

**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.

*Thursday, October 7, 2016.*

Met at five 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 Chair (Mr. Boncore), 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:

Communications from the Honorable Stanley C. Rosenberg, President of the Senate, announcing the following appointments:

Ms. Sarah la Cour of Amherst (pursuant to Section 66 of Chapter 3 of the General Laws) to the Massachusetts Commission on the Status of Women; and  
Senator Jennifer L. Flanagan (pursuant to Chapter 219 of the Acts of 2016) to the Special Commission relative to the regulation of online gaming, fantasy sports gaming and daily fantasy sports;  
Communication from the Department of Mental Health (pursuant to Section 16F of Chapter 6A of the General Laws) submitting its fiscal year 2017 Annual Individual and Family Support Plan (received September 30, 2016);  
Communication from the Massachusetts Department of Transportation (pursuant to Section 12A of Chapter 6C of the General Laws) submitting its Progress Report of the Performance and Asset Management Advisory Council (received September 30, 2016);  
Communication from the Office of the Comptroller (pursuant to Section 2TT of Chapter 29 of the General Laws) submitting the annual financial plan for the Liability Management and Reduction Fund (received October 5, 2016); and  
Communication from the Department of Public Health (pursuant to Section 224 of Chapter 111 of the General Laws) submitting the Massachusetts Commission on Falls Prevention 2016 Annual Report (received October 4, 2016).

#### *Report.*

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

Report of the Massachusetts Life Sciences Center (pursuant to Section 15 of Chapter 23I of the General Laws) submitting its fiscal year 2016 Annual Report (received September 30, 2016);  
Report of the Massachusetts Legal Assistance Corporation (pursuant to Section 10 of Chapter 221A of the General Laws) submitting its FY16 Annual Report (received September 30, 2016);  
Report of the Group Insurance Commission (pursuant to Section 21 of Chapter 32A of the General Laws) submitting its Vendor Quality Improvement Report (received September 30, 2016); and  
Report of MassBiologics (pursuant to Section 43(f) of Chapter 75 of the General Laws) submitting its annual report of the activities of MassBiologics for fiscal year 2016 (received October 5, 2016).

#### *Committees Discharged.*

Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration of the Senate Order relative to authorizing the joint committee on State Administration and Regulatory Oversight to make an investigation and study of a certain current Senate document relative to the Massachusetts municipal lobbying policy (Senate, No. 2495),-- and recommending that the same be referred to the committee on Rules;  
**Under Senate Rule 36, the report was considered forthwith and accepted.**

#### PAPERS FROM THE HOUSE.

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

That (under Section 136 of Chapter 219 of the Acts of 2016), he has appointed Messrs. Cahill of Lynn and Finn of West Springfield to the special commission established to conduct a comprehensive study relative to the Commonwealth remaining on eastern daylight time; and

Notice was received from the House of Representatives announcing the following appointment by the Minority Leader: That (under Section 193 of Chapter 133 of the Acts of 2016) Mrs. Ferguson of Holden has been appointed to the special commission on behavioral health promotion and upstream prevention established to promote behavioral health across the Commonwealth.

#### *Resolutions.*

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

Resolutions (filed by Mr. Rush) "commending New Brook Farm, Inc. on its celebration of the one hundredth and seventy-fifth anniversary of Brook Farm."

#### PAPERS FROM THE HOUSE

A Bill establishing a special police force in the town of Duxbury (House, No. 2264, amended,-- on petition) [Local approval received],-- 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.**

The House Bill relative to preservation of evidence for victims of rape and sexual assault (House, No. 4364, amended),-- came from the House with the endorsement that the House had concurred in the Senate amendment with a further amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4659.

**The rules were suspended, on motion of Mr. Tarr, and the further House amendment was adopted, in concurrence.**

#### *Report of a Committee.*

Mr. Montigny, for the committee on Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The House Bill creating a special commission studying cutting, welding and hot work processes regulated by the state fire code (House, No. 4455).

**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.**

#### *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 authorizing the town of Windsor to reinstate Police Chief Thomas J. Barnaby (Senate, No. 2281) (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. Downing presented an amendment in section 1, by inserting after the word "Barnaby," in line 2, the following words:- "a retired"; in said section 1, by striking out, in line 2, the words "continue to serve in such" and inserting in place thereof the following words:- "be reinstated to that"; and in said section 1, by striking out, in line 3, the word "retirement" and inserting in place thereof the following word:- "resignation".

