

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, SEPTEMBER 25, 2017.

[91]

JOURNAL OF THE SENATE.

Monday, September 25, 2017.

Met at three 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.

Communication.

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 Mary Giannetti of Fitchburg to the Commission on Malnutrition Prevention among Older Adults,-- **was placed on file.**

Malnutrition among older adults.

Committee Discharged.

Mr. Moore, for the committee on Public Safety and Homeland Security, reported, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 1286) of Sonia Chang-Diaz, Jose F. Tosado, Jason M. Lewis, Marjorie C. Decker and other members of the General Court for legislation to collect data regarding the use of solitary confinement in Massachusetts prisons and jails;

Prisons,-- solitary confinement.

Of the petition (accompanied by bill, Senate, No. 1296) of Cynthia S. Creem, Ruth B. Balser, Jason M. Lewis, Jack Lewis and other members of the General Court for legislation to promote humane conditions of confinement;

Confinement,-- humane conditions.

Of the petition (accompanied by bill, Senate, No. 1297) of Cynthia S. Creem, Ruth B. Balser, Barbara A. L'Italien, James B. Eldridge and other members of the General Court for legislation relative to segregation oversight; and

Segregation,-- oversight committee.

Of the petition (accompanied by bill, Senate, No. 1306) of James B. Eldridge, Ruth B. Balser, Dylan Fernandes, Marjorie C. Decker and other members of the General Court for legislation to reduce recidivism, curbing unnecessary spending, and ensuring appropriate use of segregation;

Prisoners,-- segregation.

And recommending that the same severally be referred to the committee on the Judiciary;

Severally, under Senate Rule 36, the reports were considered forthwith and accepted.

Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE

Bills

Amending the charter of the city known as the town of Barnstable (House, No. 3706, amended,-- on petition) [Local approval received]; and

Barnstable,-- charter.

Authorizing the town of Milford to appoint water commissioners (House, No. 3784,-- on petition) [Local approval received];

Milford,-- water commissioners.

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

Matter Taken Out of the Orders of the Day.

There being no objection, the following matter was taken out of the Orders of the Day and considered as follows:

The House Bill establishing the department of inspectional services and permitting in the town of Lakeville (House, No. 2780),-- **was read a third time and passed to be engrossed, in concurrence.**

Lakeville,-- new department.

Report of a Committee.

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 Senate Bill relative to the A-B-C Stormwater Flooding Board (Senate, No. 2127) (the committee on Rules having recommended that the bill be amended by inserting before the enacting clause the following emergency preamble:

A-B-C Stormwater Flooding Board.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the continuation of the environmental joint powers agreement that created the A-B-C Stormwater Flooding Board, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”).

There being no objection, the rules were suspended, on motion of Mr. O'Connor, and the bill was read a second time and amended, as recommended by the committee on Rules.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

Report of Committees.

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 Michael J. Rodrigues and William M. Straus for legislation relative to the retirement allowance of Jana Cavanaugh.

Jana Cavanaugh,-- retirement. SD2329

The rules were suspended, at the request of Mr. O'Connor, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service.

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. 3926) of Michael S. Day for legislation to establish early literacy education grant programs within the departments of Elementary and Secondary Education and Early Education and Care;

Early literacy education grant programs.

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

Petition (accompanied by bill, House, No. 3927) of Dylan Fernandes relative to the powers of cities and town to regulate, restrict or prohibit the use, application or disposal of certain pesticides;

Pesticides.

Under suspension of Joint Rule 12, to the committee on Environment, Natural Resources and Agriculture.

Petition (accompanied by bill, House, No. 3928) of Bradford R. Hill and Joan B. Lovely relative to court ordered payment of expenses to temporary guardians;

Guardians,-- payment of expenses.

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

Petition (accompanied by bill, House, No. 3929) of David M. Nangle for legislation to establish a sick leave bank for Brenda Fitzgerald-Mello, an employee of the Department of Children and Families;

Brenda Fitzgerald-Mello,-- sick leave.

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

Engrossed Bill.

An engrossed Bill authorizing retired police officers serving as special police officers in the town of Canton to service until the age of 70 (see House, No. 3885) (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. Brownsberger) 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 Thursday next at eleven o'clock A.M., in a full formal session with a calendar.

Time of meeting.

Moment of Silence.

At the request of the Chair (Mr. Brownsberger), the members, guests and staff stood in a moment of silence and reflection to the memory of Jerome "Jerry" Mileur.

Moment of Silence.

Adjourn In Memory of Jerome "Jerry" Mileur

The Senator from Hampshire, Franklin and Worcester, Mr. Rosenberg, moved that when the Senate adjourns today it do so in memory of Jerome "Jerry" Mileur.

Jerome "Jerry" Mileur died on September 5, 2017 at the age of 83.

Jerry was born in Murphysboro, Illinois in 1934 to Charles and Mildred Mileur and was a graduate of Southern Illinois University.

For nearly four decades Jerry taught political science at the University of Massachusetts Amherst. Over the course of his tenure, Jerry served as a department chair, presiding officer of the Faculty Senate, director of the department's undergraduate and graduate programs, director of the Master of Public Administration program, and coordinator of internship and honors programs. In 1997 Jerry was awarded the Chancellor's Medal and in 2004, to honor his years of service and commitment to his students, his colleagues established the Jerome M. Mileur Internship Fund.

Besides politics and teaching, Jerry's other great love in life was baseball. Jerry was a long-time owner of the Harrisburg Senators. He was fervently dedicated to his St. Louis Cardinals, a love that was kindled by his much-loved grandfather August Willi. Jerry published two books on the Cardinals with his third volume was completed just a few days before his death. To commemorate the 50th anniversary of Jackie Robinson breaking the color barrier, Jerry developed a

one-year interdisciplinary course on race relations at the University.

Jerry will be remembered for his kind heart and generosity. His capacity to care for others was matched only by his wit and his fierce intelligence. His family and friends joyfully enjoyed his many puns, songs, and humor. He had a loving family and friends across the country and will be deeply missed by them all.

Jerome “Jerry” Mileur is survived by his cousins Lou and Nancy Derickson, Ron and Maureen Reddy, Rona and Mike Vargrosky, David and Ashley Reddy, Karen and Archie Cole, and John and Bev Reddy.

Accordingly, as a mark of respect in memory of Jerome “Jerry” Mileur, thirteen minutes past eleven o’clock A.M., on motion of Mr. O’Connor, the Senate adjourned to meet again on Thursday next at eleven o’clock A.M.