

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, MAY 22, 2017.

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

Pledge of allegiance.

Communication.

Communication from the Office of the Comptroller (pursuant to Sections 1A and 1B of Chapter 133 of the Acts of 2016) submitting its report on the comparison of actual revenue collections to budget for the first 3 quarters of FY2017 (received May 18, 2017),-- was placed on file.

Comptroller, -- non-tax revenue. SD2208

Reports.

Report of the Special Commission on Pension Forfeiture (pursuant to Section 151 of Chapter 133 of the Acts of 2016, as amended by Section 19A of Chapter 5 of the Acts of 2017) so much as relates to pension forfeiture (Senate, No. 2074, Appendix A) (received May 18, 2017),-- was referred to the committee on Public Service.

Pension forfeiture.

Sent to the House for concurrence.

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

Report of the Special Commission on Pension Forfeiture (pursuant to Section 151 of Chapter 133 of the Acts of 2016, as amended by Section 19A of Chapter 5 of the Acts of 2017) submitting its finding and recommendations (Senate, No. 2074) (received May 18, 2017); and

Special Commission on Pension Forfeiture,-- report.

Report of the Department of Elementary and Secondary Education (pursuant to line item 7027-1004 of Chapter 133 of the Acts of 2016 and Section 1I of Chapter 69 of the General Laws) submitting its FY16 English Language Acquisition Professional Development report (received May 18, 2017).

DESE,-- EL professional development. SD2209

Report of a Committee.

By Ms. Gobi, for the committee on Environment, Natural Resources and Agriculture, on petition, a Bill to promote solar hot water installations (Senate, No. 471);

Solar hot water,-- installations.

Read and, under Senate Rule 27, referred to the committee on Ways and Means.

PAPERS FROM THE HOUSE

A message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to authorizing the town of Tisbury to pay a certain unpaid bill (House, No. 3710),-- **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Tisbury,-- unpaid bills.

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

Petition (accompanied by bill, House, No. 3706) of William L. Crocker, Jr., Timothy R. Whelan and Randy Hunt (by vote of the town) that the town of Barnstable be authorized to amend the charter of said town;

Barnstable,-- charter.

To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 3707) of William Smitty Pignatelli and Adam G. Hinds (by vote of the town) that the town of Lee be authorized to establish a local excise on the sale of gasoline and diesel fuels;

Lee,-- gas tax.

To the committee on Revenue.

A Bill exempting all positions in the fire department of the city of Marlborough from the civil service law (House, No. 2782,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Marlborough,-- fire department.

Reports

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

Of so much of the recommendations of the Commission on Uniform State Laws (House, No. 42) as relates to making uniform the law regarding trade secrets (accompanied by bill, House, No. 43); and

Trade secrets.

Of the petition (accompanied by bill, House No. 854) of Bradley H. Jones, Jr., and others relative to the regulation of trade by the establishment of a uniform trade secrets act;

Id.

And recommending that the same severally be referred to the committee on Labor and Workforce Development;

Of the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1198) of Paul McMurtry relative to quarterly billing by health maintenance organizations for certain health services,-- and recommending that the same be referred to the committee on Financial Services;

HMO,-- quarterly billing.

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 Ms. Lovely, Mr. Boncore, Ms. Jehlen, Ms. L'Italien and Messrs. McGee and Tarr) "congratulating Patricia Maguire Meservey on her retirement from Salem State University";

Patricia Maguire Meservey.

Resolutions (filed by Ms. Lovely) "congratulating Kenneth C. Breen of the

Kenneth C. Breen.

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town of Topsfield on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Ms. Lovely) “congratulating Jonathan M. Cain of the town of Topsfield on his elevation to the rank of Eagle Scout”;

Jonathan M. Cain.

Resolutions (filed by Ms. Lovely) “congratulating Allen F. Edwards of the town of Topsfield on his elevation to the rank of Eagle Scout”;

Allen F. Edwards.

