

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.

Wednesday, April 8, 2015.

Met at four minutes past two o'clock P.M. (Mr. Pacheco in the Chair).

Distinguished Guests.

Mr. DiDomenico in the Chair, the same Senator then introduced, in the rear of the Chamber, the Everett Pop Warner National Championship Football Team. The team consisted of 7th and 8th grade Everett students who were recognized for outscoring their opponents 553-41 and completing the season with a 17-0 record. The Senate applauded their accomplishments and they withdrew from the Chamber. The team was accompanied by Head Coach Dennis Willcox, Coaches Rick Pulsifer, John Romboli, Victor Ruiz, Joey White, Carol Manuel, Chris Davidson, Danielle Nadeau and team moms Kelly Wilcox and Missy Raduazzo. They were also guests of Representative McGonagle.

Communication.

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

Communication from the Honorable Brian A. Joyce, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Wednesday, April 8, 2015, at seven minutes before twelve o'clock noon);

Communication from the Norfolk County Sheriff submitting a copy of the Correctional Center's and Dedham Alternative Center's plan of action in response to the DPH Inspection conducted on January 22, 2015 (received April 6, 2015);

Communication from the Office of the Comptroller (pursuant to Section 6B of Chapter 29 of the General Laws) submitting the quarterly report on the status of federal funds applied for, received and expended (received April 7, 2015); and

Communication from Martin J. Benison, State Comptroller (under the provisions of Section 35T of Chapter 10 of the General Laws) submitting notice of certification of MBTA dedicated sales tax revenues for the fiscal year ending June 30, 2015 (received April 3, 2015).

Reports of a Committee.

By Mrs. L'Italien, for the committee on Municipalities and Regional Government, on petition, a Bill to amend the charter of the town of Randolph (Senate, No. 24) [Local approval received];

By the same Senator, for the same committee, on petition, a Bill to authorize the city manager of the city of Worcester to appoint the chair of the Worcester redevelopment authority (Senate, No. 29) [Local approval received]; and

By the same Senator, for the same committee, on petition, a Bill relative to sewer commissioners in the town of Wareham (Senate, No. 34) [Local approval received];

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

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 3336) of Denise Provost, Timothy J. Toomey, Jr. and Christine P. Barber (with the approval of the mayor and city council) that the city of Somerville be authorized to issue sixty five additional licenses for the sale

of alcoholic beverages;

To the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 3337) of Benjamin Swan and Domenic J Sarno, Mayor (with the approval of the mayor and city council) that the city of Springfield be exempt from certain provisions of municipal contracts law;

To the committee on State Administration and Regulatory Oversight.

Report of the committee on Financial Services asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 933) of David M. Rogers, Paul W. Mark and others for a legislative amendment to the Constitution to declare rights afforded to the human inhabitants of the Commonwealth are not applicable to corporations, limited liability companies or any other corporate entities,-- **and recommending that the same be referred to the committee on The Judiciary,-- was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

There being no objection, at five minutes past two o'clock P.M., the Chair (Mr. Pacheco) declared a recess subject to the call of the Chair; and, at seven minutes past four o'clock P.M., the Senate reassembled, the President in the Chair.

At eight minutes past four o'clock P.M., Mr. Tarr doubted the presence of a quorum.

The President, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently, at nine minutes past four o'clock P.M., a quorum was declared present.

Mr. DiDomenico in the Chair, the Chair then led the President, members, guests and staff in the recitation of the pledge of allegiance to the flag.

Resolutions.

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

Resolutions (filed by Mr. Hedlund) "congratulating Adam N. Benson on his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Kennedy) "congratulating the Boston Numismatic Society, the Collectors Club of Boston and the Currency Club of New England on their celebration of the Ninety-Second Annual Coin Week"; and
Resolutions (filed by Mr. Pacheco) "congratulating Joseph L. 'Joe' Amaral on being named the Portuguese-American Person of the Year by the Greater Taunton Chapter of the Prince Henry Society of Massachusetts, Inc."

