

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**THURSDAY, FEBRUARY 23, 2017.**

JOURNAL OF THE SENATE.

Thursday, February 23, 2017.

Met at nine minutes past eleven o'clock A.M.

A group of Boy Scouts from around the Commonwealth, led the President, members, guests and staff in the recitation of the pledge of allegiance to the flag

Pledge of allegiance.

The Boy Scouts then recited the Boy Scout Oath and Law.

Boy Scout oath.

Communication.

Communication from the Honorable Bruce E. Tarr, Senate Minority Leader, announcing the following Leadership and Senate Committee appointments:

Committee appointments.

Senate Standing Committees.

RULES. — Senators Humason of Hampden and Hampshire and deMacedo of Plymouth and Barnstable (the membership of the committee on Rules also being the membership of the committees on Rules of the two branches, acting concurrently, on the part of the Senate).

WAYS AND MEANS. — Senators deMacedo of Plymouth and Barnstable, Ross of Norfolk, Bristol and Middlesex and Humason of Hampden and Hampshire.

BONDING, CAPITAL EXPENDITURES AND STATE ASSETS. — Senators Humason of Hampden and Hampshire and deMacedo of Plymouth and Barnstable.

ETHICS. — Senators Ross of Norfolk, Bristol and Middlesex and Tarr of Essex and Middlesex

BILLS IN THE THIRD READING. — Senator Tarr of Essex and Middlesex.

INTERGOVERNMENTAL AFFAIRS. — Senator Humason of Hampden and Hampshire.

GLOBAL WARMING AND CLIMATE CHANGE. — Senator O'Connor of Plymouth and Norfolk.

PERSONNEL AND ADMINISTRATION. — Senators O'Connor of Plymouth and Norfolk and deMacedo of Plymouth and Barnstable.

POST AUDIT AND OVERSIGHT. — Senators Fattman of Worcester and Norfolk and Tarr of Essex and Middlesex.

REDISTRICTING. — Senator Tarr of Essex and Middlesex.

STEERING AND POLICY. — Senator Tarr of Essex and Middlesex.

Joint Standing Committees.

CHILDREN, FAMILIES AND PERSONS WITH DISABILITIES — Senator Humason of Hampden and Hampshire.

COMMUNITY DEVELOPMENT AND SMALL BUSINESS — Senator deMacedo of Plymouth and Barnstable.

CONSUMER PROTECTION AND PROFESSIONAL LICENSURE — Senator Fattman of Worcester and Norfolk.

ECONOMIC DEVELOPMENT AND EMERGING TECHNOLOGIES — Senator

O'Connor of Plymouth and Norfolk.

*EDUCATION* -- Senator O'Connor of Plymouth and Norfolk.

*ELDER AFFAIRS* – Senator Fattman of Worcester and Norfolk.

*ELECTION LAWS* – Senator Fattman of Worcester and Norfolk.

*ENVIRONMENT, NATURAL RESOURCES AND AGRICULTURE* – Senator Fattman of Worcester and Norfolk.

*EXPORT DEVELOPMENT* – Senator Tarr of Essex and Middlesex.

*FINANCIAL SERVICES* – Senator deMacedo of Plymouth and Barnstable.

*HEALTH CARE FINANCING* – Senator Tarr of Essex and Middlesex.

*HIGHER EDUCATION* – Senator Ross of Norfolk, Bristol and Middlesex.

*HOUSING* – Senator O'Connor of Plymouth and Norfolk.

*THE JUDICIARY* -- Senator Ross of Norfolk, Bristol and Middlesex.

*LABOR AND WORKFORCE DEVELOPMENT* -- Senator O'Connor of Plymouth and Norfolk.

*MARIJUANA POLICY* -- Senator deMacedo of Plymouth and Barnstable.

*MENTAL HEALTH, SUBSTANCE USE AND RECOVERY* -- Senator Ross of Norfolk, Bristol and Middlesex.

*MUNICIPALITIES AND REGIONAL GOVERNMENT* -- Senator O'Connor of Plymouth and Norfolk.

*PUBLIC HEALTH* – Senator Ross of Norfolk, Bristol and Middlesex.

*PUBLIC SAFETY AND HOMELAND SECURITY* -- Senator Ross of Norfolk, Bristol and Middlesex.

*PUBLIC SERVICE* – Senator Humason of Hampden and Hampshire.

*REVENUE* -- Senator Fattman of Worcester and Norfolk.

*STATE ADMINISTRATION AND REGULATORY OVERSIGHT* – Senator O'Connor of Plymouth and Norfolk.

*TELECOMMUNICATIONS, UTILITIES AND ENERGY* -- Senator Tarr of Essex and Middlesex.

*TOURISM, ARTS AND CULTURAL DEVELOPMENT* -- Senator deMacedo of Plymouth and Barnstable.

*TRANSPORTATION* -- Senator Humason of Hampden and Hampshire.

*VETERANS AND FEDERAL AFFAIRS* – Senator Humason of Hampden and Hampshire.

*Report.*

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

Report of the Department of Public Health (pursuant to line item 4513-1020 of Section 2 of Chapter 133 of the Acts of 2016) submitting its report entitled “Early Intervention Respite Services FY17 Expenditures and Referrals Approved by Month” (received February 21, 2017); and

Report of the Department of Early Education and Care (pursuant to Chapter 15D of the General Laws) submitting its 2016 Annual Legislative Report (received February 22, 2017).

DPH,-- FY17 Q2  
program service  
report.  
SD2099

EEC,-- annual report.  
SD2101

*Petition.*

Mr. Pacheco presented a petition (accompanied by bill, Senate, No. 2034) Marc R. Pacheco, Patricia A. Haddad and Keiko M. Orrall (with the approval of the mayor and city council) for legislation to authorize the appointment of retired police officers as special police officers in the city of Taunton [Local approval received];

Taunton,--  
special police  
officers.

