

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



WEDNESDAY, NOVEMBER 15, 2017.

[111]

JOURNAL OF THE SENATE.

Wednesday, November 15, 2017.

Met at eleven minutes past one o'clock P.M. (Mr. Rodrigues in the Chair).

At eleven minutes past one o'clock P.M, Mr. Keenan doubted the presence of a quorum. The Chair (Mr. Rodrigues), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

The President in the Chair, subsequently, at twenty minutes past one o'clock P.M., a quorum was declared present.

The Everett High School Marching Band then led the President, members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Distinguished Guests.

There being no objection, the President handed the gavel to Mr. DiDomenico for the purpose of an introduction. Mr. DiDomenico then introduced, in the rear of the Chamber the Everett High School Marching Band. The band was recognized for winning the 2017 New England Marching Band Championship. They addressed the Senate with their championship winning performance, were applauded for their accomplishments and withdrew from the Chamber. The band was accompanied by Director and World Percussion Hall of Fame member, Charles Poole, Assistant Directors: Eric Dauenhauer, Michael Moore and Cassie McDonald, Band Manager Penny Yobba, Music Department Coordinator Eugene O'Brien, School Committee Chairperson Bernie D'Onofrio, School Committee members: Allen Panarese and Marcony Almeida Barros, and Assistant Superintendents Charles Obremski and Kevin Shaw. They were also guests of Representative Joseph McGonagle, Jr. of Everett.

Everett High School Marching Band.

Reports of a Committee.

By Ms. Lovely, for the committee on Children, Families and Persons with Disabilities, on petition, a Bill relative to spouses as caregivers (Senate, No. 55);

Spouses,-- paid caregivers.

By the same Senator, for the same committee, on petition, a Bill relative to cueing and supervision in the PCA program (Senate, No. 60); and

PCA program,-- supervision.

By the same Senator, for the same committee, on petition, a Bill increasing the personal care allowance for long term care residents (Senate, No. 63);

Long term care,-- allowance.

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Ms. Lovely, for the committee on Children, Families and Persons with Disabilities, on petition, a Bill creating a means for tracking the unmet need of individuals with developmental disabilities in the Commonwealth (Senate, No. 54);

Developmental disabilities,-- system.

By the same Senator, for the same committee, on petition, a Bill relative to

Passage to independence.

passage to independence (Senate, No. 56);

By the same Senator, for the same committee, on petition, a Bill relative to public assistance for working families and the creation of a pilot program to address the impacts of the cliff effect (Senate, No. 79);

Cliff effect,-- pilot program.

By the same Senator, for the same committee, on petition, a Bill providing diaper benefits for certain parents (Senate, No. 2075); and

Diaper benefits.

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 64), a Bill to establish a registry of caretakers found to have substantiated abuse against persons with intellectual disability or developmental disability (Senate, No. 2213);

Caretakers,-- abuse registry.

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

Adjourn In Memory of Robert Carreiro

The Senator from Middlesex and Suffolk, Mr. DiDomenico, moved that when the Senate adjourns today, it adjourn in memory of Robert Carreiro of Everett.

Mr. DiDomenico in the Chair, Robert Carreiro was Vice Chairman of the Everett School Committee. He passed away on Sunday, October 1, 2017, after a courageous battle with cancer. Bob was a lifelong Everett resident who graduated from Everett High School in 1969. He graduated Salem State College in 1973. For seventeen years, Mr. Carreiro was a special education teacher for the Everett Public Schools. He also served as President of the Everett Teachers Association.

In the early 90s, Bob began a successful career in the restaurant business that spanned many years. He later went to work for the Massachusetts Department of Housing and Development working in their litigation department. Bob served as Executive Director for the Everett Housing Authority until his retirement in October of 2016. He also sat on the Board for the Everett Housing Authority.

Mr. Carreiro served on the School Committee since 2003, serving his seventh term, fourteen consecutive years. Bob served as a School Committee member in both Wards Five and Six. During his tenure on the School Committee, Bob served as Chairman and Vice Chairman.

Mr. Carreiro had a keen mind and a sharp sense of business. Although he wore many hats, he will be remembered most of all for being a friend to all and generous to a fault! He will be sorely missed by everyone.

Moment of Silence.

