

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, JULY 23, 2018

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Monday, July 23, 2018.

Met at twelve minutes past eleven o'clock A.M. (Mr. Boncore 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. Boncore), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Petition.

Mr. Tarr presented a petition (accompanied by bill) (subject to Joint Rule 12) of Bruce E. Tarr and Joan B. Lovely for legislation relative to Essex Sports Center public accountability;

Essex Sports Center,-
- accountability.
SD2726

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

Reports of Committees.

By Mr. Keenan, for the committee on Bonding, Capital Expenditures and State Assets, that the House Bill relative to economic development in the commonwealth (House, No. 4732),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2622 [Authorized bond capacity: \$671 million];

Economic
development,--
bonding.

Referred, under Senate Rule 27, to the committee on Ways and Means, with the amendment pending.

By Mr. Keenan, for the committee on Bonding, Capital Expenditures and State Assets, that the House Bills

Providing for the terms of certain bonds for affordable housing to be issued by the Commonwealth (printed in House, No. 4573);

Affordable housing.

Providing for the terms of certain bonds for continued investment in the life sciences industry to be issued by the Commonwealth (printed in House, No. 4668); and

Life sciences.

Providing for the terms of certain bonds for capital improvements to be issued by the Commonwealth (printed in House, No. 4669);

Capital
improvements.

Severally ought to pass;

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

PAPERS FROM THE HOUSE.

Bills

Releasing a certain restriction on certain property in the town of Webster (House, No. 4122,-- on House, No. 3781) [Local approval received on House, No. 3781];

Webster,-- land.

UNCORRECTED PROOF.

Authorizing the town of Nantucket to sell, convey or otherwise dispose of certain land situated in the town of Nantucket held for open space, recreational or conservation purposes to the Nantucket Islands Land Bank, Nantucket Conservation Foundation, Inc., or Sconset Trust, Inc. for the same purposes (House, No. 4688,-- on petition) [Local approval received];

Nantucket,-- land conveyance.

Authorizing the town of Nantucket to transfer, convey or otherwise dispose of a portion of certain land situated in the town of Nantucket held for water supply and water protection purposes to the town of Nantucket for roadway purposes (House, No. 4689,-- on petition) [Local approval received]; and

Id.

Changing the name of the board of selectmen of the town of North Reading (House, No. 4690,-- on petition) [Local approval received];

North Reading,-- board of selectmen.

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

Resolutions.

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

Resolutions (filed by Messrs. Brady and deMacedo) “congratulating Alec Fraser on his elevation to the rank of Eagle Scout.”

Alec Fraser.

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 Senate Bill relative to the Uniform Child Custody Jurisdiction and Enforcement Act (Senate, No. 2500),-- **was read a second time and was amended, as previously recommended by the committee on Ways and Means.**

Child custody,-- jurisdiction.

The bill (Senate, No. 2618) was then ordered to a third reading and read a third time. There being no objection, the matter was temporarily laid aside.

The House Bill relative to the sale of alcoholic beverages in the town of Otis (House, No. 4622, amended),-- **was read a second time, ordered to a third reading, read third and passed to be engrossed, in concurrence.**

Otis,-- liquor license.

The Senate Bill authorizing the city of Northampton to release a certain conservation easement and conservation restriction (Senate, No. 2512) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Northampton,-- easement..

Sent to the House for concurrence.

The House Bill authorizing the town of Falmouth to sell a parcel of land known as the Farley Bog (House, No. 4561) (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.**

Falmouth,-- land sale.

PAPERS FROM THE HOUSE

Order.

The following House Order (approved by the committees on Rules of the two branches, acting concurrently) was considered forthwith as follows:

UNCORRECTED PROOF.

Ordered, that notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing be granted until Tuesday, July 31, 2018 within which time to make its final report on current House document numbered 4623.

Health Care
Financing,--
extension order.

The rules were suspended, on motion of Mr. Tran, and the order (House, No. 4761) was considered forthwith; and, after remarks, was adopted, in concurrence.

Emergency Preambles Adopted.

An engrossed Bill authorizing the transfer of care and control of certain parcels of land in the town of Middleborough from the Department of Correction to the Department of Fish and Game (see House, No. 4261), 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 3 to 0.

Middleborough,--
land transfer.

