

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**THURSDAY, SEPTEMBER 21, 2017.**

[90]

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## JOURNAL OF THE SENATE.

Thursday, September 21, 2017.

Met at two minutes past eleven o'clock A.M. (Mr. Boncore in the Chair).

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The Chair (Mr. Boncore), members, guests and staff then recited the pledge of allegiance to the flag.

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Pledge of allegiance.

### *Communications.*

Communication from the Massachusetts Gaming Commission (pursuant to Section 9B of Chapter 128A of the General Laws) submitting proposed amendments to regulations 205 CMR 3.00: Harness Horse Racing and 205 CMR 4.00: Rules of Horse Racing (Senate, No. 2162) (received September 19, 2017),-- **was referred to the committee on Consumer Protection and Professional Licensure.**

Gaming  
Commission,--  
proposed regulations.  
SD2330

**Sent to the House for concurrence.**

The following communications were severally received and placed on file:

Communication from the Honorable Joseph A. Boncore, a reconciliation statement in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Tuesday, September 19, 2017 at five minutes past eleven o'clock A.M.);

Senator Joseph A.  
Boncore,-- Chapter  
268A.

Communication from the Honorable Bruce E. Tarr, Senate Minority Leader, announcing the appointment (pursuant to Chapter 325 of the Acts of 2016) of Ms. Linnea L. Hagsberg, R.D. of Gloucester as his designee to the Special Commission on malnutrition prevention among older adults; and

Malnutrition  
prevention among  
older adults.

Communication from the Honorable Stanley C. Rosenberg, President of the Senate, announcing the appointment (pursuant to Section 2 of Chapter 114 of the Acts of 2008) of Senators Joseph A. Boncore and Julian Cyr to the Ocean Advisory Commission.

Ocean Advisory  
Commission.

### *Petitions.*

Petitions were severally presented and referred as follows:

By Ms. Donoghue, a petition (accompanied by resolve) (subject to Joint Rule 12) of Eileen M. Donoghue that provision be made for an investigation and study by a special commission relative to mattress recycling;

Mattress recycling,--  
special commission.  
SD2332

By Mr. O'Connor, a petition (accompanied by bill) (subject to Joint Rule 12) of Patrick M. O'Connor for legislation relative to the scheduling of employees; and

Employees,--  
scheduling. SD2331

By Mr. Rodrigues, a petition (accompanied by bill) (subject to Joint Rule 12) of Michael J. Rodrigues and William M. Straus for legislation relative to the retirement allowance of Jana Cavanaugh;

Jana Cavanaugh,--  
retirement.  
SD2329

**Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

PAPERS FROM THE HOUSE

A petition (accompanied by bill, House, No. 3918) of David T. Viera, Viriato M. deMacedo and Randy Hunt (by vote of the town) that the town of Bourne be authorized to amend the charter of said town,-- **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Bourne,-- charter.

A Bill authorizing the town of Tisbury to pay a certain unpaid bill (printed in House, No. 3710,-- being a message for His Excellency the Governor),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Tisbury,-- payment,

A Bill authorizing the town of Dracut to grant four additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 3754, amended,-- on House, No. 2817) [Local approval received on House, No. 2817],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Dracut,-- liquor license.

Reports .

Of the committee on Education, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 2030) of Carolyn C. Dykema and others for legislation relative to wireless internet service in schools and public higher institutions of higher education; and

Schools,-- wireless internet.

Of the petition (accompanied by bill, House, No. 2858) of Kay Kahn and others relative to prohibiting the marketing of sugary drinks on school grounds;

Schools,-- sugary drinks.

And recommending that the same severally be referred to the committee on Public Health.

Of the committee on Export Development, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2155) of Adrian Madaro and others relative to safety and emergency preparedness training for aviation service workers,-- and recommending that the same be referred to the committee on Transportation.

Aviation workers,-- training.

Of the committee on State Administration and Regulatory Oversight, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3633) of Byron Rushing, Denise Provost and Carlos Gonzales relative to workforce safety, trench excavation permitting and further regulating the responsibilities of procurement officers,-- and recommending that the same be referred to the committee on Labor and Workforce Development.

Procurement officers,-- responsibilities.

**Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

#### *Resolutions.*

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

Resolutions (filed by Mr. deMacedo) “commending the Fire Prevention Association of Massachusetts, Inc. on its five hundredth meeting and its recognition of October 9 to 15, 2017 as Fire Prevention Week in the Commonwealth”;

The Fire Prevention Association of Massachusetts, Inc.

Resolutions (filed by Ms. Friedman) “congratulating Howard R. Johnson on his ninetieth birthday”; and

Howard R. Johnson.