At the request of Mr. DiDomenico, the members, guests and staff stood in a moment of silence and reflection to the memory of Robert Carreiro.

Moment of silence.

Report of a Committee.

The President in the Chair, by Ms. Spilka, for the committee on Ways and Means, that the House Bill authorizing the Division of Capital Asset Management and Maintenance to grant easements to the town of Lanesborough for the reconstruction of the Narragansett Avenue bridge over Lake Pontoosuc (House, No. 3920, amended),-- ought to pass, with an amendment in section 1, as printed,

Lanesborough easements.

UNCORRECTED PROOF.

by striking out the second sentence and inserting in place thereof the following sentence:- “The portions of the land are shown on a plan of land entitled “Easement Plan of Land Narragansett Avenue Over Lake Pontoosuc Lanesborough, Massachusetts”, dated August 18, 2016, as follows: “parcel E-3,” containing 650 square feet, more or less; “parcel E-4,” containing 3,295 square feet, more or less; “parcel E-6,” containing 1,640 square feet, more or less; “parcel TR-3,” containing 12,060 square feet, more or less; and “parcel TE-5,” containing 6,947 square feet, more or less.”

There being no objection, the rules were suspended, on motion of Mr. Hinds, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

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 directing the Fall River Retirement Board to pay a certain retirement benefit to the surviving spouse of Adam Franco (House, No. 2790),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act directing the retirement board of the city of Fall River to pay a certain retirement benefit to the surviving spouse of Adam Franco”.**

Fall River,-- Adam Franco benefits.

The Senate Bill exempting certain positions of the police department of the town of Adams from the civil service law (Senate, No. 2154) (its title having been changed by the committee on Bills in the third Reading),-- **was read a third time and passed to be engrossed.**

Adams,-- civil service exemption..

Sent to the House for concurrence.

The House Bill renaming Muddy pond in the city known as the town of Barnstable to be called Crocker Pond (House, No. 3679),-- **was read a third time and passed to be engrossed, in concurrence.**

Barnstable,-- Crocker Pond

The House Bill relative to the authority of the town administrator of the town of Harvard (House, No. 3772),-- **was read a third time and passed to be engrossed, in concurrence.**

Harvard,-- town administrator.

The House Bill authorizing the town of Milford to appoint water commissioners (House, No. 3784),-- **was read a third time and passed to be engrossed, in concurrence.**

Milford,-- water commissioners.

The House Bill authorizing the city known as the town of Franklin to establish a local agricultural commission (House, No. 3785) (its title having been changed by the Committee on Bills in the Third Reading),-- was read a third time.

Franklin,-- agricultural commission.

Pending the question on passing the bill to be engrossed, Mr. Ross moved that the bill be amended in section 1, in subsection (c), by striking out paragraph (2) and inserting in place thereof the following paragraph:-

UNCORRECTED PROOF.

“(2) The Franklin agricultural commission shall be appointed by the town administrator, subject to ratification by the town council. Each member of the commission shall serve for a term of 3 years.”; and

By striking out section 2 and inserting in place thereof the following 2 sections:-

“SECTION 2. Notwithstanding paragraph (2) of subsection (c) of section 1 or any other general or special law to the contrary, the initial appointments to the Franklin agricultural commission shall be for terms of 1, 2 or 3 years so arranged by the town administrator that the terms of approximately $\frac{1}{3}$ of the commission's members shall expire each year.

SECTION 3. This act shall take effect upon its passage.”

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 authorizing the city of Revere to pay a certain sum of money (House, No. 3876),-- **was read a third time and passed to be engrossed, in concurrence.**

Revere,-- payment.

The House Bill authorizing the city of Medford to grant certain licenses to the Chevalier Theatre for the sale of food and alcoholic beverages (House, No. 3991) (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.**

Medford,--alcohol licenses.

Reports of Committees.

Mr. Montigny, for the committee on Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The House Bill designating a certain bridge in the town of Yarmouth as the Lance Corporal William Joseph Donovan Jr. memorial bridge (House, No. 3960).

Yarmouth,-- bridge designation..

There being no objection, the rules were suspended, on motion of Mr. Cyr, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

By Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Karen E. Spilka for legislation to prohibit the sale of dextromethorphan to minors.

