

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, November 7, 2016.

Met at five minutes past eleven o'clock A.M. (Ms. Lovely 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 (Ms. Lovely), 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 Honorable Bruce E. Tarr, Senate Minority Leader, announcing the appointment (pursuant to Section 1 of Chapter 226 of the Acts of 2014) of Senator Richard J. Ross, his constituent services director, Jessica Katon, representing him when necessary, to the Commission on Autism;

Communication from the Office of the Comptroller (pursuant to Section 5H of Chapter 29 of the General Laws) submitting its fiscal year 2016 Stabilization Fund transfers of the growth in the abandoned property receipts (received November 3, 2016);

Communication from the Department of Public Health (pursuant to item 4590-1506 of Chapter 133 of the Acts of 2016) submitting its report regarding Primary Violence Prevention through Positive Youth Development (received November 4, 2016); and

Communication from the Department of Public Health (pursuant to Section 2RRRR of Chapter 29 of the General Laws) submitting its report entitled "2016 Municipal Naloxone Bulk Purchase Trust Fund Annual Report" (received November 4, 2016).

Reports.

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

Report of the committee on Post Audit and Oversight (pursuant to Section 63 of Chapter 3 of the General Laws, as most recently amended by Chapter 557 of the Acts of 1986) submitting a report entitled -- Fine Time Massachusetts: Judges, Poor People, and Debtors' Prison in the 21st Century (Senate, No. 2504) (received Monday, November 7, 2016);

Report of the Department of Correction (pursuant to Section 16 of Chapter 123A of the General Laws) submitting its annual report on the treatment offered to persons civilly committed as sexually dangerous persons (copies having been forwarded as required to the Senate Committee on Ways and Means and Joint Committees on the Judiciary and Public Safety and Homeland Security) (received November 3, 2016);

Report of the Montachusett Regional Transit Authority (pursuant to Section 8(g) of Chapter 161B of the General Laws) submitting its financial statements and supplementary information for the year ended June 30, 2016 (received November 4, 2016); and

Report of the Department of Energy Resources (pursuant to Section 47 of Chapter 209 of the Acts of 2012) submitting it report on permitting small and low impact hydropower projects in Massachusetts (received November 4, 2016).

Petition.

Mr. Fattman presented a petition (accompanied by bill) (subject to Joint Rule 12) of Ryan C. Fattman and Kevin J. Kuros for legislation to establish a sick leave bank for Paula Daggett, an employee of the Department of Correction;
Referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

PAPERS FROM THE HOUSE.

A Bill authorizing the town of Deerfield to continue the employment of police officers Gary Sibilis and David Gendron (House, No. 4263, 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.

A Bill designating a certain bridge in the town of Freetown as the Senator Joan M. Menard overpass (House, No. 4628, changed and amended,-- on petition),-- was read.

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

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 Spencer to issue certain bonds for terms of 30 years (Senate, No. 2300),-- was read a third time.

Pending the question on passing the bill to be engrossed, Ms. Gobi offered an amendment in section 1, by striking out, in line 1, the words “, (1A), (4), (5), (6), (7), and (34)” and inserting in place thereof the following words:- “and (11)”; in said section 1, by striking out, in line 3, the words “, (1A), (4), (5), (6), (7), and (34)” and inserting in place thereof the following words:- “or (11)”;

and by striking out section 2 and inserting in place thereof the following section:-
"SECTION 2. This act shall take effect on November 8, 2016."

The amendment was adopted.

The bill (Senate, No. 2300, amended) was then passed to be engrossed.

Sent to the House for concurrence.

The House Bill further regulating the lease of a certain parcel of land in the town of Plymouth (House, No. 3966) (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.**

The House Bill validating the results of a certain election in the town of East Longmeadow (printed in House, No. 4382),-- **was read a third time and passed to be engrossed, in concurrence.**

PAPERS FROM THE HOUSE.

Emergency Preambles Adopted.

An engrossed Bill establishing a sick leave bank for Karen Tavernier, an employee of the Massachusetts Department of Transportation (see Senate, No. 2498), 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 3 to 0.**

The bill was signed by the Acting President (Ms. Lovely) and sent to the House for enactment.

An engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Foxborough to the Foxborough Housing Authority (see House, No. 3938, 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 3 to 0.**

The bill was signed by the Acting President (Ms. Lovely) and sent to the House for enactment.

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 (Ms. Lovely) and laid before the Governor for his approbation, to wit:

Establishing a sick leave bank for Aaron Paul, an employee of the Department of Correction (see Senate, No. 2494, amended);
Establishing a sick leave bank for Karen Tavernier, an employee of the Massachusetts Department of Transportation (see Senate, No. 2498); and

Authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Foxborough to the Foxborough Housing Authority (see House, No. 3938, amended).

A petition (accompanied by bill, House, No. 4725) of Nick Collins relative to establishing a special commission (including members of the General Court) to study the need and feasibility of a helipad in the South Boston section of the city of Boston,--
was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Transportation.

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.

Adjourn In Memory of Robert Andrew Kennedy III

Mr. Brady in the Chair, the Senator from Plymouth and Bristol, Mr. Brady, moved that when the Senate adjourns today, it do so in memory of Robert Andrew Kennedy III.

Robert Andrew Kennedy III, brother of the late Senator Thomas Kennedy, passed away on October 21st in the presence of his family after a courageous battle with cancer at the age of 71. Robert was a graduate of Cardinal Spellman High School class of 1963 and went on to earn several degrees in the fields of engineering and mathematics, including Bachelor of Science in Electrical Engineering from Worcester Polytechnic Institute, Master of Science in Electrical Engineering from New York University, Master of Science in Mathematics from Northeastern University, and Doctor of Electrical Engineering from Northeastern University. While working at a number of laboratories throughout his career Robert followed his love of teaching and taught night courses at Massasoit Community College and eventually went on to teach full time at the Massachusetts Maritime Academy and again later in life at Massasoit Community College all while continuing his engineering career. A lifelong Brockton resident Robert was married to Linda M. (Simmons) Kennedy and is survived by their three sons AJ, David and Ben as well as 7 grandchildren.

Ms. Lovely in the Chair, accordingly, as a mark of respect in memory of Robert Andrew Kennedy III, at twenty-four minutes past eleven o'clock A.M., on motion of Mr. Brady, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.