**Under Senate Rule 20, referred to the committee on Public Service.  
Sent to the House for concurrence.**

PAPERS FROM THE HOUSE.

Message from His Excellency the Governor relative to financing improvements to municipal roads and bridges (House, No. 73),-- **was referred, in concurrence, to the committee on Transportation.**

Road and bridges.

*Resolutions.*

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

Resolutions (filed by Mr. Lewis) “congratulating the Wakefield Cooperative Bank on its one hundred and thirtieth anniversary”;

Wakefield  
Cooperative Bank.

Resolutions (filed by Mr. Tarr) “congratulating the Angelo Giuseppe Roncalli Lodge #2183 on its fiftieth anniversary”; and

Angelo Giuseppe  
Roncalli Lodge  
#2183.

Resolutions (filed by Mr. Tarr) “congratulating Samantha Newbury on receiving the 2017 Prudential Spirit of Community Award.”

Samantha Newbury.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 1464) of Paul McMurtry and Michael F. Rush for legislation to establish a sick leave bank for Elizabeth Traphagen, an employee of the Department of Public Health,-- **was referred in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

Elizabeth  
Traphagen,-- sick  
leave.

*Distinguished Guests.*

There being no objection, the President handed the gavel to the Minority Leader, Mr. Tarr, for the purpose of an introduction. After remarks, Mr. Tarr introduced in the rear of the Chamber, Boys Scouts from around the Commonwealth. Mr. Tarr then invited to the Rostrum, Alex LaRuffa from the Cape Cod and Islands Council, Austin Heisey from the Knox Trail Council, John Gorman from the Mohegan Council, Joshua Griffin from the Narragansett Council, David Audette from the Nashua Valley Council, Benjamin Fenelon from the Old Colony Council, Nicholas Pleva from the Spirit of Adventure Council and Jose Cedono from the Western Massachusetts Council.

Eagle Scout Justin St.  
Louis and other  
scouts.

The group presented the President and Minority Leader with the 2016 Report on the State of Scouting in Massachusetts, as follows:

**Program Highlights**

- Cub Scouts (boys aged 7-10)
- Boy Scouts (boys aged 11-18)
- Explorers and Venturing (boys and girls aged 14-21)

**Membership**

- 8 Councils
- 1200 Units
- 38,000 Youth Members
- 10,000 Adult Volunteers

**Order of the Arrow and Camping**

- 8 order of the Arrow Lodges
- 3,200 Lodge members

- 13 Camps Owned and Operated

**Service to Community**

- 150,000 Hours of Community Service
- 1200 Eagle Projects
- 200,000 pounds of food donated by “Scouting for Food” drive to assist local food pantries

The Senate welcomed them with applause and the scouts along with various troop leaders and parents seated in the Senate Gallery withdrew from the Chamber.

**On motion of Mr. Tarr, the report was ordered printed in the Journal of the Senate.**

Ordered printed.

*Order Adopted.*

On motion of Mr. Tarr,--

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

Time of meeting.

*Moment of Silence.*

At the request of the President, the members, guests and staff stood in a moment of silence and reflection to the memory of Paul V. Buckley.

Moment of Silence.

*Adjourn In Memory of the Honorable Paul V. Buckley*

The Senator from Middlesex and Norfolk, Ms. Creem, and the Senator from Norfolk and Suffolk, Mr. Rush, moved that when the Senate adjourns today it do so in memory of the Honorable Paul V. Buckley, who died February 19, 2017.

Known as a loving family man, guardian of the law, friend and mentor, Buck grew up in St. Ann’s Parish in Dorchester. After spending over 2 years at the Carmelite Junior Seminary, he went on to graduate from Hyde Park High School, and joined the army, where he was assigned to bases in Germany, intercepting and translating messages for the United States government.

Buck financed his higher education on the GI bill, graduating from Suffolk University and Suffolk School of Law. He was widely regarded as a skilled trial attorney, handling well known cases as both a defense counsel and as a prosecutor.

As a young attorney, he served as First Assistant District Attorney in Newman Flanagan’s Suffolk County office and later was appointed by Governor Paul Celluci as an Associate Justice to the District Court Department of the Trial Court for the Commonwealth of Massachusetts, serving most often in the Quincy district court. After reaching mandatory retirement age, Buck was appointed by Governor Deval Patrick as commissioner for the Division of Industrial Accidents, where he served until 2011.

Buck was also an active attorney with his firm, Buckley, Haight, Muldoon and Jubinville.

A respected member of the Ancient and Honorable Artillery Company of Massachusetts for over 30 years, Buck chaired the membership committee and advanced the application for the first female member in the company's history. He also spearheaded the restoration and renovation of the Military Museum in Faneuil Hall.

Buck was a proud member of the Clover Club of Boston, the Trial Lawyers Association, the Rocky Nook Neighborhood Association of Kingston and the Bass River Yacht Club in Bass River, Massachusetts. He was an elected town meeting member in Milton and treasurer of Milton youth hockey.

He was well known for always being ready to lend an ear, and for his compassion.

Mr. Buckley will be deeply missed by his loving wife, former state Senator Marian Walsh, his three sons: Paul, Michael, Christopher; his two daughters: Jacqueline and Amy, their spouses; his 13 grandchildren, his mother-in-law, countless friends and acquaintances.

Accordingly, as a mark of respect in memory of the Honorable Paul V. Buckley, at twenty-six minutes past eleven o'clock A.M., on motion of Mr. James E. Timilty, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.