Dextromethorphan,
— sale to minors.
SD2302

The rules were suspended, on motion of Ms. Spilka, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Mental Health, Substance Use and Recovery.

Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4034) of Matthew Muratore and others for legislation to authorize the treasurer of Plymouth County to transfer certain funds;

Plymouth County,--
transfer of funds.

Under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.

UNCORRECTED PROOF.

Petition (accompanied by bill, House, No. 4035) of Donald H. Wong, Thomas M. McGee and Brendan P. Crighton for legislation to establish a sick leave bank for Rebecca Owumi, an employee of the Essex County Sheriff's Department;

Rebecca Owumi,--
sick leave.

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

Recess.

There being no objection, at nine minutes before two o'clock P.M., the President declared a recess subject to the call of the Chair; and, at twenty-four minutes past three o'clock P.M., the Senate reassembled, Mr. Eldridge in the Chair, having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair.

Recess.

PAPERS FROM THE HOUSE

Emergency Preambles Adopted.

An engrossed Bill authorizing the Department of Elder Affairs to establish a home care worker registry (see House, No. 3821, 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.

Home care worker
registry.

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

An engrossed Bill relative to a study of the trauma registry in the Department of Public Health (see House, No. 3827), 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.

Trauma registry.

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

Resolutions.

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

Resolutions (filed by Ms. Forry, Ms. Jehlen, Messrs. DiDomenico and Cyr, Ms. O'Connor Ives, Mr. McGee, Ms. L'Italien, Messrs. Barrett, Brady and Boncore, Ms. Chang-Diaz, Mr. Eldridge, Ms. Creem and Mr. Lewis) "memorializing the United States Department of Homeland Security to continue the Temporary Protected Status Program"; and

United States
Department of
Homeland Security.

Resolutions (filed by Mr. Welch) "honoring the memory of Gunnery Sergeant Thomas J. Sullivan on the dedication of Gunnery Sergeant Thomas J. Sullivan Park."

Gunnery Sergeant
Thomas J. Sullivan.

PAPERS FROM THE HOUSE

Emergency Preambles Adopted.

An engrossed Bill designating a certain bridge in the town of Yarmouth as the

Lance Corporal
William Joseph

Lance Corporal William Joseph Donovan Jr. Memorial Bridge (see House, No. 3960), 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 7 to 0.

Donovan, Jr. bridge,-
- Yarmouth.

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

An engrossed Bill renaming Muddy Pond in the city known as the town of Barnstable to be called Crocker Pond (see House, No. 3679, 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 5 to 0.

Muddy Pond,--
Barnstable.

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

Engrossed Bills.

The President in the Chair, an engrossed Bill authorizing the town of Tisbury to pay a certain unpaid bill (see House Bill, printed in House, No. 3710) (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, two-thirds of the members present having voted in the affirmative, and signed by the President and laid before the Governor for his approbation.**

Bill laid before
Governor.

The following engrossed bills (the first two 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 President and laid before the Governor for his approbation, to wit:

Establishing the month of May as Cystic Fibrosis Awareness Month (see Senate, No. 2137);

Bills laid before the
Governor.

Relative to handicapped parking (see Senate, No. 2178, amended);

Directing the Retirement Board of the city of Fall River to pay a certain retirement benefit to the surviving spouse of Adam Franco (see House, No. 2790),

Renaming Muddy Pond in the city known as the town of Barnstable to be called Crocker Pond (see House, No. 3679, amended);

Relative to the authority of the town administrator of the town of Harvard (see House, No. 3772);

Authorizing the town of Milford to appoint water commissioners (see House, No. 3784); and

Authorizing the city of Revere to pay a certain sum of money (see House No. 3876).

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 re-enacted and were signed by the President and again laid before the Governor for his approbation, to wit:

Authorizing the Department of Elder Affairs to establish a home care worker

Bills again laid
before the Governor.

registry (see House, No. 3821, amended); and

Relative to a study of the trauma registry in the Department of Public Health (see House No. 3827).

Emergency Preamble Adopted.

An engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant easements to the town of Lanesborough for the reconstruction of the Narragansett Avenue bridge over Lake Pontoosuc (see House, No. 3920, 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 5 to 0.

