

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, JULY 18, 2019.

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JOURNAL OF THE SENATE

Thursday, July 18, 2019.

Met at seven minutes past eleven o'clock A.M. (Mr. Rodrigues in 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 (Ms. Friedman), introduced in the rear of the chamber, a group of Washington Mandela Fellows who were recognized for attending the Young African Leadership Initiative at Bridgewater State. This annual summer program was launched in 2010 to support young African leaders as they spur growth and prosperity, strengthen democratic governance, and enhance peace and security across Africa. The group consisted of 25 fellows who are public administrators working in government and represent 18 different countries in Africa. They were guests of Senator Lewis. The Senate welcomed them with applause and they withdrew from the Chamber.

Washington Mandela Fellows.

Communication.

Communication from the Honorable Bruce E. Tarr, Minority Leader, announcing the appointment of Senator Patrick M. O'Connor (pursuant to Section 89 of Chapter 69 of the Acts of 2018) to the Juvenile Justice Policy and Data Board (received July 18, 2019),-- was placed on file.

JJPAD,-- appointment.

Petitions.

Petitions were severally presented and referred as follows:

By Mr. deMacedo, a petition (accompanied by bill) (subject to Joint Rule 12) of Viriato M. deMacedo for legislation to designate certain bridges in the town of Mashpee as the Private First Class Paul E. Conlon, Jr. Memorial Bridges; and

Mashpee,-- bridges. SD2498

By the same Senator, a petition (accompanied by bill) (subject to Joint Rule 12) of Viriato M. deMacedo and Mathew J. Muratore for legislation to authorize the release of an agricultural preservation restriction of certain land in Plymouth;

Plymouth,-- land. SD2499

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

Report of a Committee.

By Ms. Rausch, for the committee on Municipalities and Regional Government, on petition, a Bill authorizing certain investments by the treasurer of the town of Cohasset (Senate, No. 2230) [Local approval received];

Cohasset,-- treasurer.

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

Recess.

There being no objection, at eight minutes past eleven o'clock A.M., the Chair (Mr. Rodrigues) declared a recess, subject to the call of the Chair; and at twelve minutes past two o'clock P.M., the Senate reassembled, Mr. Crighton in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

Recess.

Report of a Committee.

By Ms. Lovely, for the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Katherine Shaw for legislation relative to assessment of surcharge points;

Surcharge points,--
assessment.
SD2485

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 Financial Services.

Resolutions.

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

Resolutions (filed by Messrs. Tarr, Humason, Fattman, deMacedo, O'Connor, Tran, DiDomenico, Pacheco, Eldridge and Moore, Ms. Chandler, Ms. Lovely, Messrs. Rush and Hinds, Ms. DiZoglio and Messrs. Crighton Montigny and Timilty) "commemorating the fiftieth anniversary of the Apollo 11 moon landing."

Apollo 11.

Matters Taken Out of the Orders of the Day.

The following matters were taken out of the Orders of the day and considered as follows:

The Senate Bill relative to a perpetual conservation restriction in the town of Middleborough (Senate, No. 1198),-- was read a third time.

Middleborough,--
conservation land.

Pending the question on passing the bill to be engrossed, Mr. Pacheco presented an amendment substituting a new draft entitled "An Act proving for the assignment of a perpetual conservation restriction in the town of Middleborough" (Senate, No. 2292)

The amendment was adopted.

The bill (Senate, No. 2292) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

The House Bill relative to appraisal management companies (House, No. 3904),-- was read a third time and passed to be engrossed.

Appraisal
management
companies.

Sent to the House for concurrence in the amendment, previously adopted by the Senate.

The House Bill authorizing the town of Bedford to release a portion of a certain conservation restriction (House, No. 3644),-- was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Bedford,--
conservation
restrictions.

The House Bill authorizing the city of Leominster to pay a certain unpaid bill (House, No. 1795),-- was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Leominster,-- unpaid
bill.

Report of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill to end child marriage in Massachusetts (Senate, No. 24),-- ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2294).

Child marriage,--
protections.

Order Adopted.

Mr. Rodrigues offered the following order, to wit:

Procedural Order.

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill to end child marriage in Massachusetts (Senate, No. 24) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft, Senate, No. 2294) shall be placed in the Orders of the Day for a second reading on Thursday, July 25, 2019.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 12:00 noon, on Monday, July 22, 2019. All such amendments shall be second reading-amendments to the Senate Ways and Means new draft (Senate, No. 2294), 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, Ms. Lovely, for the said committee, reported, recommending that the order ought to 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 Thursday, July 25, 2019, for a second reading with the amendment pending.

Report of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill ensuring consumer choice and equal access to eye care (Senate, No. 2278),-- ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2296).

Eye care,--
consumer choice.

Order Adopted.

Mr. Rodrigues offered the following order, to wit:

Procedural Order.

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill ensuring consumer choice and equal access to eye care (Senate, No. 2278) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft, Senate, No. 2296) shall be placed in the Orders of the Day for a second reading on Thursday, July 25, 2019.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 12:00 noon, on Monday, July 22, 2019. All such amendments shall be second reading-amendments to the Senate Ways and Means new draft (Senate, No. 2296), 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, Ms. Lovely, for the said committee, reported, recommending that the order ought to 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 Thursday, July 25, 2019, for a second reading with the amendment pending.

PAPERS FROM THE HOUSE

Emergency Preambles Adopted.

An engrossed Bill establishing a sick leave bank for Peter Ferony, an employee of the Trial Court of the commonwealth (see Senate, No. 2237), 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.

Peter Ferony,-- sick leave.

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

An engrossed Bill establishing a sick leave bank for Scott A. Smith, an employee of the Trial Court (see House, No. 3693), 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.

Scott A. Smith,-- sick leave.

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

Recess.

There being no objection, at twenty-one minutes past two o'clock P.M., the Chair (Mr. Crighton) declared a recess, subject to the call of the Chair; and at twelve minutes before five o'clock P.M., the Senate reassembled, Ms. Friedman in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of 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 (Ms. Friedman) and laid before the Governor for his approbation, to wit:

Establishing a sick leave bank for Peter Ferony, an employee of the Trial Court of the commonwealth (see Senate, No. 2237); and

Bills laid before the Governor.

Establishing a sick leave bank for Scott A. Smith, an employee of the Trial Court (see House, No. 3693).

Report of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill to increase consumer transparency about insurance provider networks (Senate, No. 610),-- ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2295).

Insurance providers,-
- transparency.

Order Adopted.

Mr. Rodrigues offered the following order, to wit:

Procedural Order.

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill to increase consumer transparency about insurance provider networks (Senate, No. 610) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft, Senate, No. 2295) shall be placed in the Orders of the Day for a second reading on Thursday, July 25, 2019.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 2:00 P.M., on Monday, July 22, 2019. All such amendments shall be second reading-amendments to the Senate Ways and Means new draft (Senate, No. 2295), 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, Ms. Lovely, for the said committee, reported, recommending that the order ought to 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 Thursday, July 25, 2019, for a second reading with the amendment pending.

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 3979) of Daniel J. Ryan and RoseLee Vincent relative to certain affordable housing in the city of Chelsea,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Housing.**

Chelsea,-- affordable
housing.

Order Adopted.

On motion of Mr. Tarr--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

Time of meeting.

On motion of the same Senator at three minutes past five o'clock P.M., the Senate adjourned to meet again Monday next at eleven o'clock A.M.