

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**TUESDAY, JULY 24, 2018**

[74]

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JOURNAL OF THE SENATE.

Tuesday, July 24, 2018.

Met at eighteen minutes past eleven o'clock A.M. (Mr. Rodrigues 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. Rodrigues), 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. Rodrigues) handed the gavel to Mr. Humason for the purpose of an introduction. Mr. Humason then introduced, in the rear of the Chamber, his aide Michelle Moriarty and his intern Jacques Courchesne, both of Holyoke. The Senate welcomed them with applause and they withdrew from the Chamber.

Michelle Moriarty and Jacques Courchesne.

Communication.

Communication from the Norfolk County Sheriff's Office submitting a plan of correction in response to a Department of Public Health inspection conducted on June 13, 2018 (received July 23, 2018),-- was placed on file.

Norfolk Sheriff,-- plan of correction. SD2727

Petition.

Mr. Moore presented a petition (accompanied by bill, Senate, No. 2629) of Michael O. Moore and Hannah Kane (with approval of the mayor and city council) for legislation to authorize the city of Worcester to convey a certain parcel of land [Local approval received];

Worcester,-- land conveyance.

Referred, under Senate Rule 20, to the committee on Municipalities and Regional Government.

Sent to the House for concurrence.

PAPER FROM THE HOUSE

Emergency Preamble.

An engrossed Bill establishing a sick leave bank for David Silvia Jr., an employee of the Department of Correction (see Senate, No. 2324), 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.

David Silvia, Jr.,-- sick leave.

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

*Communication.*

The Clerk read the following communication:

The Commonwealth of Massachusetts  
MASSACHUSETTS SENATE

Senator Sonia Chang-Diaz,—absence from Chamber

July 24, 2018

Mr. William F. Welch  
*Clerk of the Senate*  
Room 335, State House  
Boston, MA 02133

Dear Mr. Clerk:

On Wednesday, July 18, 2018 I was absent from the Chamber due to the funeral arrangements of a family member. Therefore, I was unable to be present for several roll calls. Had I been present, I would have voted as follows:

- Roll Call #443, on suspending Rule 11B: in the affirmative
- Roll Call #444, on reconsideration of the previous motion: in the negative
- Roll Call #445, on acceptance of the conference committee report: in the negative.

I respectfully request that this letter be printed in the Senate Journal as part of the official record. Thank you for your assistance in this matter.

Saludos,  
SONIA CHANG-DÍAZ  
*Second Suffolk District*

**On motion of Mr. Humason, the above communication was ordered printed in the Journal of the Senate.**

Ordered printed.

*Reports of a Committees.*

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill authorizing the commissioner of capital asset management and maintenance to modify and relocate an easement in the town of West Boylston (Senate, No. 2559),-- ought to pass.

West Boylston,--  
easement,

**There being no objection, the rules were suspended, on motion of Mr. Humason, and the bill was read a second time and ordered to a third reading.**

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill authorizing the commissioner of capital asset management and maintenance and the town of Hingham to grant certain easements upon certain land located in the town of Hingham (Senate, No. 2582),-- ought to pass.

Hingham,--  
easements.

**There being no objection, the rules were suspended, on motion of Mr. Humason, and the bill was read a second time and ordered to a third reading.**

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill authorizing the Division of Capital Asset Management and Maintenance to grant easements to NSTAR electric company d/b/a Eversource Energy in return for NSTAR releasing or modifying easements for the benefit of the Commonwealth (Senate, No. 2603),-- ought to pass.

NSTAR,--  
easements.

**There being no objection, the rules were suspended, on motion of Mr. Humason, and the bill was read a second time and ordered to a third reading.**

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill protecting research animals (Senate, No. 2387),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2624).

Research animals.

**Under Senate Rule 26, referred to the committee on Rules.**

**Subsequently, Mr. Montigny, for the committee on Rules, reported that the matter be placed in the Orders of the Day for immediate consideration on Thursday, July 26, 2018.**

**Placed in the Orders of the Day for a second reading with the Ways and Means amendment pending for Thursday, July 26, 2018.**

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill regarding breakfast after the bell (Senate, No. 2441),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2626).

Breakfast after the  
bell.

**Under Senate Rule 26, referred to the committee on Rules.**

**Subsequently, Mr. Montigny, for the committee on Rules, reported that the matter be placed in the Orders of the Day for immediate consideration on Thursday, July 26, 2018.**

**Placed in the Orders of the Day for a second reading with the Ways and Means amendment pending for Thursday, July 26, 2018.**

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill expanding the sale of products by farmer breweries and distilleries (Senate, No. 2459),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2627).

Farmer breweries,  
distilleries.

**Under Senate Rule 26, referred to the committee on Rules.**

**Subsequently, Mr. Montigny, for the committee on Rules, reported that the matter be placed in the Orders of the Day for immediate consideration on Thursday, July 26, 2018.**

**Placed in the Orders of the Day for a second reading with the Ways and Means amendment pending for Thursday, July 26, 2018.**

PAPERS FROM THE HOUSE.

*Engrossed Bills.*

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 Acting President (Mr. Rodrigues) and laid before the Governor for his approbation, to wit:

Regarding transfer of retained earnings surplus in the town of Clinton (see Senate, No. 2478);

Bills laid before the  
Governor.

Regarding snow and ice removal, and repair of private ways in the town of Clinton (see Senate, No. 2479); and

**UNCORRECTED PROOF.**

Authorizing the town of Otis to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 4622, amended).

*Order Adopted.*

On motion of Mr. Humason,--

*Ordered,* That when the Senate adjourns today, it adjourn to meet again tomorrow at eleven o'clock A.M., in a full formal session with a calendar.

Time of meeting.

On motion of the same Senator, at twenty-nine minutes past eleven o'clock A.M., the Senate adjourned to meet again tomorrow at eleven o'clock A.M.