Lanesborough,-- land easement.

The bill was signed by the President and sent to the House for enactment.

At one minute past six o'clock P.M., Mr. Pacheco doubted the presence of a quorum. The President, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently, at nine minutes past six o'clock P.M., a quorum was declared present.

Committee of Conference Report.

A report of the committee of conference of the disagreeing votes of the two branches, with reference to the Senate amendments to the House Bill relative to language opportunity for our kids (House, No. 3740) (*amended by the Senate* by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2134) the following bill (House, No. 3740),-- came from the House, and was read.

Language opportunities.

The rules were suspended, on motion of Ms. Chang-Diaz, and the report was considered forthwith.

Ms. Chandler in the Chair, after remarks, the question on acceptance of the report of the committee of conference was determined by a call of the yeas and nays, at twenty-seven minutes past six o'clock P.M., on motion of Ms. Chang-Diaz as follows, to wit (yeas 37 – nays 0) **[Yeas and Nays No. 311]:**

YEAS.

- | | |
|--------------------------|-----------------------|
| Boncore, Joseph A. | Keenan, John F. |
| Brady, Michael D. | Lesser, Eric P. |
| Brownsberger, William N. | Lewis, Jason M. |
| Chandler, Harriette L. | L'Italien, Barbara A. |
| Chang-Diaz, Sonia | Lovely, Joan B. |
| Creem, Cynthia Stone | McGee, Thomas M. |
| Cyr, Julian | Montigny, Mark C. |
| deMacedo, Viriato M. | Moore, Michael O. |
| DiDomenico, Sal N. | O'Connor, Patrick M. |
| Donoghue, Eileen M. | Pacheco, Marc R. |
| Eldridge, James B. | Rodrigues, Michael J. |
| Fattman, Ryan C. | Rosenberg, Stanley C. |
| Feeney, Paul R. | Ross, Richard J. |
| Forry, Linda Dorcena | Rush, Michael F. |
| Friedman, Cindy F. | Spilka, Karen E. |

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Gobi, Anne M.
Hinds, Adam G.
Humason, Donald F., Jr.
Jehlen, Patricia D.

Tarr, Bruce E.
Timilty, Walter F.
Welch, James T. – 37.

NAYS – 0.

ABSENT OR NOT VOTING.

Barrett, Michael J.

O'Connor Ives, Kathleen – 2.

The President in the Chair, the yeas and nays having been completed at twenty-three minutes before seven o'clock P.M., the report was accepted, in concurrence.

Engrossed Bill—Land Taking for Conservation Etc.

An engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant easements to the town of Lanesborough for the reconstruction of the Narragansett Avenue bridge over Lake Pontoosuc (see House, No. 3920, changed and amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-two minutes before seven o'clock P.M., as follows, to wit (yeas 36 - nays 0) **[Yeas and Nays No. 312]:**

Lanesborough land.

YEAS.

Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Creem, Cynthia Stone
Cyr, Julian
deMacedo, Viriato M.
DiDomenico, Sal N.
Donoghue, Eileen M.
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Forry, Linda Dorcena
Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.
Humason, Donald F., Jr.

Jehlen, Patricia D.
Keenan, John F.
Lesser, Eric P.
Lewis, Jason M.
L'Italien, Barbara A.
Lovely, Joan B.
McGee, Thomas M.
Montigny, Mark C.
Moore, Michael O.
O'Connor, Patrick M.
Pacheco, Marc R.
Rodrigues, Michael J.
Ross, Richard J.
Rush, Michael F.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.
Welch, James T. – 36.

NAYS – 0.

ABSENT OR NOT VOTING.

Barrett, Michael J.

O'Connor Ives, Kathleen – 2.

The yeas and nays having been completed at twenty minutes before seven o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

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

Bills laid before the Governor.

Designating a certain bridge in the town of Yarmouth as the Lance Corporal William Joseph Donovan Jr. Memorial Bridge(see House, No. 3960); and

Authorizing the city of Medford to grant certain licenses to the Chevalier Theatre for the sale of food and alcoholic beverages (see House, No. 3991).

Moment of Silence.

At the request of Mr. Fattman, the members, guests and staff stood in a moment of silence and reflection to the memory of Navy Commander Michael Masley, Jr.

