

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



WEDNESDAY, NOVEMBER 22, 2017.

[114]

JOURNAL OF THE SENATE.

Wednesday, November 22, 2017.

Met at nine 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.

Pledge of allegiance.

Report.

Report of the Department of Unemployment Assistance (pursuant to Section 14F of Chapter 151A of the General Laws) submitting the November 2017 Unemployment Insurance Trust Fund report (received November 21, 2017), -- was placed on file.

DUA,-- trust fund report. SD2395

PAPERS FROM THE HOUSE.

Bills

Relative to the Middleton town charter (House, No. 3725,-- on petition) [Local approval received]; and

Middleton charter.

Validating the actions taken at a certain town meeting in the town of Berlin (House, No. 3961, changed,-- on petition) [Local approval received];

Berlin,-- town meeting.

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

Emergency Preambles Adopted.

An engrossed Bill establishing a sick leave bank for Brenda Tenaglia, an employee of the Division of Medical Assistance (see House, No. 3993), 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.

Brenda Tenaglia,-- sick leave.

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

An engrossed Bill establishing a sick leave bank for Rebecca Owumi, an employee of the Essex Sheriff's Office (see House, No. 4035), 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.

Rebecca Owumi,-- sick leave.

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

Messages from the Governor.

Messages were severally read and referred as follows:

Message from His Excellency the Governor recommending legislation relative to the admissibility of evidence in a prosecution for operating under the influence (Senate, No. 2218) (received in the office of the Clerk of the Senate on Tuesday, November 21, 2017 at ten minutes before four o'clock P.M.);

OUI,-- admissibility of evidence.

To the committee on the Judiciary.

Message from His Excellency the Governor recommending legislation promoting construction zone safety (Senate, No. 2217) (received in the office of the Clerk of the Senate on Tuesday, November 21, 2017 at ten minutes before four o'clock P.M.);

Construction zone safety.

To the committee on Transportation.

Severally sent to the House for concurrence.

Communications.

The Clerk read the following communications:

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE

November 20, 2017

Senator Julian Cyr,--
absence from
Chamber.

William F. Welch
Clerk of the Senate
Massachusetts State House
Boston, MA 02133

Dear Mr. Welch,

On the evening of Wednesday, November 15, I was absent from the chamber for the official business. I was travelling to Philadelphia to participate in the Milbank Reforming States Group Conference. On roll call vote No. 313 to enact H.4015, *An Act providing for immediate capital improvement needs of the Commonwealth*, I would have voted in the affirmative.

Thank you for including this communication as part of the record.

Respectfully,
JULIAN CYR

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

Ordered printed.

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE

Mr. William F. Welch, *Senate Clerk*
Office of the Senate Clerk
State House, Room 335

Senator Sal
DiDomenico,--
absence from
Chamber.

Boston, MA 02133

Dear Mr. Welch,

On the evening of Wednesday, November 15, 2017, I was absent from the chamber and unable to vote on H.4015, *An Act providing for immediate capital improvement needs of the Commonwealth*, due to previously scheduled travel to Washington, D.C. as Chair of the Senate Committee on Intergovernmental Affairs. Had I been present for the roll call on enactment of H.4015, I would have voted in the affirmative.

Sincerely,
SENATOR SAL DIDOMENICO
Middlesex & Suffolk District

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

Ordered printed.

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE

November 16, 2017

The Honorable William F. Welch
Clerk of the Massachusetts State Senate
State House, Room 335
Boston, MA 02133

Senator Eric P.
Lesser,-- absence
from Chamber.

Dear Mr. Clerk,

I missed one roll call vote on November 15, 2017 during the Senate's formal session. If I were present, I would have voted in the following manner:

•On the question of passing House Bill 4015, An Act providing for immediate capital improvement needs of the Commonwealth, to be enacted (Roll Call #313), I would have voted in the affirmative.

I wish that this vote be recorded and a copy of this letter be entered in the journal of the Senate.

Sincerely,
ERIC P. LESSER
First Hampden & Hampshire District

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

Ordered printed.

The Clerk read the following communication:

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE

November 20, 2017

Senator Kathleen

William Welch, *Clerk*
Massachusetts State Senate
State House, Room 334
Boston, MA 02133

O'Connor Ives,--
absence from
Chamber.