**The amendment was adopted.**

**The bill (Senate, No. 2281, amended) was then passed to be engrossed. Sent to the House for concurrence.**

The Senate Bill providing for recall elections in the town of Hawley (Senate, No. 2322),-- was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Downing presented an amendment in section 6, by striking out, in lines 52 and 53, the words "a square in which the voter, by making an 'x', may" and inserting in place thereof the following words:- "a designated place for voters to".

**The amendment was adopted.  
The bill (Senate, No. 2322, amended) was then passed to be engrossed.  
Sent to the House for concurrence.**

*Report of a Committee.*

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill clarifying deadlines for submission of applications for land under Chapter 61a (Senate, No. 2151),-- ought to pass, with amendment substituting a new draft entitled "An Act relative to application deadlines for agricultural, horticultural, or recreational land" (Senate, No. 2497).

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

**The bill (Senate, No. 2497) was then ordered to a third reading, read a third time and passed to be engrossed.  
Sent to the House for concurrence.**

**PAPERS FROM THE HOUSE**

*Emergency Preamble Adopted.*

An engrossed Bill designating a certain bridge in the city of Fall River as the Tom Tetrault Bridge (see Senate, No. 2480), 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.  
Engrossed Bills.**

An engrossed Bill validating the actions taken at the annual town election held in the town of Dudley (see House Bill, printed in House, No. 3778) (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. Boncore) and 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. Boncore) and laid before the Governor for his approbation, to wit:

Relative to personal savings (see Senate, No. 2374);

Designating a certain bridge in the city of Fall River as the Tom Tetrault Bridge (see Senate, No. 2480);

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 (see House, No. 4185, amended); and

Authorizing the town of Westborough to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4418, amended).

*Order Adopted.*

On motion of Mr. Tarr,--

*Ordered.* That when the Senate adjourns today, it adjourn to meet again on Tuesday 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 "Jack" Kirrane*

The Senator from Middlesex and Norfolk, Ms. Creem moved that when the Senate adjourns today, it adjourn in memory of Brookline, Massachusetts resident John "Jack" Kirrane, who died at the age of 88 on September 25, 2016.

A native of Brookline, Jack was best known as being the captain for the "Forgotten Miracle", the 1960 United States Olympic hockey team that won the gold medal.

Mr. Kirrane grew up in Brookline and, with his two brothers, began playing hockey as a child on a neighbor's pond. Jack soon became one of the area's best hockey players. In 1948, just one year out of Brookline High School, Mr. Kirrane was the US Olympic Team's youngest player.

In 1950, Mr. Kirrane married his love, Patricia Rose, who died in 2010.

Kirrane was unable to play in the 1952 Olympics because he was serving in the Army. When he returned home from the Army, he became a firefighter in Brookline where he proudly served for 38 years.

Known for his soft-spoken and selfless manner, Jack's love for the game of hockey continued and in 1960, the 31-year-old defenseman was named captain of the US Hockey Team. At the 1960 games in Squaw Valley, California, Mr. Kirrane led the underdog Americans to upset Canada, 2-1, then the Soviet Union, 3-2. His team became the first U.S. Team to ever beat the Soviets, and subsequently, Czechoslovakia, 9-4, winning the Olympic gold medal.

With this accomplishment, Mr. Kirrane proudly received a congratulatory telegram from John F. Kennedy, also a Brookline native, who was then a U.S. Senator.

In 1987 Kirrane was inducted into the United States Hockey Hall of Fame and, in 2010 the rink at Larz Anderson Park in Brookline was named after Mr. Kirrane.

Mr. Kirrane will be remembered by most as an all-time local hockey great, but those close to him will also remember him as a family man who enjoyed the simple things in life and his love of family.

John "Jack" Kirrane will be deeply missed by his son, Jack and his daughters, Susan Fields and Kristin Greymont, both of Brookline; his brothers William and Edward, his four grandchildren; five great-grandchildren and countless hockey fans and the Brookline community.

Accordingly, as a mark of respect in memory of John "Jack" Kirrane, at twenty-five minutes past eleven o'clock A.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Tuesday next at eleven o'clock A.M.