

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, OCTOBER 23, 2017.

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JOURNAL OF THE SENATE.

Monday, October 23, 2017.

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

Pledge of allegiance.

Communication.

Communication from the Office of the Comptroller (pursuant to Section 6B of Chapter 29 of the General Laws) submitting its quarterly report on the status of federal funds applied for, received and expended in the 1st quarter of fiscal year 2018 (received October 19, 2017,-- was placed on file

Comptroller,-- federal grants report. SD2361

Reports.

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

Report of the Massachusetts Sheriffs' Association (pursuant to line item 1599-1690 of Chapter 47 of the Acts of 2017) submitting its County Sheriff's Office's primary reserve funding reports (received October 19, 2017); and

MSA,-- reserve funding reports. SD2362

Report of Massachusetts Gaming Commission (pursuant to Section 60(b) of Chapter 23K of the General Laws) submitting its Horse Racing Committee recommendations on how Race Horse Development Funds shall be distributed between thoroughbred and standardbred racing facilities (received October 20, 2017).

MGA,-- Horse Racing Committee report. SD2363

Reports of Committees.

By Mr. Lewis, for the committee on Labor and Workforce Development, on petition, a Bill increasing injured workers' access to medical care and workers' compensation benefits (Senate, No. 1011);

Medical care,-- injured workers.

Referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Lewis, for the committee on Labor and Workforce Development, on petition, a Bill relative to social media privacy protection (Senate, No. 991);

Social media,-- privacy protection.

By the same Senator, for the same committee, on petition, a Bill amending the unemployment insurance law for workers with fluctuating work schedules (Senate, No. 1003); and

Unemployment insurance law,-- schedules.

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 989), a Bill relative to defense against abusive waivers (Senate, No. 2186);

Abusive waivers,-- defense.

By Mr. Moore, for the committee on Municipalities and Regional Government, on petition, a Bill relative to protecting puppies and kittens (Senate, No. 1155); and

Animal sales,-- protection.

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By the same Senator, for the same committee, on Senate, No. 1127 and House, No. 2426, a Bill protecting abandoned animals in vacant properties (Senate, No. 2187);

Abandoned animals,-
- protect.

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

PAPER FROM THE HOUSE.

A Bill designating a portion of route 88 as Governor Argeo Paul Cellucci Circle in the town of Westport (House, No. 3963,-- on House, No. 3815),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Westport,--
Governor Argeo Paul
Cellucci Circle.

Bills

Authorizing the town of Westford to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3839,-- on House, No. 3737) [Local approval received on House, No. 3737]; and

Westford,-- liquor
license.

Authorizing the town of Westford to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3840,-- on House, No. 3738) [Local approval received on House, No. 3738];

Ibid.

Resolutions.

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

Resolutions (filed by Ms. Gobi) “congratulating Helena Jailbert on her retirement”;

Helena Jailbert.

Resolutions (filed by Mr. Hinds) “commending Lamson and Goodnow Manufacturing Company on its one hundred and eightieth anniversary”;

Lamson and Goodnow
Manufacturing
Company.
Barbara Bernard.

Resolutions (filed by Mr. Humason) “congratulating Barbara Bernard on receiving the 2017 William G. Dwight Distinguished Service to Holyoke Award”;

Resolutions (filed by Mr. O’Connor) “congratulating Nathan Moore of the town of Scituate on his elevation to the rank of Eagle Scout”;

Nathan Moore.

Resolutions (filed by Mr. O’Connor) “congratulating Christopher Sullivan of the town of Hingham on his elevation to the rank of Eagle Scout”;

Christopher Sullivan.

Resolutions (filed by Mr. Pacheco) “commending the Wat Nawamin Buddhist Thai Temple for its recognition of the celebration of the life of His Majesty, King Bhumibol Adulyadej.”

The Wat Nawamin
Buddhist Thai
Temple.

PAPERS FROM THE HOUSE

Emergency Preambles Adopted.

An engrossed Bill designating a certain bridge in the town of Sturbridge as the Trooper Thomas L. Clardy Memorial Bridge (see House, No. 3900), 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.

Trooper Thomas L.
Clardy bridge,--
Sturbridge.

The bill was signed by the Acting President (Mr. Timilty) and sent to the House for enactment.

An engrossed Bill designating a certain road in the town of Charlton as

Trooper Thomas L.

Trooper Thomas L. Clardy Way (see House, No. 3901), 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.