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

An engrossed Bill relative to the transfer of an easement under the control of the Department of Conservation and Recreation in the city of Lynn (see House, No. 4268, 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 3 to 0.

Lynn,-- land transfer.

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

Recess

At twenty minutes past eleven o'clock A.M., the Chair (Mr. Boncore) declared a recess; and, at twelve minutes before two o'clock P.M., the Senate reassembled, Mr. Boncore in the Chair.

Recess.

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 Senate Bill relative to the Uniform Child Custody Jurisdiction and Enforcement Act (Senate, No. 2618),-- **was again considered and, after remarks, was passed to be engrossed.**

Child custody,--
jurisdiction.

Sent to the House for concurrence.

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill relative to economic development in the commonwealth (House, No. 4732)(the committee on Bonding, Capital Expenditures and State Assets having recommended that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2622) reported that the pending Bonding, Capital Expenditures and State Assets recommended new text (Senate, No. 2622) be amended by striking out the text and inserting in place thereof the text of Senate document numbered 2625 [Bond Authorization: \$601,450,000].

Economic
Development.

Order Adopted.

Ms. Spilka offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill relative to economic development in the commonwealth (House, No. 4732) (the committee on Bonding, Capital Expenditures and State Assets having recommended that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2622; and the committee on Ways and Means having recommended that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2625) shall be placed in the Orders of the Day for a second reading on Wednesday, July 25, 2018.

Procedural order.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 3:00 P.M., on Tuesday, July 24, 2018. All such amendments shall be second-reading amendments to the Senate Ways and Means new text (Senate, No. 2625), but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

Under the rules, referred to the committee on Rules.

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

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

The bill will be placed in the Orders of the Day for Wednesday, July 25, 2018, for a second reading with the amendments pending.

Order Adopted.

On motion of Mr. Tarr,--

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 on a calendar.

Time of meeting.

Moment of Silence.

At the request of the Chair, the members, guests and staff stood in a moment of silence and reflection to the memory of James A. Tropeano.

Moment of silence.

Adjourn In Memory of James A. Tropeano

The Senator from Essex and Middlesex, Mr. Tarr, moved when the Senate adjourns today, it adjourn in memory of James A. Tropeano of West Newbury.

Mr. Tarr in the Chair, James A. Tropeano died on July 18, 2018 at the age of 94. Born in Wakefield, on April 24, 1924, he was the son of the late Sambino and Louisa Maria (Evangelista) Tropeano. On March 12, 1943 at the age of 18, Jim entered the military and proudly served in the United States Army.

Mr. Tropeano served his country by enlisting in the 36th Infantry Division in

World War II, serving from 1943 to 1945. During his time in the service, Jim survived as a Prisoner of War in a German prison camp in Mulberg, Germany for 18 months and was a recipient of the Purple Heart and the Bronze Star. In addition, he received a Good Conduct Metal and the Combat Infantry Badge. Jim earned the rank of Sergeant and was honorably discharged on October 23, 1945 as a highly decorated WWII Veteran.

In 1971, after falling in love with the world of dirt and trucks, Jim founded J. Tropeano & Son's. In 1983, the company was renamed J. Tropeano Inc. His experience in the roadway construction industry earned him the nickname "Pops". Pops Tropeano worked endless hours to ensure the success of his construction company, working hand-in-hand with family and friends.

His life's legacy will forever be treasured by his devoted wife, Mary Ann of West Newbury, whom he was happily married to for 66 years; his eldest daughter Susan Coleman and husband Craig of Florida, his son James Anthony Tropeano Jr. of California, his son Mark Vincent Tropeano and wife Barbara of California, his daughter Louisa Maria Tanner and husband Jack Watkins of West Newbury, his daughter Nancy Emberley and her husband Bruce of Florida, and his daughter Mary Stabile and fiance Dale Rogers of Haverhill. Pops will also be remembered and missed by his thirteen grandchildren, Angela, Chris, Marc, T.J., Dailyn, Bruce, Mary Ann, David, Elena, John, Samii, Rebecca, and Anika. Jim is also survived by his 10 great grandchildren. In addition to his parents and several brothers and sisters he was predeceased by his grandson, Jimmie, III.

Mr. Boncore in the Chair, accordingly, as a mark of respect in memory of James A. Tropeano, at three minutes before two o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again tomorrow at eleven o'clock A.M.