

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 27, 2015.

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

Communications.

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

Communication from the Hampshire Sheriff's Office submitting a plan of correction relative to inspection of Hampshire County Jail and House of Correction inspection (received July 24, 2015); and

Communication from the Hampden County Sheriff's Office submitting a plan of correction relative to inspection of the Western Massachusetts Regional Women's Correctional Center on June 4, 2015 (received July 24, 2015).

Report.

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

Reports of the Department of Public Health (under the provisions of Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspections of:

MCI Framingham,

Bay State Correctional Center, Norfolk, and

Hampden County Jail and House of Correction, Ludlow (received July 24, 2015).

Petition.

Mr. Downing presented a petition (accompanied by bill, Senate, No. 1978) of Benjamin B. Downing and William Smitty Pignatelli (by vote of the town) for legislation to authorize the town of Mount Washington to establish, own, and operate broadband infrastructure and services and to issue bonds or notes therefor [Local approval received];

Under Senate Rule 20, referred to the committee on Telecommunications, Utilities and Energy.
Sent to the House for concurrence.

Reports of Committees.

By Mr. Wolf, for the committee on Labor and Workforce Development, on petition, a Bill relative to enhanced enforcement of civil penalties (Senate, No. 967);

By the same Senator, for the same committee, on petition (accompanied by bill Senate, No. 997), a Bill to establish the Massachusetts Service Alliance (Senate, No. 1980); and

By Mr. Timilty, for the committee on Public Service, on petition, a Bill relative to the sanctity of collective bargaining (Senate, No. 1440);

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

By Mr. Timilty, for the committee on Public Service, on petition, a Bill relative to the authorization of the city of Westfield Retirement Board to grant a superannuation retirement benefit (Senate, No. 1920) [Local approval received]; and
By the same Senator, for the same committee, on petition, a Bill to authorize the town of Middlefield to continue the employment of police chief Thomas Austin (Senate, No. 1941) [Local approval received];
Severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

PAPERS FROM THE HOUSE.

Petition (accompanied by bill, House, No. 3684) of John H. Rogers and Michael F. Rush (by vote of the town) that the town of Norwood be authorized to issue four additional licenses for the sale of wine and malt beverages to be drunk on the premises;

To the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 3685) of Cory Atkins and Michael J. Barrett (by vote of the town) that the town of Concord be authorized to amend the charter of said town;

To the committee on Municipalities and Regional Government. Petition (accompanied by bill, House, No. 3686) of Angelo L. D'Emilia and Marc R. Pacheco (by vote of the town) relative to the maximum age requirements for special police officers in the town of Bridgewater;

To the committee on Public Service. Petition (accompanied by bill, House, No. 3687) of David T. Vieira, Viriato M. deMacedo and Timothy R. Madden (by vote of the town) that the town of Falmouth be authorized to impose a room occupancy tax on vacation or leisure accommodations; and

Petition (accompanied by bill, House, No. 3688) of Donald H. Wong, Thomas M. McGee and RoseLee Vincent (by vote of the town) that the town of Saugus be authorized to designate a check-off box on its tax bills for the Saugus Veteran's Relief Fund;

Severally to the committee on Revenue.

Bills

Validating the actions taken at an annual town meeting and election held in the town of Essex (printed in House, No. 3559,-- being a message from His Excellency the Governor); and

Relative to the Commonwealth Avenue improvement project (House, No. 3627,-- on petition);

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

Resolutions.

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

Resolutions (filed by Mr. Ross) "congratulating Nick Borgman of the town of Millis on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Ross) "congratulating Aiden Clark of the town of Millis on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Ross) "congratulating Peter Koistinen of the town of Millis on his elevation to the rank of Eagle Scout"; and

Resolutions (filed by Mr. Ross) "congratulating Neil Simmons of the town of Millis on his elevation to the rank of Eagle Scout."

Reports of Committees.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Anthony Hart, an employee of the Department of Mental Health (Senate, No. 1963),-- ought to pass.

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.

Sent to the House for concurrence.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Raoul Santos, an employee of the Military Division (House, No. 3625, amended),-- ought to pass.

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 Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Craig Lindberg, an employee of the Department of Children and Families (House, No. 3642),-- ought to pass.

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.

Remarks of Minority Leader Bruce E. Tarr.

Ernest Masiello, or "Ernie", as he was more commonly known, enlisted in the U.S. Navy in 1944, during the height of World War II. He served his country with pride until he was discharged in 1946. Following his service in the Navy, Mr. Masiello started his own family operated business in the early 1950s. His company, Crystal Motor Express, Inc. was founded in 1952, offering top quality pickup and delivery services to its customers. With Ernie behind the wheel as one of the company's first drivers and his wife Doris managing the administrative duties, Crystal Motors became known for its impeccable service. Engaging a unique business structure and culture, Ernie and his wife expanded Crystal Motors' operations from Massachusetts to include the entire

Northeast and Mid-Atlantic regions.

Following the growth and success of Crystal Motors, the company expanded in 1980 with the opening of the Crystal Warehouse Corporation and again nearly 30 years later with the introduction of the Crystal International Freight Systems in 2007. The Crystal Companies started as a small family business and today employ over 250 trained professionals who work with the same care and quality standards that Mr. Masiello instilled in his company over 60 years ago.

A generous man, Mr. Masiello valued service, community and family. He was a founding member of the Incarnation Church in Melrose and a community leader in his parish. He contributed to the building of the baseball field behind his church for public use. He enjoyed playing golf, attending New England Patriots football games and cooking for all his family and friends.

Ernest Masiello will be missed by many. A family friend put it best at the time of his passing by saying "He was such a kind and generous man. We are thinking of his wonderful family during this time and admiring the legacy he has left." He is survived by his wife, children, grandchildren, great-grandchildren and many other family members and friends.

On motion of Mr. Tarr, under the provisions of Senate Rule 6, the remarks were printed in the Journal of the Senate.

PAPERS FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for John J. Monahan, an employee of the Trial Court (see Senate, No. 1969), 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 (Mr. Brownsberger) and sent to the House for enactment.

Engrossed Bills.

An engrossed Bill further regulating the Community Events Fund in the town of Wareham (see Senate, No. 1099, amended) (which originated in the Senate), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted and signed by the Acting President (Mr. Brownsberger) and again laid before the Governor for his approbation.**

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

Establishing a sick leave bank for Susan Welliver, an employee of the Massachusetts Department of Transportation (see Senate, No. 1954);

Establishing a sick leave bank for John J. Monahan, an employee of the Trial Court (see Senate, No. 1969);

Authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain parcels of land in the town of North Reading to the town of North Reading (see House, No. 66); and

Exempting all offices and positions in the Department of Public Works in the town of Stoughton from the civil service law (see House, No. 3280).

Order Adopted.

On motion of Mr. Tarr,--

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

On motion of the same Senator, at twenty-one minutes past eleven o'clock A.M., the Senate adjourned to meet again tomorrow at eleven o'clock A.M.