Moment of silence.

Recess.

There being no objection, at eight minutes before seven o'clock P.M., the President declared a recess subject to the call of the Chair; and, at seventeen past seven o'clock P.M., the Senate reassembled, the President in the Chair.

Recess.

PAPERS FROM THE HOUSE.

The House Bill providing for immediate capital improvement needs of the Commonwealth (House, No. 4015, amended),— came from the House with the endorsement that the House had NON-concurred in the further Senate amendment adding the following section:-

Capital improvements.

“SECTION 5. The division of capital asset management and maintenance, in consultation with the department of veterans’ services, shall study the long-term capital and deferred maintenance needs of the Soldiers’ Home in Holyoke. The division shall report its findings, including requests for operating and capital expenditures, to the executive office for administration and finance, the house and senate committees on bonding, capital expenditures and state assets, the joint committee on veterans and federal affairs, and the house and senate committees on ways and means, not later than April 30, 2018.”

The rules were suspended, on motion of Mr. Humason, and, on further motion of the same Senator, the Senate receded from its amendment.

Recess.

There being no objection, at nineteen minutes past seven o'clock P.M., the President declared a recess subject to the call of the Chair; and, at six minutes before eight o'clock P.M., the Senate reassembled, the President in the Chair.

Recess.

Suspension of Senate Rule 38A

Ms. Chandler moved that Senate Rule 38A be suspended to allow the Senate to meet beyond the hour of 8:00 P.M.; and the same Senator requested unanimous consent that the rules be suspended without a call of the yeas and nays. There being no objection, the motion was considered forthwith, and it was adopted.

Senate Rule 38A.

PAPERS FROM THE HOUSE.

A Bill relative to the Soldiers' Home in Holyoke (House, No. 4036,-- on House, No. 3869),-- was read.

Soldiers Home,-- Holyoke.

There being no objection, the rules were suspended, on motion of Mr. Humason, and the bill was read a second time, ordered to a third reading, read a third time and after remarks, passed to be engrossed, in concurrence.

Emergency Preamble Adopted.

An engrossed Bill providing for immediate capital improvement needs of the Commonwealth (see House, No. 4015, 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 13 to 0.

Capital improvements.

The bill was signed by the President and sent to the House for enactment.

Engrossed Bills.

An engrossed Bill relative to language opportunity for our kids (see House, No. 4032) (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 President and laid before the Governor for his approbation.**

Bill laid before the Governor.

An engrossed Bill relative to the Soldiers' Home in Holyoke (see House, No. 4036) (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. Humason) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and laid before the Governor for his approbation.**

Id.

Engrossed Bill—State Loan.

An engrossed Bill providing for immediate capital improvement needs of the Commonwealth (see House, No. 4015, amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was put upon its final passage; and, this being a bill providing for the borrowing of money, in accordance with the provisions of Section 3 of Article LXII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-seven minutes before nine o'clock P.M., as follows to wit (yeas 33 - nays 0) **[Yeas and Nays No. 313]:**

Capital improvements.

YEAS.

Boncore, Joseph A.
Brady, Michael D.
Chandler, Harriette L.
Chang-Diaz, Sonia
Creem, Cynthia Stone
deMacedo, Viriato M.
Donoghue, Eileen M.
Eldridge, James B.

Lewis, Jason M.
L'Italien, Barbara A.
Lovely, Joan B.
McGee, Thomas M.
Montigny, Mark C.
Moore, Michael O.
O'Connor, Patrick M.
Pacheco, Marc R.

UNCORRECTED PROOF.

Fattman, Ryan C.
Feeney, Paul R.
Forry, Linda Dorcena
Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.
Humason, Donald F., Jr.
Jehlen, Patricia D.
Keenan, John F.

Rodrigues, Michael J.
Rosenberg, Stanley C.
Ross, Richard J.
Rush, Michael F.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.
Welch, James T. – **33.**

NAYS – 0.

ABSENT OR NOT VOTING.

Barrett, Michael J.
Brownsberger, William N.
Cyr, Julian

DiDomenico, Sal N.
Lesser, Eric P.
O'Connor Ives, Kathleen – **6.**

The yeas and nays having been completed at twenty-one minutes before nine o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

Thanksgiving Message from

Majority Leader Harriette L. Chandler and Minority Leader Bruce E. Tarr.

