

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, APRIL 13, 2017.

[35]

JOURNAL OF THE SENATE.

Thursday, April 13, 2017.

Met at two 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).

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

Pledge of allegiance.

Distinguished Guests.

There being no objection, the Chair (Mr. Brownsberger) handed the gavel to Mr. Walter F. Timilty for the purpose of an introduction. Mr. Walter F. Timilty then introduced, in the rear of the Chamber, Milton High School's Girls Cross Country State Championship Team for 2015 and 2016, the Girls Indoor All State Championship Team for 2017 and the Girls Spring Track State Championship Team for 2016. The Senate applauded their accomplishments and they withdrew from the Chamber. They were accompanied by Milton Selectman David Burnes. They were also guests of Representative Driscoll of Milton and Representative Cullinane of Boston.

Milton High School's Girls Cross Country and Track Teams.

Communications.

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

Communication from the Honorable Stanley C. Rosenberg, President of the Senate, announcing the appointment (pursuant to Section 42 of Chapter 19A of the General Laws) of Ms. Mary Giannetti of Fitchburg to the Malnutrition Prevention Commission; and

Malnutrition Prevention Commission.

Communication from the Department of Public Health relative to plans of correction for the following correctional facilities:

DPH,-- plans of correction. SD2162

- Middlesex County Jail and House of Correction
- Old Colony Correctional Center
- Hampshire County Jail and House of Correction
- Essex County Women in Transition
- NCCI Gardner
- Norfolk County House of Correction
- Dedham Alternative Center (received April 10, 2017).

Report.

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspections of the following correctional facilities:

DPH,-- facility inspections. SD2163

- South Middlesex Correctional Center
- Plymouth County Correctional Facility

UNCORRECTED PROOF.

Worcester County House of Corrections and Jail (received April 10, 2017),--
was placed on file.

Petition.

Ms. Lovely presented a petition (accompanied by bill) (subject to Joint Rule 12)
of Joan B. Lovely for legislation to provide diaper benefits for certain parents;

Diaper benefits.
SD2161

**Referred, under Senate Rule 20, to the committees on Rules of the two
branches, acting concurrently.**

Reports of a Committee.

By Mr. Moore, for the committee on Municipalities and Regional Government,
on petition, a Bill relative to a lease for the bathing beach bathhouse facility and
surrounding grounds located on Otis Street in Hingham (Senate, No. 22) [Local
approval received];

Hingham,--
bathhouse lease.

By the same Senator, for the same committee, on petition, a Bill amending the
charter of the City of Lowell (Senate, No. 1125) [Local approval received];

Lowell,-- charter.

By the same Senator, for the same committee, on petition, a Bill authorizing the
town of Hubbardston to convey a certain parcel of land (Senate, No. 1135) [Local
approval received]; and

Hubbardston,-- land.

By the same Senator, for the same committee, on petition, a Bill authorizing the
City of Somerville to borrow funds to pay costs of the Green Line Extension
(Senate, No. 1139) [Local approval received];

Green Line
Extension,-- costs.

**Severally read and, under Senate Rule 26, placed in the Orders of the Day
for the next session.**

PAPERS FROM THE HOUSE

Reports

Of the committee on the Judiciary, asking to be discharged from further
consideration

Of the petition (accompanied by bill, House, No. 3042) of Nick Collins and
others relative to online mandated child abuse reporter training,-- and
recommending that the same be referred to the committee on Children, Families
and Persons with Disabilities;

Online mandated
child abuse reporter
training.

Of the petition (accompanied by bill, House, No. 3021) of Cory Atkins and
others relative to the enforcement of illegal hunting practices,-- and recommending
that the same be referred to the committee on Environment, Natural Resources and
Agriculture;

Illegal hunting
practices

Of so much the recommendations of the Department of State Treasurer (House,
No. 23) as relates to enhancing consumer protection with respect to unclaimed
property (accompanied by bill, House, No. 35),-- and recommending that the same
be referred to the committee on Financial Services;

Enhancing consumer
protection,--
unclaimed property.