Resolutions (filed by Mr. Tarr) “congratulating the L.D. Batchelder School on

L.D. Batchelder

its one hundredth anniversary.”

School.

*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 establishing a town manager in the town of West Newbury (Senate, No. 2067),-- was read a third time.

West Newbury,--  
town manager.

Pending the question on passing the bill to be engrossed, Mr. Tarr offered an amendment substituting a new draft with the same title (Senate, No. 2161).

**The amendment was adopted.**

**The bill (Senate, No. 2161) was then passed to be engrossed.**

**Sent to the House for concurrence.**

The House Bill authorizing retired police officers serving as special police officers in the town of Canton to serve until the age of 70 (House, No. 3885),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Canton,-- special  
police officers.

PAPERS FROM THE HOUSE

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

Petition (accompanied by bill, House, No. 3921) of Nick Collins for legislation to designate a band stand at the Marine Park in the South Boston neighborhood of the city of Boston as the Harry G. Uhlman, Jr., memorial band stand;

South Boston,--  
Harry G. Uhlman, Jr.,  
memorial band stand.

**Under suspension of Joint Rule 12, to the committee on Environment, Natural Resources and Agriculture.**

Petition (accompanied by bill, House, No. 3924) of Paul McMurtry and Michael F. Rush for legislation to establish a sick leave bank for Erik Nordahl, an employee of the Massachusetts Rehabilitation Commission;

Erik Nordahl,-- sick  
leave.

Petition (accompanied by bill, House, No. 3923) of James J. O'Day and Harriette L. Chandler for legislation to establish a sick leave bank for Laura Sypien, an employee of the Worcester Recovery Center and Hospital; and

Laura Sypien,-- sick  
leave.

Petition (accompanied by bill, House, No. 3922) of Mary S. Keefe and Michael O. Moore for legislation to establish a sick leave bank for Maria Williams, an employee of the Department of Mental Health;

Maria Williams,--  
sick leave.

**Severally, under suspension of Joint Rule 12, to the committee on Public Service.**

*Order Adopted.*

On motion of Mr. Tarr,--

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

Time of meeting.

*Moment of Silence.*

At the request of the Chair (Mr. Boncore), the members, guests and staff stood in a moment of silence and reflection to the memory of Richard C. Lee of Salem.

Moment of silence.

*Adjourn In Memory of Richard C. Lee*

The Senator from Essex, Ms. Lovely, moved that when the Senate adjourns today it do so in memory of Richard C. Lee of Salem.

Richard C. Lee, a retired sergeant for the Peabody Police Department, died Monday, September 18, 2017, surrounded by his loving family.

Born in Salem, he was the son of the late Robert C. and Doris Lee. He was raised and educated in Salem and was a graduate of Salem High School, Class of 1963. He continued his education at the University of New Hampshire and earned his master's degree from Anna Maria College.

An honorably discharged veteran, he served his country as a member of the United States Air Force during the Vietnam War.

A steadfast public servant, Mr. Lee dedicated his professional life to helping and protecting the residents of the city of Peabody as a Sergeant with the Peabody Police Department for 33 years, until the time of his retirement in 2005. In his retirement, he was associated with the Peabody Essex Museum of Salem in the Security Department.

A loving husband, father, brother and uncle, Richard was devoted to his family. He was a longtime resident of the city of Salem and, at the time of his passing, was a member of the City of Salem Licensing Board. He was an active member of the Christopher Columbus Society and the Knights of Columbus, Veragua Council 76, both of Salem. He enjoyed traveling with his wife and his special travel buddies, Ann and Maureen. An avid sports fan, Rick enjoyed spending his time playing golf and cheering on his beloved Boston Red Sox and New England Patriots.

Above all else, family always came first. He found the love of his life and best friend in Janice and they spent many happy years together supporting each other through thick and thin and laughing all along the way. He was ultimately proud of his devoted daughter. He will be remembered for his devotion to his family, his dedication to serving the needs of others and his outgoing personality and keen sense of humor. He will be deeply missed.

Richard is survived by his loving wife of 49 years, Janice (Almeida) Lee of Salem; his daughter, Stephanie Lee of Salem; his brother, James Lee of Virginia; his sister-in-law, Brenda Lee and his niece, Melissa Lee, both of Canada; his mother-in-law, Stella Almeida of Peabody; his brother and sister-in-law, Ronnie and Cathy Almeida of Peabody; and his former son-in-law, Herb Durant of Peabody; and many aunts, uncles and cousins. He was the brother of the late Andrea Tonne and Robert Lee.

Accordingly, as a mark of respect in memory of Richard C. Lee, at fourteen minutes past eleven o'clock A.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.