

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



WEDNESDAY, DECEMBER 28, 2016.

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JOURNAL OF THE SENATE.

Wednesday, December 28, 2016.

Met at thirteen minutes past eleven o'clock A.M.

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.

Pledge of allegiance.

Engrossed Bill — Laid Before the Governor.

An engrossed Bill authorizing the transfer of certain parcels of land in the city of Worcester to promote economic development (see House, No. 4774) (which originated in the House), having been passed to be enacted and signed by the Acting President (Ms. Chandler) on Tuesday, December 27, 2016,-- **was laid before the Governor for his approbation on Wednesday, December 28, 2016.**

Bill laid before the Governor.

Report.

Report of the Massachusetts Clean Water Trust (pursuant to Section 17 of Chapter 29C of the General Laws) submitting its Comprehensive Annual Financial Report for the fiscal year ended June 30, 2016 (received December 27, 2016),-- **was placed on file.**

MA Clean Water Trust,-- CAFR. SD2780

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 further regulating the cultivation of marijuana and marihuana (House, No. 4326) (its title having been changed by the committee on Bills in the Third Reading),-- was read a third time.

Marijuana,-- cultivation.

Pending the question on passing the bill to be engrossed, Mr. Lewis presented an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2524; and by inserting before the enacting clause the following emergency preamble:-

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to ensure the safe implementation of marijuana legalization, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.”

The amendment was adopted.

The bill, as amended, was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

The House Bill authorizing Timothy King to purchase creditable service from the Barnstable county retirement board (House, No. 4580, amended),-- **was read a third time and passed to be engrossed, in concurrence.**

Timothy King,-- creditable service.

The House Bill authorizing Michael Locke to purchase creditable service from the Barnstable county retirement board (House, No. 4581, amended),-- **was read a third time and passed to be engrossed, in concurrence.**

Michael Locke,-- creditable service.

PAPERS FROM THE HOUSE.

A Bill relative to the treasurer of the town of Northfield (House, No. 4526, amended,-- on petition) [Local approval received],-- was read.

Northfield,--
treasurer.

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 relative to the position of appointed collector in the town of Northfield (House, No. 4583,-- on petition) [Local approval received],-- was read.

Northfield,--
appointed collector.

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

A Bill establishing a recreation tax in the town of Charlemont (House, No. 4700,-- on petition) [Local approval received],-- was read.

Charlemont,--
recreation tax.

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 authorizing the Massachusetts Water Resources Authority to supply water to the town of North Reading (House, No. 4743, amended,-- on petition) [Local approval received],-- was read.

North Reading,--
water supply.

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 exempting certain positions in the city of Marlborough from the Civil Service Law (House, No. 4746,-- on petition) [Local approval received],-- was read.

Marlborough,-- civil
service law.

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

A Bill establishing a sick leave bank for Ruth Derfler, an employee of the Department of Elementary and Secondary Education (House, No. 4750,-- on petition),-- was read.

Ruth Derfler,-- sick
leave.

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 establishing a sick leave bank for Kirsten Parisi, an employee of the Commission for the Blind (House, No. 4768, amended,-- on petition),-- was read.

Kirsten Parisi,-- sick
leave.

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

A Bill establishing a sick leave bank for Deborah McNamara, an employee of the Department of Conservation and Recreation (House, No. 4772,-- on petition),-- was read.

Deborah McNamara,--
- sick leave.

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 results of the annual town election held in the town of Becket on May 16, 2015 (printed in House, No. 4756,-- being a message from His Excellency the Governor),-- was read.

Becket,-- election
results.

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.

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 President and laid before the Governor for his approbation, to wit:

Amending the charter of the city known as the town of Greenfield (see House, No. 4003);

Bills laid before the Governor.

Establishing a senior means-tested property tax exemption in the town of Concord (see House, No. 4473, amended);

Concerning long-term homeowners in the city of Boston (see House, No. 4571); and

Authorizing the city of Everett to establish a linkage fee revolving fund (see House, No. 4754).

Recess

There being no objection, at twenty-seven minutes past eleven o'clock A.M., the President, declared a recess subject to the call of the Chair; and, at two minutes past one o'clock P.M., the Senate reassembled, the President in the Chair.

Recess.

PAPERS FROM THE HOUSE.

A Bill authorizing the Three Rivers Fire District to continue the employment of Michael Matthieu (House, No. 4741,-- on petition) [Local approval received],-- was read.

Three Rivers Fire District.

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 relative to train culverts in the town of Lynnfield (House, No. 4742, changed,-- on petition) [Local approval received],-- was read.

Lynnfield,-- train culverts.

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 authorizing the town of Reading to grant licenses for the sale of alcoholic beverages (House, No. 4770,-- on House, No. 4753) [Local approval received on House, No. 4753],-- was read.

Reading,-- liquor license.

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.

Emergency Preamble Adopted.

An engrossed Bill further regulating the cultivation of marijuana and marihuana (see House, No. 4326, 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.

Marijuana cultivation.

The bill was signed by the President and sent to the House for enactment.

Reports 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 Senate Bill to establish February 20 as Frederick Douglass Day (Senate, No. 1655).

Frederick Douglass
Day,-- establishment.

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.

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 Senate Bill relative to the observance of a Gold Star Wives Day and a Gold Star Mothers and Families Day (Senate, No. 1717).

Gold Star
Wives/Mothers Day.

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.

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 designating the Hampden County Superior Court as the Roderick L. Ireland Courthouse (House, No. 3643).

Roderick L. Ireland
Courthouse.

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.

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 relative to the posting of a security for seized animals in cruelty cases (House, No. 1220, amended) (the committee on Rules having recommended that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2523).

Animal cruelty cases.

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 Rules.

The bill, as amended, was then ordered to a third reading.

Order Adopted.

On motion of Mr. Tarr,--

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

Time of meeting.

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 President and laid before the Governor for his approbation, to wit:

Further regulating the cultivation of marijuana and marihuana (see House, No. 4326, amended);

Bills laid before the
Governor.

Authorizing Timothy King to purchase creditable service from the Barnstable

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county retirement board (see House, No. 4580, amended); and

Authorizing Michael Locke to purchase creditable service from the Barnstable county retirement board (see House, No. 4581, amended).

On motion of Mr. Tarr, at thirteen minutes past one o'clock P.M., the Senate adjourned to meet again tomorrow at eleven o'clock A.M.