

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, DECEMBER 11, 2017.

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Monday, December 11, 2017.

Met at six minutes past eleven o'clock A.M. (Mr. Brownsberger in the Chair) (having been appointed by the Acting 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.

Communication.

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

Communication from the Honorable Harriette L. Chandler, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Friday, December 8, 2017 at twenty-three minutes past eleven o'clock A.M.); and

Senator Harriette L. Chandler,-- Chapter 268A.

Communication from the Department of Public Health (pursuant to line item 4590-1506 of Chapter 47 of the Acts of 2017) submitting a copy of its report entitled "Primary Violence Prevention through Positive Youth Development" (received December 11, 2017).

DPH,-- primary violence prevention. SD2419

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Hinds, a petition (accompanied by bill) (subject to Joint Rule 12) of Adam G. Hinds, Tricia Farley-Bouvier, Paul W. Mark and John Barrett for legislation relative to the Lafayette Trail; and

Lafayette Trail. SD2415

By Ms. L'Italien, a petition (accompanied by bill) (subject to Joint Rule 12) of Barbara A. L'Italien for legislation to rename a certain bridge over route 38 on interstate 495;

Tewksbury,-- bridge naming. SD2416

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. 4057) of Nick Collins (with the approval of the mayor and city council) relative to health insurance benefits for surviving spouses of certain firefighters in the city of Boston,-- was referred, in concurrence, to the committee on Public Service.

Boston,-- firefighter benefits.

A Bill amending the charter of the town of Bourne (House, No. 3918, amended,-- on petition) [Local approval received],-- was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Bourne,-- charter.

Report of the committee on the Judiciary asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3498) of Randy

Inmates,-- mental health.

UNCORRECTED PROOF.

Hunt and others relative to the mental health examination process of inmates at places of detention,-- and recommending that the same be referred to the committee on Mental Health, Substance Use and Recovery,-- **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Resolutions.

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

Resolutions (filed by Mr. Brownsberger and Ms. Creem) “commemorating the celebration of Hanukkah 2017.”

Hanukkah 2017

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 authorizing the city of Salem to grant 1 additional liquor license for the sale of wine and malt beverages not to be drunk on the premises (Senate, No. 2140),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act authorizing the city of Salem to grant 1 additional license for the sale of wines and malt beverages not to be drunk on the premises”.**

Salem,-- liquor license.

Sent to the House for concurrence.

The Senate Bill authorizing the city of Salem to convert a liquor license for the sale of wine and malt beverages not to be drunk on the premises to a liquor license for the sale of all alcoholic beverages not be drunk on the premises (Senate, No. 2141),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act authorizing the city of Salem to convert 1 license for the sale of wines and malt beverages not to be drunk on the premises to a liquor license for the sale of all alcoholic beverages not be drunk on the premises”.**

Id.

Sent to the House for concurrence.

The Senate Bill authorizing the city of Salem to grant 1 additional liquor license for the sale of wine and malt beverages to be drunk on the premises (Senate, No. 2142),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act authorizing the city of Salem to grant 1 additional license for the sale of wines and malt beverages to be drunk on the premises”.**

Id.

Sent to the House for concurrence.

PAPER FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill designating a certain bridge in the town of Auburn and a portion of state highway in the town of Leicester in memory of Officer Ronald Tarentino, Jr. (see Senate, No. 2193, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an

Officer Ronald Tarentino, Jr. Memorial Bridge.

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.

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 authorizing the city of Salem to convert 2 seasonal liquor licenses to annual licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2143),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act authorizing the city of Salem to convert 2 seasonal licenses for the sale of all alcoholic beverages to be drunk on the premises to annual licenses for the sale of all alcoholic beverages to be drunk on the premises”.**

Salem,-- liquor license.

Sent to the House for concurrence.

The House Bill authorizing the city of Salem to grant an additional license for the sale of wine and malt beverages to be drunk on the premises (House, No. 3941),-- **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 authorizing the city of Salem to grant an additional liquor license for the sale of wines and malt beverages to be drunk on the premises”.**

Id.