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 3338) of Edward F. Coppinger for legislation to establish a sick leave bank for Ignacio "Iggy" Farias, an employee of the Massachusetts Department of Transportation,-- **was referred in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Simon Valedi, an employee of the Massachusetts Department of Transportation (House, No. 64),-- **ought to pass.**

There being no objection, the rules were suspended, on motion of Mr. McGee, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

PAPER FROM THE HOUSE

Engrossed Bill—State Loan.

An engrossed Bill providing for the financing of certain improvements to municipal roads and bridges (see House Bill, printed in No. 3187, amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was put upon its final passage; and, this being a bill providing for the borrowing of money, in accordance with the provisions of Section 3 of Article LXII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at seventeen minutes past four o'clock P.M., as follows to wit (*yeas 38 - nays 0*) **[Yeas and Nays No. 15]:**

YEAS.

Barrett, Michael J.	Keenan, John F.
Brownsberger, William N.	Kennedy, Thomas P.
Chandler, Harriette L.	Lesser, Eric P.
Chang-Diaz, Sonia	Lewis, Jason M.
Creem, Cynthia Stone	L'Italien, Barbara
deMacedo, Viriato M.	Lovely, Joan B.
DiDomenico, Sal N.	McGee, Thomas M.
Donnelly, Kenneth J.	Montigny, Mark C.
Donoghue, Eileen M.	Moore, Michael O.
Downing, Benjamin B.	O'Connor Ives, Kathleen
Eldridge, James B.	Pacheco, Marc R.
Fattman, Ryan C.	Petrucelli, Anthony
Flanagan, Jennifer L.	Rodrigues, Michael J.
Forry, Linda Dorcena	Ross, Richard J.
Gobi, Anne M.	Rush, Michael F.
Hedlund, Robert L.	Spilka, Karen E.
Humason, Donald F., Jr.	Tarr, Bruce E.
Jehlen, Patricia D.	Timilty, James E.
Joyce, Brian A.	Welch, James T. – 38.

NAYS – 0.

ABSENT OR NOT VOTING.

Wolf, Daniel A. – 1.

The yeas and nays having been completed at twenty-one minutes past four o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President 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 tomorrow next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

Moment of Silence.

At the request of the President, the members, guests and staff stood in a moment of silence and reflection to the memory of Frank A. Zinck, Jr.

Adjourn In Memory of Frank A. Zinck, Jr.

The Senator from Middlesex, Mr. Lewis, moved that when the Senate adjourns today, it do so in memory of Frank A. Zinck, Jr.

Chief Frank A. Zinck, Jr. was born on January 19, 1942 to Frank Sr. and Eva Zinck. Frank was a lifelong resident of Melrose and attended the Melrose Public Schools graduating Melrose High School in 1960.

Frank's passion has always been firefighting, even as a young boy when he would hang out at Engine 3's quarters hoping to "spark" a fire. Frank would assist the companies when they had brush fires in hopes that one day that he would become a "Jake". Frank's passion became a reality in 1963 when he was appointed to the Melrose Fire Department. He was promoted to Fire Lieutenant in 1982 and Fire Captain in 1988. In 1996 Frank was instrumental in the creation of the Fire Prevention Office and became the first Fire Prevention Captain in the history of the Melrose Fire Department. He was appointed Chief of Department in 1999 until his retirement in 2002.

Even after his retirement, Frank would stop by the various fire stations to say hello, and if you happen to come upon a fire in Melrose, if he wasn't in Florida or Maine, chances are you would see Frank standing by with his scanner. Frank will be remembered as a kind, compassionate, and caring man always laughing and upbeat. He is survived by his wife, son, stepchildren, and many grandchildren.

Accordingly, as a mark of respect in memory of Frank A. Zinck, Jr., at twenty-four minutes past four o'clock P.M., on motion of Ms. Chandler, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.