Resolutions (filed by Ms. Lovely) “congratulating Thomas M. Lebel of the town of Topsfield on his elevation to the rank of Eagle Scout”;

Thomas M. Lebel.

Resolutions (filed by Ms. Lovely) “congratulating Andrew J. Mulholland of the town of Topsfield on his elevation to the rank of Eagle Scout”;

Andrew J.
Mulholland.

Resolutions (filed by Ms. Lovely) “congratulating Paul T. Roach of the town of Topsfield on his elevation to the rank of Eagle Scout”;

Paul T. Roach.

Resolutions (filed by Ms. Spilka) “congratulating Richie Abbott of the town of Ashland on his elevation to the rank of Eagle Scout”; and

Richie Abbott.

Resolutions (filed by Ms. Spilka and Mr. Ross) “congratulating Harrison Goldsmith of the town of Natick on his elevation to the rank of Eagle Scout.”

Harrison Goldsmith.

Moment of Silence.

At the request of the Chair (Ms. Forry), the members, guests and staff stood in a moment of silence and reflection to the memory of Mary Singleton of West Yarmouth.

Moment of silence.

PAPERS FROM THE HOUSE

Emergency Preambles Adopted

An engrossed Bill establishing a sick leave bank for Monica Bassila, an employee of the Department of Public Health (see House, No. 3462), 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.

Monica Bassila,--
sick leave.

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

An engrossed Bill establishing a sick leave bank for Elizabeth C. Cox, an employee of the Department of Public Health (see House, No. 3645, 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.

Elizabeth C. Cox,--
sick leave.

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

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 (Ms.

Forry) and laid before the Governor for his approbation, to wit:

Establishing a sick leave bank for Monica Bassila, an employee of the Department of Public Health (see House, No. 3462); and

Establishing a sick leave bank for Elizabeth C. Cox, an employee of the Department of Public Health (see House, No. 3645, amended).

Bills laid before the Governor.

Order Adopted.

On motion of Mr. Tarr,--

Ordered, That, pursuant to an order previously adopted, and, under the provisions of Senate Rule 38B, when the Senate adjourns today, it adjourn to meet again tomorrow at ten o'clock A.M., in a full formal session and that the only matter to be placed on the calendar will be the general appropriation bill.

Time of meeting.

Adjourn In Memory of Mary Singleton

The Senator from Cape and Islands, Mr. Cyr, moved that when the Senate adjourns today, it adjourn in memory of Mary Singleton of West Yarmouth.

Mary passed away at the Mary McCarthy House in Sandwich surrounded by her family on May 1, 2017.

Mary was a loyal employee of the town of Yarmouth for 40 years, 33 of which were spent proudly serving as the secretary at the Yarmouth Fire Department. Being a part of the fire department was a huge part of Mary's life. She took care of YFD. and they took care of her. She became an honorary member of Local 2122 as well as an honorary member of the International Association of Fire Fighters on December 5, 1998. Upon her retirement in 2009, she had served under six fire chiefs and was known for caring as much for the fire fighters and their families as she did her own family. She always had kind words (and some candy) for all who visited her at the station, and was particularly proud that some of the young children of "her men" would grow up to be fire fighters at the station while she was there as well.

She is survived by her two daughters, Nancy Harris of Rock Hill, South Carolina and Ellen Clarke of Brewster, and her four grandchildren, Erica, Heather, Benjamin and Nicholas. Mary is also survived by her three great-grandchildren whom she adored: Emily, Matthew and Abigail. As the matriarch of the family, she had made it her goal to see all of her family together once a year for a family vacation, a tradition that has held for several years. She was predeceased by her husband David, her son Paul, her sister Catherine and her parents.

Accordingly, as a mark of respect in memory of Mary Singleton, at nineteen minutes past eleven o'clock A.M., on motion of Mr. Tarr, the Senate adjourned to meet again tomorrow at ten o'clock A.M.