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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Thursday, September 22, 2016.

Met at six minutes past eleven o'clock A.M. (Mr. Boncore 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 President, members, guests and staff in the recitation the pledge of allegiance to the flag..

Communication.

Communication from MassDevelopment (pursuant to Section 71 of Chapter 141 of the Acts of 2003) submitting the Emerging Technology Fund (ETF) quarterly report (received September 20, 2016),-- was placed on file.

Reports of Committees.

By Ms. L'Italien, for the committee on Municipalities and Regional Government, on petition, a Bill relative to the charter of the town of Wareham (Senate, No. 2483) [Local approval received]; and

By Mr. Timilty, for the committee on Public Service, on the recommitted petition, a Bill relative to the provision of health insurance in the town of Huntington (Senate, No. 2376) [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.

A petition (accompanied by bill, House, No. 4617) of Susan William Gifford (by vote of the town) relative to licenses for the sale of all alcoholic beverages to be drunk on the premises in the town of Wareham,-- **was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.**

A Bill establishing a sick leave bank for Anthony Ryan Smith, an employee of the Department of Developmental Services (Senate, No. 4584,-- on petition),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Resolutions.

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

Resolutions (filed by Ms. Chandler and Mr. Moore) "commending the Kiwanis Club of Worcester, Inc. on its one hundredth anniversary";

Resolutions (filed by Ms. Lovely) "congratulating Kayla Harrison on earning her second gold medal at Rio 2016, the Games of the XXXI Olympiad"; and

Resolutions (filed by Messrs. Rush and Ross) "congratulating John Grugan 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 House Bill authorizing the appointment of special police officers in the town of Dracut (House, No. 4012),-- **was read a third time and passed to be engrossed, in concurrence.**

The House Bill making a corrective change for a certain reserve fund in the town of Hingham (House, No. 4051),-- **was read a third time and passed to be engrossed, in concurrence.**

The House Bill authorizing the town of Acton to grant 16 additional licenses for the sale of all alcoholic beverages and 6 additional licenses for the sale of wines and malt beverages to be drunk on the premises (House, No. 4185),-- was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Eldridge presented an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate, No. 2493.

The amendment was adopted.

The bill (House, No. 4185) was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

The House Bill authorizing the town of Westborough to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4418),-- was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Eldridge presented an amendment in section 5, by inserting after the figure "1", in line 99, the following words:- " , whichever first occurs"; and

In section 6, by inserting after the figure "2", in line 101, the following words:- " , whichever first occurs".

The amendment was adopted.

The bill (House, No. 4418) was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

The House Bill authorizing the town of Fairhaven to grant 1 additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 4528) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4641) of Daniel M. Donahue and Michael O. Moore for legislation to establish a sick leave bank for Robert Clark, an employee of the Department of Mental Health; and

Petition (accompanied by bill, House, No. 4642) of Benjamin Swan for legislation to establish a sick leave bank for Rhodaja Shubrick, an employee of the Department of Transitional Assistance;

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

A Bill to change the town lines between the towns of Aquinnah and Chilmark (House, No. 4372,-- on petition),-- **was read.**

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and ordered to a third reading.

A Bill validating the actions taken at a special town election held in the town of Westport (printed in House, No. 4589, changed,-- being a message for His Excellency the Governor),-- **was read.**

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and ordered to a third reading.

Recess.

There being no objection, at twelve minutes past eleven o'clock A.M., the Chair (Mr. Boncore) declared a recess subject to the call of the Chair; and, at twelve minutes before one o'clock P.M., the Senate reassembled, Mr. Boncore in the Chair.

PAPER FROM THE HOUSE.

Emergency Preamble Adopted.

An engrossed Bill establishing Peace Day in the Commonwealth (see Senate, No. 2181, amended), 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. Boncore) and sent to the House for enactment.

Matter Taken Out of the Orders of the Day.

The Senate Bill authorizing the town of Wenham to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (Senate, No. 2291) (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 offered an amendment in section 5, by inserting after the figure "1", in line 99, the following words:- " , whichever first occurs"; and

In section 6, by inserting after the figure "2", in line 101, the following words:- " , whichever first occurs".

The amendment was adopted.

The bill (Senate, No. 2291) was then passed to be engrossed.

Sent to the House for concurrence.

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

Relative to the membership of the Underground Storage Tank Petroleum Cleanup Fund Administrative Reuse Board (see Senate, No. 2096);

Establishing Peace Day in the Commonwealth (see Senate, No. 2181, amended);

Further regulating the recorking of wine (see House, No. 199, changed and amended);

Authorizing the appointment of special police officers in the town of Dracut (see House, No. 4012);

Making a corrective change for a certain reserve fund in the town of Hingham (see House, No. 4051);

Authorizing the town of Fairhaven to grant 1 additional license for the sale of wines and malt beverages to be drunk on the premises (see House, No. 4528);

Authorizing the city of Salem to grant 2 additional licenses for the sale of alcoholic beverages to be drunk on the premises (see House, No. 4529); and

Authorizing the town of Foxborough to grant 2 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4551).

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 John F. "Jake" Condon

The Senator from Essex, Ms. Lovely, moved that when the Senate adjourns today it adjourn in memory of John F. "Jake" Condon of Beverly.

John F. "Jake" Condon passed away on September 13, 2016 at the age of 96.

Born in Salem, Massachusetts on December 22, 1919 to Margaret and John F. Condon, John was the eldest of six siblings and a graduate of Salem High School.

Jake served as Postmaster in Beverly for 26 years and was one of the last US Postmasters appointed by President John F. Kennedy. As Postmaster, he was active in leadership activities of the National Association of Postmasters of the United States and was part of a team that established the postal service's Program for Alcoholic Recovery.

Prior to his appointment as Postmaster, he was a supervisor at the United Shoe Machinery Corporation in Beverly, where he trained dozens of students from Beverly's vocational technical school.

Jake served in the US Navy during World War II and was a disabled war veteran. He remained active in the VFW for many years and, in 2015, was recognized as Beverly's oldest living war veteran.

Shortly after the war, he married the love of his life, Marguerite, with whom he shared 67 years of marriage. Together they raised 5 children in Beverly.

Jake served on the Beverly Board of Alderman representing Ward II for several terms. He was active in the Beverly Democratic City Committee. In 2003, Jake and Marguerite were presented with the Democratic committee's Lifetime Achievement award by then US Senator and longtime friend Ted Kennedy.

He was a member of the Beverly Historic Commission, and was instrumental in helping to launch the original North Shore Community College in Beverly and served as an active trustee for many years.

He was a member and past Grand Knight of the Knights of Columbus and a member of the Beverly Rotary Club. More than anything, Jake will be remembered for his devotion to and adoration of Marguerite as well as his service to the Beverly community. He will be missed greatly by his family, friends and all those fortunate enough to know him.

Jake is predeceased by his loving wife Marguerite, his son John F. Condon III, and his 5 siblings: Robert, Everett, Frances, Phillip and Gloria. He is survived by his four children: Patricia of Beverly; Suzanne and her partner Lisa Varnerin of Quincy; Julie and her husband Jon Howell of Beverly; and Christopher and his wife Joan Falloni of Danvers. He also leaves five grandchildren: John F. Condon IV and his fiancé Jackie Miller of Beverly; Meagan and Caitlin of Beverly; and Patrick and Benjamin of Danvers a great grandson, John F. Condon V as well as many nieces and nephews..

Accordingly, as a mark of respect in memory of John F. "Jake" Condon, at six minutes past one o'clock P.M., on, on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.