As the days grow shorter and colder, the time comes to reflect on a long year and give thanks for all that we have.

Now is the time to give our gratitude to those who choose to serve. Our Commonwealth and our Nation are bound as brothers and sisters of resilience and strength. As we look back on 2017, let us remember the best of those who dedicate themselves to something greater.

Unfortunately this year has seen terrorism, a number of natural disasters, and mass violence. We mourn with Rancho Tehama. Manhattan, Sutherland Springs Las Vegas, Puerto Rico and Houston. And we are thankful that Massachusetts has been spared from some of these horrible tragedies — even though painful reminders still haunt our collective conscience.

We mourn the deaths of all those afflicted by illness and pain, by opioid addiction, by gun violence and all other forms of violence, by displacement and poverty, and we pray to ease their suffering, and hope that the work we all do in Massachusetts can make their lives a little bit easier.

Even in the coldest winters, the sun still rises in the morning. And like the sun, those selfless persons who choose to serve still show up after every dark time. We are thankful for our members and veterans of the armed services, for our public safety officers, for our teachers and social workers, for our emergency response personnel, for our health care workers and our hospitals — we are thankful to all of those who keep us safe, informed, and healthy.

As the Holidays approach and the year comes to an end, Massachusetts has much for which to be thankful. Let us remember those loved, those lost, and those who we might otherwise forget. God bless and Happy Thanksgiving.

On motion of Ms. Creem, under the provisions of Senate Rule 6, the above ruling was printed in the Journal of the Senate.

Ordered printed.

Order Adopted.

On motion of Mr. Pacheco,--

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

Time of meeting.

Adjourn In Memory of Commander Michael Masley, Jr.

The Senator from Worcester and Norfolk, Mr. Fattman, moves that when the Senate adjourns today, it adjourn in memory of Commander Michael Masley, Jr.

Commander Michael C. Masley Jr. passed away peacefully at his home in Thompson, Connecticut on November 7, 2017.

Commander Masley graduated from Tourtellotte Memorial High School in 1971 and with honors from the United States Naval Academy in 1975. Commander Masley went on to attend the Surface Warfare Officers' School in California and Newport, where he was the first and only person to earn the Admiral Arleigh Burke Award for leadership and academic excellence at both schools.

During his 20 year career in the Navy, Commander Masley served in multiple capacities on various vessels including the USS Mahlon S. Tisdale where he served as Executive Officer from 1987 to 1989. Commander Masley began his shore duty in 1989 at the Pentagon in the Office of the Chief of Naval Operations where he held several positions until being assigned to the College of Continuing Education at the Naval War College in Newport, Rhode Island as a professor in 1992.

Upon his retirement from the Navy in 1995, Commander Masley was hired as the first Senior Naval Science Instructor and began the Naval Junior Reserve Officer Training Core (NJROTC) unit at Oxford High School in Oxford. The program earned numerous national, regional, and state awards under his direction including awards for unit programming and excellence, academics, color guard and drill teams, shooting club, and volunteerism.

Commander Masley was also an active member of the US Naval Academy Alumni Association, US Naval College War Foundation, the Oxford American Legion Post #58, and the Military Officers Association of the United States. In 2005, he was selected for the Award of Merit by the Armed Forces Committee of Worcester County and was presented with the Keys to the City of Worcester. More recently, he received an Oxford Tercentennial Award for his "dedication to making the community of Oxford a better place to live" in 2013. Commander Masley was a life-long public servant and had continued to serve as the Director of the NJROTC Unit until stepping down last month.

He will be sorely missed by his brother Joel Masley, his wife Juliana, and their 3 children Arianna, Nicholas, and Alexandra, and his brother John, his wife Elaine, and their children Kristen Dahlman and her husband Andrew and Evan. Commander Masley also considered his extended family to be the Navy, the veterans, his cadets, and his community.

Accordingly, as a mark of respect in memory Commander Michael Masley, Jr., at nineteen minutes before nine o'clock P.M., on motion of Mr. McGee, the Senate adjourned to meet again tomorrow at eleven o'clock A.M.

UNCORRECTED PROOF.