Reports of Committees.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Marlene M. Ayash, an employee of the Trial Court (House, No. 3945),-- ought to pass.

Marlene M. Ayash,-- sick leave.

There being no objection, the rules were suspended, on motion of Mr. Humason, 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 Marlene M. Ayash, an employee of the Trial Court of the Commonwealth”.

By Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Patrick M. O'Connor for legislation relative to safe internet access in schools.

Schools,-- internet access. SD2409

The rules were suspended, on motion of Mr. Humason, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Education.

By Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Julian Cyr for legislation relative to compliance with the fair minimum wage.

Minimum wage,-- compliance. SD2366

The rules were suspended, on motion of Mr. Humason, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Labor and Workforce

Development.

By Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Patrick M. O'Connor, Smitty Pignatelli and Diana DiZoglio for legislation to establish a newborn health and safe sleep pilot program.

Newborns,-- safe sleep program. SD2404

The rules were suspended, on motion of of Mr. Humason, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Health.

Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4072) of Daniel J. Ryan, Sal N. DiDomenico and RoseLee Vincent for legislation to designate a certain bridge in the city of Chelsea as the John P. Bruttaniti memorial bridge,-- **was referred in concurrence, under suspension of Joint Rule 12, to the committee on Transportation.**

Chelsea,-- John P. Bruttaniti bridge.

Engrossed Bills.

The following engrossed bills (the first two 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:

Authorizing the appointment of retired police officers as special police officers in the city of Taunton (see Senate, No. 2034, amended);

Bills laid before the Governor.

Designating a certain bridge in the town of Auburn and a portion of state highway in the town of Leicester in memory of Officer Ronald Tarentino, Jr. (see Senate, No. 2193, amended);

Relative to the Devens Fire Department (see House, No. 1328, amended);

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);

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, amended); and

Authorizing the appointment of James Atkinson to the position of junior accountant of the police department of the city of Methuen (House, No. 3889, amended).

Order Adopted.

On motion of Mr. Humason,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday 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 Mr. Humason, the members, guests and staff stood in a moment of silence and reflection to the memory of Nelson R. "Ray" Dionne.

Moment of silence.

Adjourn In Memory of Nelson R. "Ray" Dionne

The Senator from the Hampden and Hampshire, Mr. Humason, moved that when the Senate adjourns today, it do so in memory of Nelson R. "Ray" Dionne of Westfield.

Mr. Humason in the Chair, on November 12, 2017, Ray passed away at the age of 81.

Born in Fort Kent, Maine to the late Omer and Mable (Pelletier) Dionne, Ray graduated from Fort Kent Community High School in 1954.

Shortly thereafter, Ray enlisted in the United States Army to serve his country during the Korean War from 1954-1956. He received an honorable discharge from the Army with the rank of Specialist Third Class (SP3). He was a true patriot and loved his country.

Following his military service, Ray completed a 33 year career as a machinist at Advance Manufacturing in Westfield.

In addition to devoting much of his time to his cherished family, Ray was an active and much-beloved member of the Westfield community. As a member of the Hampton Ponds Association, he was often found on the water tending to the needs of the ponds, his neighbors, and his fellow boaters. Ray was also a long-time member of the Westfield Sportsmen Club, life member of the National Rifle Association, and a proud advocate for the 2nd Amendment.

Ray was predeceased by his beloved wife of 57 years, Jean A. (Ezold) Dionne in 2015 as well as three sisters, Reinette Deschine, Joella Deprey and Dora-Jean Michaud. He is survived by his two loving sons, Raymond A. Dionne of Westfield and Robert A. Dionne and his wife Karen of Holyoke, his brother Joseph R. Dionne and his wife Lorraine of Westfield, a sister Dora-Mae Voisine of Chicopee, his cherished five grandchildren, Melanie, Stephanie and her husband Roger, Amanda Jean, Cody and Tanner and three great grandchildren, Mya, Skye and Ayden.

Mr. Brownsberger in the Chair, accordingly, as a mark of respect in memory of Nelson R. "Ray" Dionne, at twenty-eight minutes past eleven o'clock A.M., on motion of Mr. Humason, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.