Of the petition (accompanied by bill, House, No. 2269) of Brian J. Coppola
relative to establishing psychiatric advance directives for mental health care,-- and
recommending that the same be referred to the committee on Mental Health and
Substance Use and Recovery; and

Psychiatric advance
directives.

Of the petition (accompanied by bill, House, No. 835) of Jonathan Hecht and
others relative to defining child-resistant packaging of liquid nicotine containers
and establishing civil penalties for violations,-- and recommending that the same

Liquid nicotine
containers,-- child-
resistant packaging.

be referred to the committee on Public Health;

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.

Resolutions.

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

Resolutions (filed by Mr. Eldridge) “congratulating Rabbi Lewis Mintz on his retirement”; and

Rabbi Lewis Mintz.

Resolutions (filed by Mr. McGee, Ms. Chandler, Ms. Creem, Messrs. Cyr, DiDomenico and Fattman, Ms. Gobi, Messrs. Hinds and Lewis, Ms. Lovely and Mr. James E. Timilty) “commending the International Health, Racquet & Sportsclub Association for joining in ‘Every Kid Healthy Week’.”

International Health, Racquet & Sportsclub Association.

Message from His Excellency the Governor.

A message from His Excellency the Governor recommending legislation relative to reforming fine time (Senate, No. 2050) (received in the Office of the Clerk of the Senate on April 11, 2017 at fourteen minutes before two o’clock P.M.),-- was read.

Fine time,-- reform.

Under Senate Rule 20, the message, with the accompanying bill, was referred to the committee on the Judiciary.

Sent to the House for concurrence.

Order Adopted.

Mr. Rosenberg offered the following order, to wit:

Ordered, That by the authority of article IV of section II of chapter I of the Constitution, the Senate declares that, by reason of the death of Kenneth J. Donnelly while senator from the Fourth Middlesex district, the office of senator from the Fourth Middlesex district is vacant. By the authority of article XXIV of the Amendments to the Constitution, the Senate directs the president of the Senate to issue a precept setting forth July 25, 2017, as the day for holding an election to fill the vacancy in the Fourth Middlesex district, comprising the city of Woburn and the towns of Arlington, Billerica, Burlington and Lexington, precincts 1 and 2 and 4 to 7, inclusive, in the county of Middlesex.

Precepts,--
Fourth Middlesex district.

Under the rules, referred to the committee on Rules.

Subsequently, Mr. Montigny, for the said committee, reported, recommending that the order ought to be adopted.

The rules were suspended, on motion of Mr. Walter F. Timilty, and the order was considered forthwith and adopted.

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill establishing a sick leave bank for William Motherway, an employee of the Trial Court (see House, No. 2792) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly**

Bill laid before the Governor.

prepared for final passage, was passed to be enacted and signed by the Acting President (Mr. Brownsberger) and laid before the Governor for his approbation.

Order Adopted.

On motion of Mr. Walter F. Timilty,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Tuesday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

Adjourn In Memory of Charles E. Shannon, Jr.

The Senator from Middlesex, Ms. Jehlen, moved that when the Senate adjourns today, it adjourn in memory of former Senator Charles E. Shannon, Jr., who died twelve years ago after a long battle with cancer.

Charlie Shannon represented the Second Middlesex district for over fourteen years.

Shannon first became involved in government when he was appointed to the Winchester Board of Assessors in 1987 and was later elected to the post in 1989. He served as its Chairman from 1989-1990.

During this time, he was also a town meeting member.

Also, during his 20 years of service with the Lexington Police Department, he had received two commendations for bravery.

During his State House service, he served as the Chairman of Ethics and Rules, as well as Vice Chairman of Bills in Third Reading. He had also served as the Vice Chairman for Municipalities and Regional Government, as well as State Administration and Regulatory Oversight.

Senator Shannon's commitment to public safety and young people is memorialized in the Shannon Grants which promote youth development and combat violence.

His commitments to the environment and to recreation are memorialized at the Shannon Beach on the Mystic Lakes.

His service and his friendship live on in the memories of colleagues and the people he served.

Accordingly, as a mark of respect in memory of Charles E. Shannon, Jr., at a quarter past eleven o'clock A.M., on motion of Mr. Fattman, the Senate adjourned to meet again on Tuesday next at eleven o'clock A.M.