

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**MONDAY, JUNE 24, 2019.**

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Monday, June 24, 2019.

Met at twenty 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.

Communications.

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

Communication from the Honorable Cindy F. Friedman, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Friday, June 21, 2019 at eleven minutes before twelve o'clock noon); and

Senator Cindy F. Friedman,-- Chapter 268A.

Communication from the Office of the Chief Medical Examiner (pursuant to Section 3B of Chapter 7 of the General Laws) submitting a proposed fee increase for 505 CMR 4.03 - Cremation or Burial at Sea Views (received Friday, June 21, 2019).

OCME,-- CMR fee increase. SD2477

Report.

Report of the Department of Elementary and Secondary Education (pursuant to line item 7061-0010 of Chapter 273 of the Acts of 2018) submitting its Increasing Student Access to Behavioral and Mental Health Services (received June 21, 2019),-- **was placed on file.**

DESE,-- student access to behavioral and mental health services. SD2478

Petition.

Mr. Rodrigues presented a petition (accompanied by bill, Senate, No. 2275) of Michael J. Rodrigues and Paul A. Schmid, III (by vote of the town) for legislation to provide for recall elections in the town of Westport [Local approval received];

Westport,-- recall elections.

**Referred, under Senate Rule 20, to the committee on Election Laws. Sent to the House for concurrence.**

Report of a Committee.

By Mr. Welch, for the committee on Financial Services, on petition, a Bill to increase consumer transparency about insurance provider networks (Senate, No. 610);

Insurance providers, - transparency.

**Referred, under Joint Rule 1E, to the committee on Health Care Financing.**

Committee Discharged.

Mr. Welch, for the committee on Financial Services, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 636) of Marc R. Pacheco, Jack Patrick Lewis, Maria Duaine Robinson, Mike Connolly and other members of the General Court for legislation to authorize independent retirement boards to divest from fossil fuel companies,-- and recommending that the same be referred to the committee on Public Service.

Retirement boards,-- investments.

**Under Senate Rule 36, the report was considered forthwith and accepted.  
Sent to the House for concurrence.**

PAPERS FROM THE HOUSE.

The following petitions, having been timely filed by 5 o'clock P.M. on January 18, 2019, were referred in concurrence as follows:

Petition (accompanied by bill, House, No. 3918) of Joseph W. McGonagle, Jr., and others relative to opportunity zones in gateway cities;

**To the committee on Economic Development and Emerging Technologies.**

Petition (accompanied by bill, House, No. 3919) of Bruce J. Ayers relative to technology upgrade programs for public schools; and

Petition (accompanied by bill, House, No. 3920) of Paul McMurtry for legislation to authorize certain special education students to obtain high school graduation after the age of twenty-two years;

**Severally to the committee on Education.**

Petition (accompanied by bill, House, No. 3921) of David Henry Argosky LeBoeuf and others relative to electioneering communication expenditures;

**To the committee on Election Laws.**

Petition (accompanied by bill, House, No. 3922) of Joseph W. McGonagle, Jr., and others relative to an environmental justice policy;

**To the committee on Environment, Natural Resources and Agriculture.**

Petition (accompanied by bill, House, No. 3923) of David Henry Argosky LeBoeuf and others relative to small loans;

**To the committee on Financial Services.**

Petition (accompanied by bill, House, No. 3924) of Mike Connolly, Nika C. Elugardo and others for legislation to remove the prohibition on rent control and to provide tenant and foreclosure protections; and

Petition (accompanied by bill, House, No. 3925) of Nika C. Elugardo and others relative to enabling municipal housing agencies to enter enforceable deed restriction agreements with small property owners in good standing as part of zoning variance approval;

**Severally to the committee on Housing.**

Petition (accompanied by bill, House, No. 3926) of RoseLee Vincent and Joseph A. Boncore relative to duck hunting in the city of Revere;

**To the committee on the Judiciary.**

Petition (accompanied by bill, House, No. 3927) of Chynah Tyler and others relative to the purchase of firearms;

**To the committee on Public Safety and Homeland Security.**

Petition (accompanied by bill, House, No. 3928) of Paul McMurtry relative to veteran judges' pensions;

Petition (accompanied by bill, House, No. 3929) of Sarah K. Peake and others (with the approval of the county board of regional commissioners) relative to the unfunded pension liability for retired sheriff's department employees in Barnstable County; and

Petition (accompanied by bill, House, No. 3932) of Russell E. Holmes and Bud L. Williams relative to compensation of members of the General Court;

**Severally to the committee on Public Service.**

Petition (accompanied by bill, House, No. 3930) of Paul McMurtry relative to the release of information to state legislators by state agencies;

**To the committee on State Administration and Regulatory Oversight.**

Petition (accompanied by bill, House, No. 3931) of Mike Connolly and others for

Gateway cities,--  
opportunity zones.

Public schools,--  
technology upgrades.

Special education  
students,--  
graduation.

Electioneering,--  
expenditures.

Environmental  
justice policy.

Small loans.

Tenant protections.

Municipal housing  
agencies,--  
agreements.

Revere,-- duck  
hunting.

Firearms,-- purchase.

Veteran judges',--  
pensions.

Barnstable County,--  
pension liability.

General Court,--  
compensation.

State agencies,--  
information.

Zoning  
requirements,--

legislation to require zoning for multifamily housing near transit;

transit.

