connor Ives) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced, in the rear of the Chamber, Veterans Service Director of the Eastern Essex District, Karen Tyler. She was accompanied by Georgia Gadbore, an assistant to the Veterans Service Office, and Douglas W. Dawes, a Georgetown Selectman and Commander of the Rene H. Gagnon American Legion Post #211. They were visiting the State House to accept an adjournment order in memory of Veteran Terrance Hart of Georgetown who passed away on May 1, 2014. The Senate welcomed them with applause and they withdrew from the Chamber.

Communications.

The following communications were severally received and placed on file, to wit:

Communications from the Department of Public Health relative to plans of correction for the following correctional facilities:

Essex County Women in Transition

MCI Norfolk

Berkshire County Jail and House of Corrections

Bridgewater State Hospital

Suffolk County Jail

Barnstable County Correctional Facility (received July 9, 2015); and

Communication from the Department of Public Health (pursuant to Item 4513-1020 of Chapter 165 of the Acts of 2014) submitting the Early Intervention program report for quarters two and three of FY15 (received July 9, 2015).

Report.

The following reports were severally received and placed on file, to wit:

Reports of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspection of the following correctional facilities:

MA Alcohol and Substance Abuse Center

Dedham Alternative Center

Norfolk County House of Correction (received July 9, 2015); and

Report of the University of Massachusetts (pursuant to Section 15 of Chapter 75 of the General Laws) submitting the University of Massachusetts 2015 Report on Annual Indicators (received July 13, 2015).

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Ross, a petition (accompanied by bill) (subject to Joint Rule 12) of Richard J. Ross and Shawn Dooley for legislation to authorize the State Retirement Board to grant creditable service to John Lyons; and

By the same Senator, a petition (accompanied by bill) (subject to Joint Rule 12) of Richard J. Ross and Shawn Dooley for legislation to authorize the State Retirement Board to grant creditable service to Douglas Priest;

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

PAPERS FROM THE HOUSE.

Bills

Establishing a sick leave bank for Carol Gulino, an employee of the Massachusetts Rehabilitation Commission (House, No. 3591, amended,-- on petition); and

Establishing a sick leave bank for Raoul Santos, an employee of the Military Division (House, No. 3625, amended,-- on petition);

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

Validating the results of a certain town election in the town of Groveland (printed in House, No. 3552,-- being a message from His Excellency the Governor); and

Regulating sewer betterment assessments in the Commonwealth (House, No. 3654,-- on House, No. 2603);

Were severally read and, under Senate Rule 26, referred to the committee on Rules.

Notice was received from the Speaker of the House of Representatives announcing the following appointment:

That Representative Madaro of Boston to the House committee on Technology and Government Affairs; and the joint standing committees on Health Care Financing, Municipalities and Regional Government and State Administration and Regulatory Oversight to fill the existing vacancies.

Resolutions.

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

Resolutions (filed by Mr. Rosenberg) “congratulating the Clark family of the town of Deerfield on the occasion of the centennial celebration of Clarkdale Fruit Farms”; and

Resolutions (filed by Mr. Ross and Ms. Spilka) “honoring the memory of First Lieutenant Arthur E. Wright III on the dedication of First Lieutenant Arthur E. Wright III Square in the city known as the town of Natick.”

Order Adopted.

Mr. Donnelly offered the following order, to wit:

Ordered, That by the authority of article IV of section II of chapter I of the Constitution, the Senate declares that, by reason of the death of Thomas P. Kennedy as senator from the Second Plymouth and Bristol district, the office of senator from the Second Plymouth and Bristol district is vacant. By the authority of article XXIV of the Amendments to the Constitution, the Senate directs the president of the Senate to issue a precept setting forth November 3, 2015, as the day for holding an election to fill the vacancy in the Second Plymouth and Bristol district, comprising the city of Brockton and the towns of East Bridgewater, precincts 1 to 3, inclusive, Halifax, Hanover, Hanson, Plympton and Whitman, all in the county of Plymouth; and the town of Easton, precincts 1 and 2, in the county of Bristol.

Under the rules, referred to the committee on Rules.

Subsequently, Mr. Montigny, for the said committee, reported, recommending that the order ought to be adopted.

The rules were suspended, on motion of Mr. Brownsberger, and the order was considered forthwith and adopted.

Remarks of Senator Kathleen O'Connor Ives.

Today provides an opportunity to express that although the work of the Senate goes on – there is no replacement for Senator Thomas Patrick Kennedy because he was one of a kind.

He reached the summit of living his commitment to public service with intelligence, thoughtfulness, kindness to humanity and it's my hope we'll always keep his example in our hearts.

On motion of Mr. Tarr, the above remarks were ordered printed in the Journal of the Senate.

Report of a Committee.

By Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of William N. Brownsberger for legislation relative to vehicle recalls.

The rules were suspended, on motion of Mr. Brownsberger, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Consumer Protection and Professional Licensure.

By Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of William N. Brownsberger for legislation relative to interest for pecuniary judgements.

The rules were suspended, on motion of Mr. Brownsberger, 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. Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 3655) of James M. Cantwell and Robert L. Hedlund relative to the Dam and Seawall Removal Fund;

Under suspension of Joint Rule 12, to the committee on Environment, Natural Resources and Agriculture.

Petition (accompanied by bill, House, No. 3656) of Angelo J. Puppolo, Jr. and others relative to the awarding of sheet metal work contracts;

Under suspension of Joint Rule 12, to the committee on Labor and Workforce Development.

Petition (accompanied by bill, House, No. 3657) of Dennis A. Rosa and Jennifer L. Flanagan for legislation to establish a sick leave bank for Jeremy Bray, an employee of the Department of Correction;

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

Petition (accompanied by bill, House, No. 3658) of Marjorie C. Decker relative to the tax status of certain land owned by housing authorities.

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

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.

Adjournment in Memory of Thomas W. Wisdom Wigmore.

The Senator from Plymouth and Norfolk, Mr. Hedlund, requested that when the Senate adjourns today, it adjourn in memory of Thomas W. Wisdom Wigmore.

Thomas W. Wisdom Wigmore, also known as Wiggy, age 51, of Cohasset and Hingham, passed away on his most favorite holiday, July 4, 2015, surrounded by family and friends.

Tom was a Commander of the Sons of the American Legion Squadron 118, which he reactivated 27 years ago. He was a past State Commander of Massachusetts Detachment of the Sons of the American Legion as well as a past National Vice Commander, and held many other state and National offices. Tom organized many events in Cohasset, including 9/11 services and veterans services, but he was particularly proud of the Memorial Day service which included The Healing Field, which he founded 9 years ago. In addition, Tom served the town of Cohasset for twenty eight and a half years, working in numerous positions from Assistant Harbormaster, Communication Dispatcher and Supervisor for Police and Fire, to maintenance. He was recently awarded Citizen of the Year 2015.

Tom was the beloved husband of Deirdre (Brady) Wigmore; son of Stephen F. Wigmore and the late Grace Anne (Murphy) Wigmore; brother of Anthony J. Wigmore; nephew of Joan Habbep and husband Ralph, and Mary Stafford and husband Roy; brother-in-law of Clare Brady and friend Nancy Campbell and Karen Pipes and husband Donald; uncle of Kasey Pipes, Carly Rooney and husband Ian and Gianna Schiavo of Cohasset. He is also survived by several cousins.

Accordingly, as a mark of respect to the memory of Thomas W. Wisdom Wigmore, at twenty-four minutes past eleven o'clock A.M., on motion of Mr. Brownsberger, the Senate adjourned to meet again on Thursday at eleven o'clock A.M.