

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, July 6, 2015.

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

Distinguished Guests.

There being no objection, the Chair (Mr. Brownsberger) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced, in the rear of the Chamber, Wayne Sargent from Gloucester. Mr. Sargent was recognized for having survived a severe gas explosion in his home and for his hard work and dedication over the years towards the passage of gas leaks legislation that would prevent this type of explosion from happening in the future. He was accompanied by his partner Teresa Marchant. The Senate welcomed them with applause and they withdrew from the Chamber.

Reports.

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

Report of the Executive Office of Public Safety and Security (pursuant to Section 172 of Chapter 6 of the General Laws) submitting its Annual Report: Commissioner Approved Access to Criminal Offender Record Information (CORI) (received July 2, 2015); and

Report of the Executive Office of Health and Human Services Office of Medicaid (pursuant to Section 265 of Chapter 224 of the Acts of 2012) submitting the report Certifying the Office of Medicaid's Contracted Health Benefit Plans' Compliance with Mental Health Parity (received July 2, 2015).

Petition.

Mr. Brownsberger presented a petition (accompanied by bill) (subject to Joint Rule 12) of William N. Brownsberger for legislation relative to vehicle recalls,-- and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of a Committee.

By Mr. Timilty, for the committee on Public Service, on petition, a Bill to establish a sick leave bank for Robert McMahan, an employee of the Department of Public Health (Senate, No. 1951); and

By the same Senator, for the same committee, on petition, a Bill to establish a sick leave bank for Susan Welliver, an employee of the Massachusetts Department of Transportation (Senate, No. 1954);

Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

PAPERS FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows, to wit
Petition (accompanied by bill, House, No. 3640) of Kate Hogan (by vote of the town) that the town of Bolton be authorized to recall certain elected officials;
To the committee on Election Laws.

Petition (accompanied by bill, House, No. 3641) of Colleen M. Garry (by vote of the town) that certain officials in the town of Tyngsborough be authorized to approve all warrants for payment of said towns funds including payroll warrants;
To the committee on Municipalities and Regional Government.

Report of the committee on Revenue, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3595) of Louis L. Kafka, James E. Timilty and Brian A. Joyce (by vote of the town) that the town of Sharon be authorized to issue an abatement for a portion of real estate taxes assessed on a certain parcel of land in said town, and recommending that the same be recommitted to the committee on Municipalities and Regional Government,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Petitions were severally referred, in concurrence, as follows, to wit:
Petition (accompanied by bill, House, No. 3647) of Ron Goldman to encourage parents and caregivers of children to refrain from the use of corporal punishment;
Under suspension of Joint Rule 12, to the committee on Children, Families and Persons with Disabilities.

Petition (accompanied by bill, House, No. 3648) of William Smitty Pignatelli for legislation to exempt the personal use of milk and raw milk products by owners of cows and goats from certain laws governing the use of said products;
Under suspension of Joint Rule 12, to the committee on Environment, Natural Resources and Agriculture.

Emergency Preamble Adopted

An engrossed Bill establishing a sick leave bank for Valerie Loiacono Daley, an employee of the Trial Court (see House, No. 3606), 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. Brownsberger) and sent to the House for enactment.

Engrossed Bills.

The following engrossed bills (the first 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. Brownsberger) and laid before the Governor for his approbation, to wit:
Further regulating the community events fund in the town of Wareham (see Senate, No. 1099); and
Establishing a sick leave bank for Valerie Loiacono Daley, an employee of the Trial Court (see House, No. 3606).

Order Adopted.

On motion of Mr. Tarr,—

Ordered, That when the Senate adjourns today, it adjourn to meet again on Wednesday 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 Sean M. Dunphy

The Senator from Hampshire, Franklin and Worcester, Mr. Rosenberg, moved that when the Senate adjourns today, it adjourn in memory of Sean M. Dunphy.

Sean M. Dunphy, former Northampton mayor and Probate Court judge, died on June 12, 2015 surrounded by his loving family.

A Northampton native and 1958 graduate of Northampton High School, Sean attended Fairfield University and Boston University School of Law.

While attending Boston University he met his future wife, Ann, while campaigning for future Governor Endicott Peabody.

After finishing their respective degrees, they both moved to Northampton in 1965, where Sean joined his father's law firm and began his career in public service as chairman of the Northampton Planning Board.

He ran successfully for mayor in 1969, at the age of 28, and remains the city's youngest mayor ever inaugurated.

Sean is largely credited with transforming the downtown into the bustling arts community it is today.

Sean became justice of the Hampshire Probate and Family Court in 1978, and was named Chief Justice of the Massachusetts Probate and Family Court system in 1997.

As chief justice he introduced number reforms and transparency initiatives, and for empowering litigants who came before the courts

Sean M. Dunphy is survived by his loving wife Ann, his two daughters, Elizabeth Creamer and Jennifer Dunphy, both of Washington DC, his brother Paul of Haydenville, his sister Elaine Foster of Jersey City, his five grandchildren, Brendan, Caitlin, Brigid, Jack and Sean, as well as many devoted nieces and nephews.

Accordingly, as a mark of respect in memory of Sean M. Dunphy, at sixteen minutes past eleven o'clock A.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Wednesday next at eleven o'clock A.M.