Clardy Way,--
Charlton.

The bill was signed by the Acting President (Mr. Timilty) and sent to the House for enactment.

An engrossed Bill establishing a sick leave bank for Maria Williams, an employee of the Department of Mental Health (see House, No. 3922), 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.

Maria Williams,--
sick leave.

The bill was signed by the Acting President (Mr. Timilty) and sent to the House for enactment.

An engrossed Bill establishing a sick leave bank for Amanda Rodrigues, an employee of the Trial Court (see House, No. 3932), 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.

Amanda Rodrigues,--
sick leave.

The bill was signed by the Acting President (Mr. Timilty) and sent to the House for enactment.

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 relative to town meeting members in the town of Burlington (House, No. 2789),-- **was read a third time and passed to be engrossed, in concurrence.**

Burlington,-- town
meeting members.

The House Bill authorizing the town of Burlington to grant 8 additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 3756, amended) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Burlington,--
liquor licenses.

The House Bill further regulating the appointment of the trustees of the public library of the city of Boston (House, No. 3862, amended) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Boston Public
Library,-- trustees.

PAPERS FROM THE HOUSE.

The Senate Bill authorizing the town of Plymouth to exchange a parcel of land held for conservation purposes for a parcel of land in the town of Plymouth (Senate, No. 2085),-- came from the House passed to be engrossed, in concurrence *with an amendment*, striking out all after the enacting clause and inserting in place

Plymouth,-- land.

thereof the text of House document numbered 3959.

The rules were suspended, on motion of Mr. Fattman, and the House amendment was considered forthwith and adopted, in concurrence.

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

Petition (accompanied by bill, House, No. 3969) of Natalie Higgins relative to insurance coverage for Alfi’s syndrome;

Alfi’s syndrome.

Under suspension of Joint Rule 12, to the committee on Financial Services.

Petition (accompanied by bill, House, No. 3970) of Lee Cook relative to prescriptions for testosterone therapy medications;

Testosterone therapy,-- medications.

Under suspension of Joint Rule 12, to the committee on Public Health.

Petition (accompanied by bill, House, No. 3971) of William L. Crocker, Jr. relative to certain taxes assessed by the Centerville-Osterville Marstons Mills Fire District;

Centerville-Osterville Marstons Mills Fire District,-- taxes.

Under suspension of Joint Rule 12, to the committee on Revenue.

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. Timilty) and laid before the Governor for his approbation, to wit:

Designating a certain bridge in the town of Sturbridge as the Trooper Thomas L. Clardy Memorial Bridge (see House, No. 3900);

Bills laid before the Governor.

Designating a certain road in the town of Charlton as Trooper Thomas L. Clardy Way (see House No. 3901);

Establishing a sick leave bank for Maria Williams, an employee of the Department of Mental Health (see House, No. 3922); and

Establishing a sick leave bank for Amanda Rodrigues, an employee of the Trial Court (House, No. 3932).

Order Adopted.

On motion of Mr. Fattman,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday next at eleven o’clock A.M. in a full formal session with a calendar.

Time of meeting.

Adjourn In Memory of Leonard P. Cooper

The Senator from Worcester, Ms. Chandler, moved that when the Senate adjourns today, it adjourn in memory of Leonard P. Cooper.

Leonard P. Cooper, who passed away at the age of 70, was a life-long Worcester citizen, and was a graduate of Doherty Memorial High School. He received a degree in political science and government from the College of the Holy Cross.

He was extremely active in the local community, serving on the State Democratic Committee, the Worcester Community Labor Coalition, and the Worcester Jobs Fund. He worked tirelessly as the president of the local NAACP, and started the “Free Breakfast for Children” program.

His passion for helping others shone through in his forty years with the

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Massachusetts Rehabilitation Commission. He worked to increase the number of blacks and Hispanics promoted to middle and upper management, and increased the participation of minority disabled people within the vocational rehabilitation process.

He is remembered as a kind and generous person, who dedicated his life to helping others.

He is survived by his three sisters; Margo Sholtz, Cheryl Cooper, and Lois Nyako, all of Worcester. His two brothers, Normand Coates and Vernon Henry Cooper, as well as his sister Joanne Sholtz, predeceased him.

Accordingly, as a mark of respect in memory of Leonard P. Cooper, at twenty-five minutes past eleven o'clock A.M., on motion of Mr. Fattman, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.