**To the committee on Transportation.**

**Bills**

Authorizing the city of Leominster to pay a certain unpaid bill (House, No. 1795,-- on petition) [Local approval received]; and

Leominster,-- unpaid bill.

Relative to the charter of the town of Provincetown (House, No. 1818, amended,-- on petition) [Local approval received];

Provincetown,-- charter.

**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 revising the charter for the City of Melrose (House, No. 3822),-- **was read a second time and ordered to a third reading.**

Melrose,-- charter.

*Reports of Committees.*

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Michael O. Moore and Hannah Kane for legislation to enhance enforcement against unlicensed marijuana operators;

Marijuana operators,-- enforcement. SD2387

**The rules were suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Cannabis Policy.**

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Mark C. Montigny, Viriato M. deMacedo and David T. Vieira for legislation to preserve the Schooner Ernestina-Morrissey;

Schooner Ernestina-Morrissey. SD2468

**The rules were suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight.**

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Rebecca L. Rausch, Maria Duaine Robinson, Jason M. Lewis, Shawn Dooley and other members of the General Court for legislation to ensure equitable representation on the fiscal and management control board;

Fiscal and management control board,-- representation. SD2333

**The rules were suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation.**

**Severally sent to the House for concurrence.**

Ms. Lovely, 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 authorizing the county of Dukes County to borrow funds to pay costs of making various capital improvements and acquiring items of capital equipment at the Martha's Vineyard airport (House, No. 3630).

Martha's Vineyard airport,-- capital improvements.

**There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, it's title having been changed by the committee on Bills in the Third Reading as follows: "An Act authorizing the county**

of Dukes County to borrow funds to pay the costs for making various capital improvements at and acquiring items of capital equipment for the Martha’s Vineyard airport”.

PAPERS FROM THE HOUSE.

*Engrossed Bill.*

An engrossed Bill relative to the fire district in the town of Williamstown (see House, No. 1760, amended) (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. Boncore) and laid before the Governor for his approbation.**

Bill laid before the Governor.

A petition (accompanied by bill, House, No. 3917) of Timothy R. Whelan, Randy Hunt and others relative to the penalties for failure to load vehicles to prevent dropping on public ways,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Transportation.**

Loading vehicles,-- penalties.

*Moment of Silence.*

At the request of the Chair (Mr. Boncore), the members, guests and staff stood in a moment of silence and reflection to the memory of Lorraine Roy McCarthy.

Moment of silence.

*Recess.*

There being no objection, at twenty-seven minutes past eleven o’clock A.M., the Chair (Mr. Boncore), declared a recess subject to the call of the Chair; and, at twenty-eight minutes before one o’clock P.M., the Senate reassembled, Mr. Collins in the Chair.

Recess.

PAPER FROM THE HOUSE.

A Bill making certain appropriations for fiscal year 2020 before final action on the General Appropriation Bill (printed in House, No. 3910,-- being a message from his Excellency the Governor),-- was read.

Interim budget.

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

*Order Adopted.*

On motion of Mr. Tarr,--

*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.

*Adjournment in Memory of Lorraine Roy McCarthy*

The Senator from Essex, Ms. Lovely, moved that when the Senate adjourns today it do so in memory of Lorraine Roy McCarthy.

Lorraine Roy McCarthy, the woman who brought fashion to Danvers, passed away peacefully on December 24, 2018 at the age of 99.

Lorraine was born and raised in Fall River, Massachusetts on December 1, 1919. She was the daughter of the late Regis and Victoria Vezina. Lorraine attended the Jesus Mary

Academy where she graduated from high school. She enjoyed and cherished a wide network of family, friends and sports that included tennis and golf.

From an early age, her mother Victoria inspired Lorraine and taught her how to sew and give back to the community. It was then that she developed her love of fashion. While growing up, this desire continued to develop and cultivate, eventually leading to the opening of Lorraine Roy Women's Apparel in Danvers in 1952. Lorraine went on to open several additional stores in Beverly, Andover, Lynnfield and Salem. While the later stores eventually closed, her main staple in Danvers Square continued to thrive, attracting customers from the greater Boston and North Shore area for over 50 years.

Lorraine was a longtime resident of Danvers. For several years, she was the chairperson for the Ways & Means committee at Hunt Hospital in Danvers, an executive board member of the North Shore Visiting Nurses Association, and was voted Woman of the Year by the Danvers Women's Club. She was also a member of the Zonta International Society, a leading global organization for professional women. She was a longtime member of Salem Country Club where she developed her love for the game of golf and became an avid golfer - achieving four holes-in-one throughout her golfing career.

Lorraine will be remembered for her endless love for her family, her elegance and her strength. She will forever be remembered for her ability to make everyone who entered Lorraine Roy feel special and beautiful.

Lorraine is survived by her son Donald Roy and his wife Judy of Sun City, Arizona; her daughter Paulette Condon and her husband John of Stuart, Florida; and daughter Michele McMurray and her husband Robert of Auburn, New Hampshire. Her grandchildren include: James Condon and his wife Sabrina, Leslie Condon, Alyssa Babb, Kathryn Babb, Suzanne Sickler, and Christine Daly. She also has nine great-grandchildren. She was predeceased by her granddaughter Laurie Condon Hodges, and husband John F. McCarthy Sr.

Accordingly, as a mark of respect to the memory of Lorraine Roy McCarthy, at twenty-seven minutes before one o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.