

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, OCTOBER 4, 2018.

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JOURNAL OF THE SENATE.

Thursday, October 4, 2018.

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

Pledge of allegiance.

Communication.

Communication from the Honorable Karen E. Spilka, President of the Senate, announcing the appointment (pursuant to Section 77 of Chapter 154 of the Acts of 2018) of Senator Adam G. Hinds to the Special Commission on improving efficiencies in student transportation,-- was placed on file.

Special Commission,-- student transportation.

Reports.

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

Report from the Cannabis Control Commission (pursuant to Section 31 of Chapter 55 of the Acts of 2017) submitting its First Annual Activities Adult-Use Marijuana Program Report (received September 28, 2018);

CCC, -- annual activities report. SD2783

Report of the Brockton Area Transit Authority (pursuant to Section 8(g) of Chapter 161B of the General Laws) submitting its financial statements and supplementary information for the year ended June 30, 2018 (received October 3, 2018); and

BAT,-- financial statements. SD2785

Report of the Cape Ann Transportation Authority (pursuant to Section 8(g) of Chapter 161B of the General Laws) submitting its financial statements and supplementary information for the year ended June 30, 2018 (received October 3, 2018).

CATA,-- financial statements. SD2786

Petitions.

Mr. Hinds presented a petition (accompanied by bill, Senate, No. 2666) of Adam G. Hinds and John Barrett (with approval of the mayor and city council) for legislation to exempt all positions in the police department of the city of North Adams from the civil service law [Local approval received];

North Adams,-- civil service laws.

Referred, under Senate Rule 20, to the committee on Public Service.

Sent to the House for concurrence.

Mr. Pacheco presented a petition (accompanied by bill) (subject to Joint Rule 12) of Marc R. Pacheco and Susan Williams Gifford for legislation to establish a sick leave bank for James Condon, an employee of the Department of Mental Health;

James Condon,-- sick leave. SD2784

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

Resolutions.

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

Resolutions (filed by Mr. Boncore) “celebrating the 75th anniversary of the commissioning of the USS Cassin Young, DD-793”;

USS Cassin Young,
DD-793.

Resolutions (filed by Mr. Hinds) “congratulating Doctor David A. Tebaldi on his retirement as Executive Director of the Massachusetts Foundation for Humanities and Public Policy, or Mass Humanities”;

Doctor David A.
Tebaldi.

Resolutions (filed by Mr. Lewis) “commending Cameron Bain for his extraordinary efforts in advocating for the Tri-Community Greenway.”

Cameron Bain.

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 establishing a sick leave bank for Richard G. Perry, an employee of the Department of Conservation and Recreation (Senate, No. 2661),-- **was read a third time and passed to be engrossed.**

Richard G. Perry,--
sick leave.

Sent to the House for concurrence.

The House Bill revising the charter for the city of Melrose (House, No. 4464) (its title having been changed by the committee on Bills in the Third Reading),-- was read a third time.

Melrose,-- charter.

Pending the question on passing the bill to be engrossed, Mr. Lewis presented an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2667.

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 releasing a restriction on certain property in the town of Webster (House, No. 4122),-- was read a second time.

Webster,-- property
restrictions.

Pending the question on ordering the bill to a third reading, Mr. Fattman presented an amendment striking out, in line 2, the word “shall” and inserting in place thereof the following word:- “may”.

The amendment was adopted.

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.

Reports of Committees.

By Mr. Crighton, for the committee on Municipalities and Regional Government, on a message from His Excellency the Governor, a Bill validating certain proceedings of the town of Hull (printed in Senate, No. 2665)

Concord,-- validate
proceedings.

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

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The following report was laid before the Senate, the time within which the said committee was required to report having expired:--

Of the committee on Consumer Protection and Professional Licensure, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 2596) of Marc R. Pacheco and Keiko M. Orrall (by vote of the town) for legislation to authorize the town of Berkley to grant an additional license for the sale of alcoholic beverages not to be drunk on the premises.

Berkley,-- liquor license.

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the matter was considered forthwith.

On further motion of the same Senator, the bill was substituted for the report of the committee.

