

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**MONDAY, NOVEMBER 20, 2017.**

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JOURNAL OF THE SENATE.

Monday, November 20, 2017.

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

Pledge of allegiance.

Communication.

Communication from the Massachusetts Department of Transportation (pursuant to Section 12A of Chapter 6C of the General Laws and Section 6 of Chapter 25 of the Acts of 2009) submitting its Annual Report of the Performance and Asset Management Advisory Council and 2017 MassDOT Tracker (received November 16, 2017),-- was placed on file.

MassDOT,-- PAMAC annual report and Tracker. SD2393

Report.

Report of the Office of the Comptroller (under the provisions of Section 12 of Chapter 7A of the General Laws) submitting the Statutory Basis Financial Report for the fiscal year ending June 30, 2017 (received November 17, 2017),-- was placed on file.

Statutory Basis Financial Report,-- Fiscal year 2017.

PAPERS FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation relative to combatting addiction, accessing treatment, reducing prescriptions, and enhancing prevention (House, No. 4033),-- was referred, in concurrence, to the committee on Mental Health, Substance Abuse and Recovery.

Addiction,-- treatment and prevention.

Bills

Establishing a sick leave bank for Gary Erskine, an employee of the Department of Public Health (House, No. 3989, amended,-- on petition); and

Gary Erskine,-- sick leave.

Establishing a sick leave bank for Rosibel Umanzor, an employee of the Department of Public Health (House, No. 4007, amended,-- on petition);

Rosibel Umanzor,-- sick leave.

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

Bills

Designating May as Asian American Pacific Islander month (House, No. 3360,-- on petition); and

Asian American Pacific Islander month.

Designating a band stand at the Marine Park in South Boston as the Harry G. Uhlman, Jr. Memorial Band Stand (House, No. 4005, amended,-- on House, No. 3921);

Harry G. Uhlman, Jr. Memorial Band Stand

Were severally read and, under Senate Rule 26, referred to the committee on Rules.

Bills

Authorizing the city of Salem to grant 1 additional license for the sale of wine and malt beverages not to be drunk on the premises (House, No. 3753, amended,-- on House, No. 2793) [Local approval received on House, No. 2793];

Salem,-- liquor license.

Authorizing the town of Canton to regulate Reservoir pond (House, No. 3831,-- on petition) [Local approval received]; and

Canton,-- Reservoir pond.

Exempting all positions in the fire department of the town of Plainville from the civil service law (House, No. 3864,-- on petition) [Local approval received];

Plainville,-- fire department.

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

*Resolutions.*

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

Resolutions (filed by Mr. deMacedo) “congratulating Jennie Whittemore on her one hundredth birthday”;

Jennie Whittemore.

Resolutions (filed by Mr. O’Connor) “congratulating Richard Barone III of the town of Hull on his elevation to the rank of Eagle Scout”;

Richard Barone III.

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

Luis Gonzalez.

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

Kiernan Leahy.

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

James Rosado.

Resolutions (filed by Mr. O’Connor) “congratulating Ian Walsh-Pederson of the town of Hull on his elevation to the rank of Eagle Scout”;

Ian Walsh-Pederson.

Resolutions (filed by Mr. Pacheco) “commending Taunton Business Improvement District, Inc. on its celebration of Small Business Saturday.”

Taunton Business Improvement District, Inc.

*Communication.*

The Clerk read the following communication:

THE COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE

November 16, 2017

Senator William N. Brownsberger,-- absence from Chamber.

William Welch  
*Clerk of the Senate*  
Room 335, State House  
Boston, MA 02133

Dear Mr. Clerk,

At the end of the day, on Wednesday, November 15, I was absent from the chamber for official business. I traveled to Washington, DC with a group of Senators. On roll call vote No. 313 to enact H. 4015, An Act providing for immediate improvement needs of the Commonwealth, I would have voted in the affirmative.

Thank you for making this communication part of the record.

Sincerely,  
WILLIAM N. BROWNSBERGER  
*State Senator*

**On motion of Mr. Tarr, the above communication was ordered printed in the Journal of the Senate.**

Ordered printed.

PAPER FROM THE HOUSE

*Emergency Preamble Adopted.*

An engrossed Bill establishing a sick leave bank for Ann Marie Campos, an employee of the Trial Court of the Commonwealth (see House, No. 3965), 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.

Ann Marie Campos,-  
sick leave.

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

*Reports of a Committee*

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Brenda Tenaglia, an employee of the Division of Medical Assistance (House, No. 3993),-- ought to pass.

Brenda Tenaglia ,--  
sick leave.

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

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Rebecca Owumi an employee of the Essex County Sheriff's Office (House, No. 4035),-- ought to pass.

Rebecca Owumi,--  
sick leave.

**There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act establishing a sick leave bank for Rebecca Owumi, an employee of the Essex Sheriff's Office".**

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4044) of Brian Murray for legislation to establish a sick leave bank for Julie Rosenthal Morales, an employee of the Department of Correction,-- **was referred in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

Julie Rosenthal  
Morales,-- sick leave.

*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 Rodney Barker.

Moment of silence.

PAPER FROM THE HOUSE

*Engrossed Bill.*

An engrossed Bill establishing a sick leave bank for Ann Marie Campos, an employee of the Trial Court of the Commonwealth (see House, No. 3965) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the Acting President (Mr. Boncore) and laid before the Governor for his approbation.**

Bill laid before the Governor.

*Order Adopted.*

On motion of Mr. Tarr,--

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

Time of meeting.

*Adjourn In Memory of Rodney M. Barker*

The Senator from Middlesex and Norfolk, Ms. Creem, moved that when the Senate adjourns today, it adjourn in memory of Rodney M. Barker, one of Newton's longstanding community leaders, who died on October 2, 2017.

Mr. Barker was born in London, England and graduated from Trinity Hall College at Cambridge University, where he received his masters of arts in history and law before becoming a solicitor in his father's firm in London. It was in London where he met Elizabeth Hines, an American student, and they married in 1958.

Mr. Barker and his wife moved to Newton Highlands where he taught at the Beaver Country Day School and Thayer Academy until he returned to the practice of immigration law. He helped found the Mt. Ida College paralegal program and taught at Suffolk Law School. He worked with the Tibetan U.S. Resettlement Project, and took a leading role in the drafting and passage of legislation allowing immigration of thousands of Tibetan refugees to the United States.

Upon his own naturalization as a United States citizen in 1973, he became devoted to serving his community of Newton. He was a founder of the Newton Highlands Neighborhood Area Council, and spent 8 years as a member of the school committee and 12 years serving on the board of aldermen. In 2012, Rodney Barker Square was named in his honor during Newton Highlands Village Day.

Mr. Barker also helped found the Newton-San Juan del Sur sister city project, and served as moderator for the Newton Highlands Congregational Church.

He was an avid gardener, enjoyed walking and was a prolific reader.

Rodney Barker will be deeply missed by his wife, Elizabeth, his daughter Mary Penelope Loscocco, his sons Gregory and Christopher, grandchildren Nicolas, Bianca and Emma and countless friends and the entire Newton community.

Accordingly, as a mark of respect in memory of Rodney M. Barker, at twenty-one 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.

**UNCORRECTED PROOF.**