

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, December 17, 2015.

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

Communications.

Communication from the Public Employee Retirement Administration Commission (under the provisions of Section 50 of Chapter 7 of the General Laws) submitting proposed amendments to the rules and regulations governing retirement board elections (840 CMR 7.00) (Senate, No. 2078) (received December 15, 2015); and

Communication from the Public Employee Retirement Administration Commission (under the provisions of Section 50 of Chapter 7 of the General Laws) submitting proposed amendments to the rules and regulations governing retirement of public employees (840 CMR 10.00) (Senate, No. 2079) (received December 15, 2015);

**Were severally referred, under Senate Rule 20, to the committee on Public Service.
Severally sent to the House for concurrence.**

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

Communication from the Office of the Comptroller (pursuant to Section 2E of Chapter 46 of the Acts of 2015) submitting a Fiscal Year 2016 revised transfer schedule for the following account: 1595-1068 Medical Assistance Trust Fund (received December 14, 2015);

Communication from the Department of Public Health (pursuant to Section 11 of Chapter 111K of the General Laws) submitting the Catastrophic Illness in Children Relief Fund (CICRF) annual report for Fiscal Years 2014 and 2015 (received December 15, 2015); and

Communication from the Department of Public Health (pursuant to Item 4513-1020 of Chapter 46 of the Acts of 2015) submitting the Early Intervention program report for the first quarter of FY16 (received December 15, 2015).

Reports.

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

Report of the Nantucket Regional Transit Authority (pursuant to Section 8(g) of Chapter 161B of the General Laws) submitting its annual report for the fiscal year 2015 (received December 14, 2015);

Report of the Cape Cod 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, 2015 (received December 14, 2015);

Report of the Executive Office for Administration & Finance (pursuant to Section 60B(f) of Chapter 29 of the General Laws, as amended by Chapter 118 of the Acts of 2013) submitting its Capital Debt Affordability Committee Recommendation (received December 16, 2015).

Petition.

Ms. Flanagan presented a petition (accompanied by bill) (subject to Joint Rule 12) of Jennifer L. Flanagan for legislation relative to the promotion of mental health education in Massachusetts high schools,-- **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 Ms. Forry for the committee on Housing, on petition, a Bill relative to affordable housing in East Boston (Senate, No. 1966) [Local approval received];

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. 3896) of Hannah Kane, Carolyn C. Dykema and Danielle W. Gregoire (by vote of the town) that the town of Westborough be authorized to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises,-- **was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.**

A Bill establishing a sick leave bank for Jennifer Fitzgibbon, an employee of the Trial Court (House No. 3902,-- on House, No. 3863),-- **was read and, under Senate Rule 26, referred to the committee on Ways and Means.**

A Bill relative to the street closure permitting process in the city of Boston (House, No. 3729,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Matter Taken Out of the Orders of the Day.

There being no objection, the following matter was taken out of the Orders of the Day and considered, as follows:
The House Bill relative to the tax status of certain land owned by a housing authority within the city of Cambridge (House, No. 3867, amended),-- was read a second time, ordered to a third reading, third time and passed to be engrossed, 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 authorizing the town of Manchester-by-the-Sea to employ Albert B. Beardsley as interim fire chief (printed in House, No. 3859).

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.

A petition (accompanied by bill, House, No. 3904) of James M. Murphy relative to the restoration to service for certain retirees,-- was referred in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.

Emergency Preambles Adopted.

An engrossed Bill establishing a sick leave bank for Lucia R. Dias, an employee of the Department of Bristol County Sheriff's Office (see House, No. 3840, 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. Lewis) and sent to the House for enactment.

An engrossed Bill establishing a sick leave bank for Jamie Johnson, an employee of the Department of Mental Health (see House, No. 3843), 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. Lewis) and sent to the House for enactment.

An engrossed Bill establishing a sick leave bank for Jane Mihalich, an employee of the Department of Public Health (see House, No. 3852), 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. Lewis) and sent to the House for enactment.**

Recess.

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

PAPERS FROM THE HOUSE.

Engrossed Bills.

The following engrossed bills (all of which originated in the House), 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. Lewis) and laid before the Governor for his approbation, to wit:

Authorizing the city of Salem to convert 3 licenses for the sale of wines and malt beverages to be drunk on the premises to licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 3739, amended);
Authorizing the City of Salem to convert 1 seasonal license to an annual license for the sale of wines and malt beverages to be drunk on the premises (see House, No. 3740, amended);
Establishing a sick leave bank for Lucia R. Dias, an employee of the Department of Bristol County Sheriff's Office (see House, No. 3840, amended);
Establishing a sick leave bank for Jamie Johnson, an employee of the Department of Mental Health (see House, No. 3843); and
Establishing a sick leave bank for Jane Mihalich, an employee of the Department of Public Health (see House, No. 3852).

An engrossed Bill authorizing the town of Manchester-by-the-Sea to employ Albert B. Beardsley as interim fire chief (see House Bill, printed in House, No. 3859) (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. Lewis) and laid before the Governor for his approbation.

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.

Adjournment in Memory of Ethel Weiss

The Senator from Middlesex and Norfolk, Ms. Creem moved that when the Senate adjourns today, it adjourn in memory of Brookline resident Ethel Weiss, who died at the age of 101 on December 10, 2015.

Born Ethel Arnowitz in 1914, Mrs. Weiss grew up in Maine, and met her husband Irving Kravetz while watching a basketball game in which he was playing.

In 1939, she and Irving purchased a small grocery store on Harvard Street in Brookline. Irving's Toy & Card Shop was run by Ethel for more than 76 years. She affectionately welcomed children stopping by each afternoon after school for penny candy, silly putty, games and puzzles, yo-yos and bubble gum.

After Irving died in 1960 at age 47, Ethel continued managing the store while raising their two daughters. She later she married Abraham Weiss who assisted her in the business.

Her young customers meant so much to Ethel that she refused to sell cigarettes, cigars, or even candy or gum cigarettes because she did not want them to think it was cool to pretend to smoke. She taught the children who shopped in her store arithmetic as they counted out their change, and helped them learn good manners by insisting they say 'please' and 'thank you'.

Mrs. Weiss will be deeply missed. She is survived by her daughters Janice White of North Port, Florida, and Anita Jamieson and her husband John of Brookline, her stepdaughter Arlene Silverstein and her husband Alan of Monroe Township, New Jersey, and pre-deceased by her stepson Barry and his wife Reva Weiss. She will be missed as well by her 12 grandchildren, 15 great-grandchildren and the many Brookline residents who have frequented her store over the past 4 generations.

Accordingly, as a mark of respect to the memory of Ethel Weiss, at ten minutes before one o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.