

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**THURSDAY, JULY 5, 2018**

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JOURNAL OF THE SENATE.

Thursday, July 5, 2018.

Met at seven 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.

Order.

Mr. Brady presented an Order relative to granting the committee on Revenue until July 18, 2018, within which time to make its final report on a certain current Senate document relative to senior tax relief (Senate, No. 2587),-- and the same was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently.

Revenue,-extension order.

Report of a Committee.

By Mr. Lewis, for the committee on Labor and Workforce Development, on Senate, Nos. 88 and 1053, an Order relative to authorizing the joint committee on Labor and Workforce Development to make an investigation and study of certain current Senate documents relative to labor and workforce development matters (Senate, No. 2588);

Labor and Workforce Development committee,-- study.

Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

PAPERS FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4687) of Bradley H. Jones Jr. and Bruce E. Tarr (by vote of the town) relative to town meetings of the town of North Reading;

North Reading,-- town meetings.

To the committee on Election Laws.

Petition (accompanied by bill, House, No. 4688) of Dylan Fernandes and Julian Cyr (by vote of the town) that the town of Nantucket be authorized to sell, convey and otherwise dispose of certain land situated in the town of Nantucket held for open space, recreational or conservation purposes to the Nantucket Island Land Bank, Nantucket Conservation Foundation, Inc. or Sconset Trust, Inc. for the same purposes;

Nantucket,-- land disposal.

Petition (accompanied by bill, House, No. 4689) of Dylan Fernandes and Julian Cyr (by vote of the town) that the town of Nantucket be authorized to transfer, convey or otherwise dispose of a portion of certain land situated in said town held for water supply and water protection purposes for roadway purposes; and

Id.

Petition (accompanied by bill, House, No. 4690) of Bradley H. Jones, Jr., and Bruce E. Tarr (by vote of the town) that the town of North Reading be authorized to amend the charter of said town to change the name of the board of selectmen;

North Reading,-- charter.

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**Severally, to the committee on Municipalities and Regional Government.**

Petition (accompanied by bill, House, No. 4705) Paul Tucker and Joan B. Lovely (with the approval of the mayor and city council) that the city of Salem be authorized to appoint retired Salem police officers as special police officers in said city;

Salem,-- special police officers.

**To the committee on Public Service.**

A Bill relative to polling places in the city of Attleboro (House, No. 4618,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Attleboro,-- polling places.

*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 providing for recall elections in the town of Uxbridge (Senate, No. 2069),-- was read a third time.

Uxbridge,-- recall elections.

Pending the question on passing the bill to be engrossed, Mr. Fattman presented an amendment substituting a new draft with the same title (Senate, No. 2589).

**The amendment was adopted.**

**The bill (Senate, No. 2589) was then passed to be engrossed.**

**Sent to the House for concurrence.**

The Senate Bill establishing a sick leave bank for Norma Jean Silva, an employee of the trial court of the Commonwealth (Senate, No. 2572),-- **was read a third time and passed to be engrossed.**

Norma Jean Silva,-- sick leave.

**Sent to the House for concurrence.**

The House Bill relative to the charter of the town of Eastham (House, No. 2423),-- **was read a third time and passed to be engrossed, in concurrence.**

Eastham,-- town charter.

The House Bill relative to the tenure of office of the city clerk of the city of Revere (House, No. 4369),-- **was read a third time and passed to be engrossed, in concurrence.**

Revere,-- city clerk.

The House Bill increasing the annual compensation of the Peabody Municipal Light Plant commissioners (House, No. 4447, amended),-- **was read a third time and passed to be engrossed, in concurrence.**

Peabody Municipal Light Plant commissioners.

The House Bill establishing a sick leave bank for Sandra Elizabeth Smith, an employee of the Department of Developmental Services (House, No. 4509),-- **was read a third time and passed to be engrossed, in concurrence.**

Sandra Elizabeth Smith,-- sick leave.

The House Bill establishing a sick leave bank for Robert F. Dunphy Jr., an employee of the Trial Court of the commonwealth (House, No. 4583) (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.**

Robert F. Dunphy Jr.,-- sick leave.

PAPERS FROM THE HOUSE

*Engrossed Bill Returned with Recommendation of Amendment.*

A message from His Excellency the Governor, returning with recommendation of amendment the engrossed Bill establishing a sick leave bank for Maria Benitez, an employee of the Department of Children and Families (see House, No. 4474, amended) [for message, see House, No. 4680],— came from the House with an amendment in the form approved by the committee on Bills in the Third Reading and as amended by the House as follows:- in line 5 (as engrossed) by striking out the word “child” and inserting in place thereof the word “spouse”.

Maria Benitez,--  
sick leave.

The message, as amended was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

**The rules were suspended, on motion of Mr. Tarr, and the Governor’s amendment, as amended, was considered forthwith.**

**On motion of the same Senator, the Governor’s amendment, as amended, was adopted, in concurrence.**

**Sent to the House for re-enactment.**

*Engrossed Bill.*

An engrossed Bill establishing a sick leave bank for Stephanie Perez, an employee of the Trial Court of the Commonwealth (see House, No. 4423, amended) (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 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. Tarr), the members, guests and staff stood in a moment of silence and reflection to the memory of David Durkee.

Moment of silence.

*Adjourn In Memory of David E. Durkee.*

The Senator from Essex and Middlesex, Mr. Tarr, moved that when the Senate adjourns today, it does so in memory of David E. Durkee, 62, who passed away after a brief illness on Tuesday, June 26.

Mr. Tarr in the Chair, David was born on April 16, 1956 in the town of Ipswich. He was the public works director for the town of Boxford until 2005, when he left to work for MassDOT. He stayed there until July of 2015, when he retired.

David had spent more than 30 years serving selflessly as a volunteer firefighter with the Georgetown Fire Department Central Fire Company.

Having lived life to the fullest, David spent much of his free time boating,

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camping, and traveling with his family. He is survived by his wife, Paula Durkee, as well as his loving children, Candace Durkee Basham and her husband Brand Basham, their daughters Selene and Caitlyn Durkee, and six brothers and sisters, as well as his step-daughters Kristen Watson and Karin Carlson, and his step-son, Andrew Carlson.

Mr. Boncore in the Chair, accordingly, as a mark of respect in memory of David Durkee, at twenty-seven 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.