

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, DECEMBER 6, 2018.

[115]

JOURNAL OF THE SENATE.

Thursday, December 6, 2018.

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

Pledge of allegiance.

Report.

Report of the Executive Office of Education (pursuant to Chapter 287 of the Acts of 2012) submitting its FY17 and FY18 Early Literacy Year 4 and Year 5 Annual Report (received December 5, 2018),-- was placed on file.

EOE,-- FY17and FY18 annual report. SD2842

PAPERS FROM THE HOUSE

Messages were severally referred, in concurrence, as follows:

Message from His Excellency the Governor (under the provisions of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to the retirement benefits of Sean M. Gannon, a fallen police officer in the town of Yarmouth (House, No. 4982); and

Sean M. Gannon,-- retirement.

Message from His Excellency the Governor (under the provisions of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to the disability retirement of Christopher Van Ness, a police officer in the town of Yarmouth (House, No. 4983);

Christopher Van Ness,-- retirement.

Severally to the committee on Public Service.

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

Petition (accompanied by bill, House, No. 4989) of David K. Muradian, Jr. and Michael O. Moore (by vote of the town) relative to the town manager of the town of Upton; and

Upton,-- town manager.

Petition (accompanied by bill, House, No. 4987) of David T. Vieira and Julian Cyr (by vote of the town) that the town of Mashpee be authorized to establish a sewer construction and water quality maintenance and improvement fund in said town;

Mashpee,-- sewer construction and water quality.

Severally, to the committee on Municipalities and Regional Government.

Matters Taken Out of the Orders of the Day.

There being no objection, the follows matters were taken out of the Orders of the Day and considered as follows:

The Senate Bill exempting all positions in the police department of the city of North Adams from the civil service law (Senate, No. 2666),-- was read a third time and passed to be engrossed.

North Adams,-- civil service law.

Sent to the House for concurrence.

The Senate Bill regarding the authorization of the town of Sturbridge to grant an

Sturbridge,-- liquor

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additional license for sale of all alcoholic beverages (printed in Senate, No. 2673) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

license.

Sent to the House for concurrence.

The House Bill authorizing the town of Foxborough to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4768) (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.**

Foxborough,-- liquor license.

The House Bill establishing a sick leave bank for Rachael Purnell, an employee of the Trial Court (House, No. 4980),-- **was read a third time and passed to be engrossed, in concurrence.**

Rachael Purnell,-- sick leave.

PAPERS FROM THE HOUSE

The Senate Bill authorizing the town of Berkley to grant an additional license for the sale of alcoholic beverages not to be drunk on the premises (Senate, No. 2596),-- came from the House passed to be engrossed, in concurrence *with an amendment* in section 1, in lines 2, 3 and 4, by striking out the following: “alcoholic beverages not to be drunk on the premises to Berkley Farm located at 539 Berkley Street, pursuant to section 15 of said chapter 138” and inserting in place thereof the following “all alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138 to Berkley Farms convenience Store, Inc. located at 539 Berkley Street”.

Berkley,-- liquor license.

The rules were suspended, on motion of Mr. O’Connor, and the House amendment was considered forthwith and adopted, in concurrence.

The House Bill authorizing the city of Worcester to lease a certain building known as the Nurses’ Building (House, No. 4534, amended,-- on petition) [Local approval received],-- was read.

Worcester,-- building lease.

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

The House Bill relative to the powers and duties of the town manager in the town of Hanover (House, No. 4658,-- on petition) [Local approval received],-- was read.

Hanover,-- town manager.

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

The House Bill authorizing the town of Stoneham to grant certain licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4804, amended,-- on petition) [Local approval received],-- was read.

Stoneham,-- liquor license.

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

The House Bill authorizing the appointment of special police officers in the town of Stoughton (House, No. 4918,-- on petition) [Local approval received],-- was read.

Stoughton,-- special police officers.

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

The House Bill establishing a sick leave bank for John Taylor Woodward, an

John Taylor Woodward,-- sick

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employee of the Hampshire County Sheriff's Department (House, No. 4957, amended,-- on petition),-- was read.

leave.

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

The House Bill establishing a sick leave bank for Gina Parolisi, an employee of the Trial Court (House, No. 4986,-- on House, No. 4966),-- was read.

Gina Parolisi,-- sick leave.

There being no objection, the rules were suspended, on motion of Mr. O'Connor, 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.4992) of Angelo J. Puppolo, Jr. and John W. Scibak for legislation to establish a sick leave bank for John S. Gay, an employee of the Trial Court;

John S. Gay,-- sick leave.

Under suspension of Joint Rule 12, to the committee on the Judiciary.

Petition (accompanied by bill, House, No. 4991) of Rady Mom for legislation to establish a sick leave bank for Aaron Nyahn, an employee of the Department of Public Health;

Aaron Nyahn,-- sick leave.

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

Engrossed Bill.

An engrossed Bill designating a certain bridge in the town of West Boylston as the Specialist Kyle A. Little Memorial Bridge (see House, No. 4904) (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. Timilty) and laid before the Governor for his approbation.**

Bill laid before the Governor.

Order Adopted.

On motion of Mr. O'Connor--

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

Time of meeting.

Moment of Silence

At the request of the Chair (Mr. Timilty), the members, guests and staff stood in a moment of silence and reflection to the memory of James Duggan.

Moment of silence.

Adjournment in Memory of James "Jim" Duggan

The Senator from Middlesex and Norfolk, Ms. Creem, moved that when the Senate adjourns today, it adjourn in memory of James "Jim" Duggan.

James "Jim" Duggan passed away at the age of 65 on October 22, 2018.

The oldest child of Marjorie and James Duggan, Jim was born and raised in Brookline's Whiskey Point, the fourth generation of Duggans in Brookline. He graduated from Catholic Memorial High School, Boston College and Suffolk University Law School. After passing the bar in 1978, he practiced law as a solo practitioner for more than 30 years.

Jim became an active political figure in local politics at an early age. He was first elected to Brookline Town Meeting at age 16, became an aide to Congressman Robert F. Drinan in 1973, and served as Chairman of the Brookline Redevelopment Authority. He

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was a candidate for the Brookline Selectman in 1990, and he played a pivotal role in renovating Clark Park and in organizing support for the construction of the new Lincoln School.

Jim's lifelong interests included history and sports, particularly the Boston Red Sox. He coached youth sports' teams for his children and was President of Brookline Youth Baseball. He enjoyed reading and public speaking and was adept at making jokes.

Upon retirement, Jim fulfilled his lifelong dream and bought a cottage in Glenbeigh, County Kerry, Ireland, where he was a proud member of the Dooks Golf Club.

Jim is survived by his wife, Claire Weiss Duggan, his son Benjamin and daughter-in-law Jacqueline, and by his daughter Maeve, and many relatives, including nieces, nephews and cousins. He will be remembered fondly by the larger Brookline community, and all those who knew him.

Accordingly, as a mark of respect in memory of James "Jim" Duggan, at twenty-two minutes past eleven o'clock A.M., on motion of Mr. O'Connor, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.