

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, September 28, 2015.

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

Petition.

Mr. Petrucci presented a petition (accompanied by bill) (subject to Joint Rule 12) of Anthony W. Petrucci for legislation relative to streamlined low-voltage alarm system installation permitting,-- **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Report of a Committee.

By Mr. Rodrigues, for the committee on Revenue, on petition (accompanied by bill Senate, No. 1580), a Bill relative to the interest rate on tax-deferred property (Senate, No. 2018);

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

PAPERS FROM THE HOUSE.

Bills.

Establishing a sick leave bank for Maribel Sepulveda, an employee of the Executive Office of Health and Human Services (House, No. 3704,-- on petition); and

Establishing a sick leave bank for Shirley Brathwaite, an employee of the Department of Children and Families (House, No. 3705,-- on petition);

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

Bills

Relative to the sale of all alcoholic beverages in certain establishments in the town of Stoneham (House, No. 3375, amended,-- on House, No. 3322) [Local approval received on House, No. 3322]

Authorizing the town of Canton to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises (House, No. 3768,-- on House, No. 3632) [Local approval received on House, No. 3632]; and

Authorizing the town of Canton to grant additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 3769,-- on House, No. 3633) [Local approval received on House, No. 3633];

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

Report of the committee on Revenue, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2434) of James Arciero and Rady Mom relative to the excise tax on alternative nicotine products and vapor products and further prohibiting the use of said products by minors,-- and recommending that the same be referred to the committee on the Judiciary,-- was considered forthwith, under Senate Rule 36, and accepted, in concurrence.

Resolutions.

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:-
Resolutions (filed by Mr. Tarr) “commending Nancy M. Jones for her dedicated service to the town of Middleton.”

Report of a Committee.

By Ms. Spilka for the committee on Ways and Means, that the Senate Bill to improve the accessibility and affordability of naloxone and other pharmaceutical drugs of public health concern (Senate, No. 603) (the committee on Rules having recommended that the bill be amended by substituting a new draft with the same title, Senate, No. 2010),-- reports recommending that the proposed Rules amendment be amended by substituting a new draft entitled “An Act relative to substance use prevention” (Senate, No. 2020) [Estimated cost: \$1,200,000] (Senator Keenan dissenting).

Pursuant to an order previously adopted, the bill was placed in the Orders of the Day for Thursday, October 1, the question being on ordering the bill to a third reading, with the amendment pending.

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 relative to the creation of a treasurer-collector in the town of Plainville (Senate, No. 1961),-- **was read a third time and passed to be engrossed.**
Sent to the House for concurrence.

The Senate Bill creating a town administrator in the town of Plainville (Senate, No. 1962),-- **was read a third time and passed to be engrossed.**
Sent to the House for concurrence.

The House Bill increasing the expenditure limit of the Fire Department Emergency Medical Services Revolving Fund in the town of Somerset (House, No. 3573),-- **was read a third time and passed to be engrossed, in concurrence.**

Reports of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Wendy Savary, an employee of the Department of Unemployment Assistance (House, No. 3750, 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 Marian Grant, an employee of the Trial Court (House, No. 3751),-- **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.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 3775) of William Smitty Pignatelli and others relative to establishing a local option gasoline and diesel fuel excise tax;
Under suspension of Joint Rule 12, to the committee on Revenue.

Petition (accompanied by bill, House, No. 3776) of Stephen Kulik and others relative to adjudicatory proceedings involving gas and electric companies;
Under suspension of Joint Rule 12, to the committee on Telecommunications, Utilities and Energy.

The Senate Bill authorizing the town of Sturbridge to grant 1 additional license for the sale of wines and malt beverages not to be drunk on the premises (Senate, No. 30),-- came from the House passed to be engrossed, in concurrence, with an amendment in section 1, in line 3, by striking out the words “an entity” and inserting in place thereof the following words “OSJL Spirits, LLC,”.
The rules were suspended, on motion of Mr. Tarr, and the House amendment was considered forthwith and adopted, in concurrence. (as corrected BTR).

Engrossed Bill.

An engrossed Bill relative to the recall of elected officials in the town of Dighton (see House, No. 3615) (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 and signed by the Acting President (Mr. Petrucci) and laid before the Governor for his approbation.

Reports of Committees.

By Mr. Montigny, for the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Daniel A. Wolf for legislation to allow charter public schools to give enrollment preference to children of full-time employees.

The rules were 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 Education.

By Mr. Montigny, for the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Michael O. Moore for legislation to establish a prepaid wireless E911 surcharge.

The rules were 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 Revenue.

Severally sent to the House for concurrence.

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., in a full formal session with a calendar.

Adjournment in Memory of James Peter Harrington

The Senator from Middlesex and Norfolk, Ms. Creem, and the Senator from Middlesex, Mr. Barrett, moved that when the Senate adjourns today, it adjourn in memory of James Peter Harrington.

James Peter Harrington, known to many as Jim, was born at Faulkner Hospital in Boston on January 14, 1964. He died suddenly while playing basketball with his friends in Bedford on September 20, 2015.

Jim received a Bachelor of Science degree in Liberal Arts from Boston University, and a JD in Law from Suffolk University. He worked as a defense litigator and at a small personal injury law firm in Boston. In 1996, he joined his father, former state representative Peter F. Harrington, at the Harrington & Harrington Law Firm in Newton where he practiced and served as managing partner

Jim was an active member and past co-president of the Boston Chapter of the American Inns of Court

He was a loving father, and for more than a decade coached his sons' various baseball, basketball and football teams.

Mr. Harrington will be deeply missed by his two children, Matthew Alden and Kyle James and their mother, Caroley Parsons, his father and mother, Peter F. and Joan E. Harrington, his siblings and their spouses, John and his wife Sarah (Van Buskirk) Harrington, Maura Harrington and her husband Thomas Tucker, and Matthew Harrington, his partner Tammy Ghizzoni and her son, Tyler, four nieces and nephews, 23 first cousins and many close second cousins, aunts and uncles.

Accordingly, as a mark of respect to the memory of James Peter Harrington, at sixteen minutes past eleven o'clock A.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.