The bill (Senate, No. 2596) was read. The rules were suspended, on further motion of the same Senator, and the bill was read a second time and ordered to a third reading.

PAPERS FROM THE HOUSE

A petition (accompanied by bill, House, No. 4925) of Dylan Fernandes and Julian Cyr relative to authorizing the Martha's Vineyard Regional High School District to lease a certain parcel of land to Martha's Vineyard Community Services, Inc.,-- **was referred in concurrence, under suspension of Joint Rule 12, to the committee on Education.**

Martha's Vineyard Regional High School.

A Bill authorizing the city of Somerville to offer an exemption for certain owner occupied residential properties for water and sewer charges and rates (House No. 4309,-- on petition) [Local approval received],-- was read.

Somerville,-- water and sewer.

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

A Bill relative to raising the income threshold for senior real property tax deferments in the town of Brookline (House, No. 4847,-- on petition) [Local approval received],-- was read.

Brookline,-- senior real property tax.

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

A Bill authorizing the town of Dracut to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 4908,-- on House, No. 4876) [Local approval received on House, No, 4876],-- was read.

Dracut,-- liquor license.

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

Emergency Preambles Adopted.

An engrossed Bill providing for the terms of certain bonds to be issued by the Commonwealth (see House Bill, printed in House, No. 4890), 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.

Terms of certain bonds.

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

An engrossed Bill providing for the terms of certain bonds to be issued by the Commonwealth (see House Bill, printed in House, No. 4891), 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.

Id.

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

Recess.

There being no objection, at twenty-one minutes past eleven o'clock A.M., the Chair (Mr. Cyr) declared a recess, subject to the call of the Chair; and at twenty-six minutes past twelve o'clock noon, the Senate reassembled, Mr. Cyr in the Chair.

Recess.

PAPERS FROM THE HOUSE

Engrossed Bills.

The following engrossed bills (the first 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. Cyr) and laid before the Governor for his approbation, to wit:

Authorizing the town of Southamton to acquire certain easement interests for a pumping station in the city of Easthampton (see Senate, No. 2581);

Bills laid before the Governor.

Providing for the terms of certain bonds to be issued by the Commonwealth (see House Bill, printed in House, No. 4890); and

Providing for the terms of certain bonds to be issued by the Commonwealth (see House Bill, printed in House, No. 4891).

A petition (accompanied by bill, House, No. 4923) of Paul J. Donato, Christine P. Barber and Sean Garballey for legislation to provide for the conveyance of certain land owned by the Commonwealth in the city of Medford,-- **was referred in concurrence, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.**

Medford,-- land conveyance.

Order Adopted.

On motion of Mr. Tarr--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Tuesday next at eleven o'clock A.M.

Time of meeting.

Moment of Silence.

At the request of the Chair (Mr. Cyr), the members, guests and staff stood in a moment of silence and reflection to the memory of Robert M. Perry, Sr.

Moment of silence.

Adjourn In Memory of Robert M. Perry, Sr.

The Senator from Suffolk, Mr. Collins, presented a request that when the Senate adjourns today, it adjourn in memory of Robert M. Perry, Sr.

Robert M. Perry, Sr., formerly of South Boston and Dorchester, entered eternal rest peacefully May 21, 2018 surrounded by his family. Mr. Perry was a veteran of

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the United States Army, and a member of the Teamsters Local 82. He was the proud father of Patsy Pratt and her husband Jon, Kelley O'Shea and her husband Robert, Karen Hicks and her husband Michael, Paula Casper and her husband Robert (BPD), Robert Perry, Jr and his wife Colleen. Loving grandfather of 15 grandchildren. Cherished brother of Frederick Perry, Jr., James and Cathy Perry, John and Christine Perry, Mary and Paul Kelly as well brother-in-law George McCarthy and the late Helen DiRienzo, Ann "Sissy" McGlashing and Edwina McCarthy. He is survived by many nieces, nephews and dear friend Norma Mackie.

Accordingly, as a mark of respect in memory of Robert M. Perry, Sr., at twenty-seven minutes before one o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Tuesday next at eleven o'clock A.M.