Dear Mr. Clerk:

I was absent from the Chamber on November 15, 2017 upon the Senate being called back to order at 6:01pm.

Had I been present, I would have voted in the affirmative on the following roll call:

- House Bill, No. 4032, LANGUAGE OPPORTUNITY
- House Bill, No. 3920, LANESBOROUGH BRIDGE
- House Bill, No. 4015, PROVIDING FOR IMMEDIATE CAPITAL IMPROVEMENT NEEDS OF THE COMMONWEALTH.

I respectfully request that a copy of this letter be printed in the Journal as part of the official records. Thank you in advance for your attention to this important matter.

Sincerely,
KATHLEEN O'CONNOR IVES
State Senator
First Essex District

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

Ordered printed.

Remarks of Minority Leader Bruce E. Tarr.

On November 1st, 2017, it was announced that students from The Academy at Penguin Hall in Wenham won the first place prize in the first ever Schools Economics Challenge with their video entitled "Exploring Tragedy of the Commons at Gloucester Seaport". This competition was created by two economics teachers from London and Australia in collaboration with The CORE Project, which produces electronic economic textbooks. The group challenged high school students to make a three minute video on a topic related to where they live incorporating the work of a famous economist and materials from their economics textbook. The challenge took on an international quality with students from all over the world submitting videos for consideration.

Remarks of Minority
Leader Bruce E. Tarr.

The winning team consisted of seniors Leah Humphreys, Micaela Trzcinski, and Kathryn Ward, and juniors Marietta Atkins, Meghan Curtin, and Elaine Turner. The students examined the struggle between maintaining fish stocks in Gloucester and apportioning fishing rights. The video included interviews from two conflicting views: those regulating fishing permits and fishermen whose lives are affected by the changes in regulations. The team was able to interpose these two contradictory sides while still highlighting the importance of conservation and the dangers of overfishing.

The Academy at Penguin Hall is an independent all-girls high school that opened in September 2016. The campus is located on 50 acres in Wenham, Massachusetts. It serves students from over 40 communities and prides itself on having a creative and supportive community. I want to congratulate these students on winning the first place prize and highlighting a very important issue in our coastal communities.

Under the provisions of Senate Rule 6, the remarks were printed in the Journal of the Senate.

PAPERS FROM THE HOUSE

Engrossed Bills.

The following engrossed bills (both 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. Brownsberger) and laid before the Governor for his approbation, to wit:

Establishing a sick leave bank for Brenda Tenaglia, an employee of the Division of Medical Assistance (see House, No. 3993); and

Bills laid before the Governor.

Establishing a sick leave bank for Rebecca Owumi, an employee of the Essex Sheriff's Office (see House, No. 4035)

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. Brownsberger), the members, guests and staff stood in a moment of silence and reflection to the memory of Webster Police Officer Michael J. Lee.

Moment of silence.

Adjourn In Memory of Police Officer Michael J. Lee

The Senator from Worcester and Norfolk, Mr. Fattman, moved that when the Senate adjourns today, it do so in memory of Webster Police Officer Michael J. Lee, 38, of Webster, who tragically passed away on October 8th.

Officer Lee was a 10-year veteran of the Webster Police Department and had previously served with the Falmouth Police Department. Michael was a 1997 graduate of Bartlett High School where he was co-captain of the football team and a member of the basketball team. He went on to attend Plymouth State College where he was a member of the football team. Michael graduated from the Massachusetts State Police Academy in June of 2006. He received several citations and awards during his career in law enforcement. Michael was an avid outdoorsman and was co-owner of Reaper Tactical LLC Firearms Training with his close friend, Josh Collins of the Webster Police Department.

He is survived by his mother, Dorothea (Scranton) O'Day Sullivan, her husband, Robert, of Bourne; his father, Ken Lee, of Brookfield; two brothers, Shawn Sandgren, his wife, Joann, of Southbridge, and Josh Lee and his wife, Megan, of Chicopee; his girlfriend, Kaitlyn Dibuono, of Webster. Michael also leaves behind many friends and a large, loving extended family, including his second family, the entire Webster Police Department.

Accordingly, as a mark of respect in memory of Michael J. Lee, at twenty-three minutes past eleven o'clock A.M., on motion of Mr. Tarr, the Senate

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adjourned to meet again on Monday next at eleven o'clock A.M.
