

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**MONDAY, AUGUST 27, 2018.**

## JOURNAL OF THE SENATE.

Monday, August 27, 2018.

Met at ten 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).

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The Chair (Mr. Brownsberger), members, guests and staff then recited the pledge of allegiance to the flag.

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Pledge of allegiance.

### *Distinguished Guests.*

There being no objection, the Chair (Mr. Brownsberger) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced, in the rear of the Chamber, Boy Scout Troop 3 of Manchester-by-the-Sea. The Scouts were recognized for holding an annual food drive to benefit the Open Door Pantry in Gloucester. For the last 10 years they have received over 5,000 pounds of food, and this past year they collected over 7,500 pounds in celebration of the Troop's 100<sup>th</sup> anniversary. The Troop then distributes donation bags as part of the door to door delivery of the Manchester Town Reports ahead of Town Meeting. Among the group was Troop Leader Dan Metrano, and Scouts: Michael Galli, Brandon Good, Adrian Max Wetzler Kuehnemund, Thomas Ambrose, Jackson Ranger, Dean Campbell, Ian Campbell, Ian Carlin, Colon Genta, James Usovicz, Colin Conway, Witt Mann, Philip Cicala and Alexander Everrit. They were applauded for their volunteer work and withdrew from the Chamber. They were accompanied by parents: Catherine Galli, Margaret Pates, Susan Costello, Elizabeth Ambrose, Neil Campbell, Amy Carlin, Matt Genta, Sarah Conway, Annie Pates and William Mann. They were also guests of Representative Hill of Ipswich.

Boy Scout Troop 3,--  
Manchester-by-the-  
Sea.

### *Communication.*

Communication from the Honorable Bruce E. Tarr, Senate Minority Leader, announcing the appointment (pursuant to Section 78 of Chapter 154 of the Acts of 2018) of Attilio J. Paglia of Rowley to the Special Commission to review the hiring and promotion policies and practices of the State Police,-- **was placed on file.**

State Police hiring  
and promotion  
policies.

### PAPERS FROM THE HOUSE.

A Bill establishing an early retirement incentive program for Barnstable County (House, No. 4107, amended,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Barnstable County,--  
early retirement  
program.

A Bill authorizing the town of Tyngsborough to grant additional licenses for the sale of alcoholic beverages (House, No. 4429,-- on House, No. 4254) [Local approval received on House, No. 4254],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Tyngsborough,--  
liquor license.

Notice was received from the Clerk of the House of Representatives announcing the following appointment:

That Speaker of the House Robert DeLeo (under the provisions of Chapter 313 of the Acts of 2010) had appointed Representative Fiola of Fall River to the special commission for the purpose of making an investigation and study relative to postpartum depression.

Postpartum depression,-- special commission.

*Emergency Preamble Adopted.*

An engrossed Bill establishing a sick leave bank for Diane Misiano, an employee of the Department of Revenue (see House, No. 4845, amended), 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.

Diane Misiano,-- sick leave.

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

*Matter Taken Out of the Orders of the Day.*

There being no objection, the following matter was taken out of the Orders of the Day and considered as follows:

The Senate Bill exempting all positions in the police department of the town of Williamstown from the civil service law (Senate, No. 2579),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.**

Williamstown,-- civil service law.

PAPERS FROM THE HOUSE.

A Bill providing for recall elections in the town of Erving (House, No. 4144,-- on petition) (Local approval received),-- was read.

Erving,-- recall elections.

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

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

Petition (accompanied by bill, House, No. 4898) of Colleen M. Garry relative to fees assessed by the Dracut Water Supply District;

Dracut Water Supply District,-- fees.

**Under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.**

Petition (accompanied by bill, House, No. 4899) of David Paul Linsky and others relative to 3D printed weapons and ghost guns, so-called;

3D printed weapons.

**Under suspension of Joint Rule 12, to the committee on Public Safety and Homeland Security.**

Petition (accompanied by bill, House, No. 4900) of Christopher M. Markey and Mark C. Montigny for legislation to establish a sick leave bank for Heather Tavares, an employee of the Department of Children and Families;

Heather Tavares,-- sick leave.

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

*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 Daniel "Danny" P. Curley.

Moment of silence.

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:

Changing the date of the annual town meeting of the town of North Reading (see House, No. 4687); and

Establishing a sick leave bank for Diane Misiano, an employee of the Department of Revenue (see House, No. 4845, amended).

Bills laid before the Governor.

*Order Adopted.*

On motion of Mr. Tarr,--

*Ordered*, That when the Senate adjourns today, it adjourn to meet again on Thursday next at eleven o'clock A.M.

Time of meeting.

*Adjourn In Memory of Daniel P. Curley*

The Senator from Worcester and Middlesex, Mr. Tran, moved that when the Senate adjourns today, it adjourn in memory of Daniel "Danny" P. Curley of Leominster.

Daniel "Danny" P. Curley passed away unexpectedly on Monday, July 30, 2018 at HealthAlliance-Leominster Hospital. He is survived by his wife of 31 years Susan "Sue" R. (McDermott) Curley, daughter Sarah Jane Plouffe and her husband Kevon of Ayer, son Daniel J. Curley and his girlfriend Sarah Doyle of Leominster, brother John J. Curley, III and his wife Anne-Marie of Leominster, sister-in-law Constance Curley of Leominster and several cousins, nieces and nephews. He was predeceased by his brother Michael F. Curley in 2005.

A lifelong resident of Leominster, Danny was born in Leominster on February 7, 1959, son of John J. and Jane K. (O'Toole) Curley, Jr. He graduated from Leominster High School in 1977. As a star athlete in both football and basketball, Danny had many athletic achievements which led to him being a two-time inductee to the Leominster High School Hall of Fame. He was a member of the 1974 Blue Devils, undefeated state football champions, selected in 1976 to the Telegram & Gazette super team and was known as one of the best offensive lineman ever to play at LHS. He played varsity basketball for three years at LHS and had the honor of being selected as captain his senior year.

After high school he attended Choate Rosemary Hall Prep School in Connecticut and went on to graduate from Tufts University in 1982 where he was a member of the football team all four years of his attendance.

Danny was the head of the Fitchburg Redevelopment Authority and a lifelong member of St. Leo's Church in Leominster.

Danny enjoyed golfing and loved spending time with his friends and family at his summer home on Spec Pond and escaping to Naples during the winter whenever he had the chance.

An avid sports fan, he frequently attended Bruins, Red Sox and Celtics games in his younger years. However, football and the New England Patriots were his

absolute favorite and in recent years he attended many Sunday games with his beloved friend Steve Rigopoulos.

Above all, Danny was a family man. A devoted and loving husband to Sue, the best father to Sarah and Daniel whom he was so proud of. He will be dearly missed by all who loved him.

Accordingly, as a mark of respect in memory of Daniel “Danny” P. Curley, at twenty-four minutes past eleven o’clock A.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Thursday at eleven o’clock A.M.