

**The Commonwealth of Massachusetts**

---

**JOURNAL OF THE SENATE.**



**WEDNESDAY, NOVEMBER 21, 2018.**

[111]

---

JOURNAL OF THE SENATE.

Wednesday, November 21, 2018.

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

Pledge of allegiance.

Report.

Report of the Nantucket Regional Transit Authority (pursuant to Section 8(g) of Chapter 161B of the General Laws) submitting its financial statements and supplementary information for the year ended June 30, 2018 (received November 19, 2018),-- was placed on file.

NRTA,-- financial statements. SD2835

Petition.

Mr. Tarr presented a petition (accompanied by bill, Senate, No. 2675) of Bruce E. Tarr and Leonard Mirra (by vote of the town) for legislation to establish a selectmen-administrator form of government for the town of Newbury [Local approval received];

Newbury,-- town government.

Referred, under Senate Rule 20, to the committee on Municipalities and Regional Government.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE

A Bill relative to construction defect claims by condominium owners (House, No. 4236,-- on House, No. 753),-- was read, and under Senate Rule 27, referred to the committee on Ways and Means.

Condominiums,-- defect claims.

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Richard Maynard, an employee of the Trial Court (see Senate, No. 2668), 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 3 to 0.

Richard Maynard,-- sick leave.

The bill was signed by the Acting President (Ms. Jehlen) 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 House Bill authorizing the town of Auburn to relocate Faith Avenue and convey remnant parcels of real property (House, No. 4551, amended),-- was read a third time.

Auburn,-- land conveyance.

Pending the question on passing the bill to be engrossed, Mr. Moore presented an amendment inserting after the word "contrary", in line 2, the following words:- "but

subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws”.

**The amendment was adopted.**

**The bill, as amended, was then passed to be engrossed, in concurrence with the amendment.**

**Sent to the House for concurrence in the amendment.**

The House Bill relative to the Orleans affordable housing trust fund (House, No. 4645),-- **was read a third time and passed to be engrossed, in concurrence.**

Orleans,-- affordable housing.

PAPERS FROM THE HOUSE

The House Bill relative to representation on the board of trustees for soldiers’ memorials in the town of Orange (House, No. 4145,-- on petition) [Local approval received],--was read.

Orange,-- soldiers’ memorials.

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

The House Bill providing for the recall of elected officials in the town of Hanson (House, No. 4657, amended,-- on petition) [Local approval received],-- was read.

Hanson,-- election recall.

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

The House Bill relative to excise tax revenue for the Chatham other post-employment benefits liability trust fund (House, No. 4781,-- on House, No. 4609) [Local approval received on House, No. 4609],-- was read.

Chatham,-- excise tax.

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

A petition (accompanied by bill, House, No. 4981) of Kevin G. Honan, Joseph A. Boncore and others relative to the election of board members of local housing authorities,-- **was referred in concurrence, under suspension of Joint Rule 12, to the committee on Housing.**

Housing authorities,-- board members.

*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 House Bill establishing a sick leave bank for Katelyn Giliberti, an employee of the Department of Public Health (House, No. 4945),-- **was read a third time and passed to be engrossed, in concurrence.**

Katelyn Giliberti,-- sick leave.

PAPERS FROM THE HOUSE

*Emergency Preamble Adopted.*

An engrossed Bill establishing a sick leave bank for Katelyn Giliberti, an employee of the Department of Public Health (see House, No. 4945), 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 3 to 0.

Katelyn Giliberti, -- sick leave.

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

**UNCORRECTED PROOF.**

*Engrossed Bills.*

The following engrossed bills (the first three of 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 (Ms. Jehlen) and laid before the Governor for his approbation, to wit:

Allowing the city council of the city of Everett to set the salary for the clerk of the city council (see Senate, No. 2514, amended);

Bills laid before the Governor

Amending the charter of the city of Everett to reduce the amount of time that a former city councilor is required to wait before holding other compensated city employment (see Senate, No. 2516, amended);

Establishing a sick leave bank for Richard Maynard, an employee of the Trial Court (see Senate, No. 2668);

Authorizing the merger of the Salvation Army of Massachusetts, Incorporated, into the Salvation Army, a New York Corporation (see House, No. 3691);

Authorizing the appointment of retired Salem police officers as special police officers within the city of Salem (see House, No. 4705, amended);

Authorizing the board of selectmen of the town of Arlington to place upon a town ballot a question to authorize the board of selectmen to issue 1 additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 4892);

Relative to real property tax deferrals in the town of Arlington (see House, No. 4916); and

Establishing a sick leave bank for Katelyn Giliberti, an employee of the Department of Public Health (see House, No. 4945).

*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.

Time of meeting.

On motion of the same Senator, at eight minutes before twelve o'clock, noon, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.