

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**MONDAY, JULY 22, 2019.**

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JOURNAL OF THE SENATE

Monday, July 22, 2019.

Met at ten minutes past eleven o'clock A.M. (Ms. Chandler in the Chair).

The Chair (Ms. Chandler), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of Allegiance.

Reports.

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

Report of the Department of Elementary and Secondary Education (pursuant to Section 37O(k) of Chapter 71 of the General Laws) submitting its Report on School Bullying Data (received July 19, 2019); and

DESE,-- school bullying report. SD2502

Report of the Office of Medicaid (pursuant to Section 265 of Chapter 224 of the Acts of 2012) submitting its annual report certifying the compliance of contracted health plans with mental health parity requirements (received July 19, 2019).

Office of Medicaid,-- annual report. SD2504

Petitions.

Petitions were severally presented and referred as follows:

By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 2300) of Patrick M. O'Connor, Joan Meschino and Patrick Joseph Kearney (by vote of the town) for legislation to authorize the town of Scituate to use certain land for general municipal purposes without Article 97 restrictions on such use [Local approval received];

Scituate,-- land.

**Under Senate Rule 20, to the committee on Municipalities and Regional Government.**

**Sent to the House for concurrence.**

By Mr. Brownsberger, a petition (accompanied by bill) (subject to Joint Rule 12) of William N. Brownsberger for legislation to create a community process to supervise the disposition of a certain parcel of land on Leo M. Birmingham Parkway in the Allston-Brighton section of the city of Boston;

Allston-Brighton,-- Leo M. Birmingham Parkway. SD2503

**Under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Reports of Committees.

By Ms. Gobi, for the committee on Environment, Natural Resources and Agriculture, on petition, a Bill regarding a farmland protection and viability action plan (Senate, No. 482);

Farmland,-- protection.

**Read and, under Joint Rule 29, referred to the committees on Rules of the two branches, acting concurrently.**

By Ms. Gobi, for the committee on Environment, Natural Resources and Agriculture, on Senate, No. 449 and House, No. 849, a Bill relative to protecting, preserving, and increasing access to family camping (Senate, No. 449);

Camping,-- access.

**UNCORRECTED PROOF.**

By the same Senator, for the same committee, on petition, a Bill relative to agricultural disaster relief (Senate, No. 469);

Agricultural disaster relief,-- fund.

By the same Senator, for the same committee, on Senate, No. 470 and House, No. 753, a Bill relative to public space recycling (Senate, No. 470); and

Recycling,-- public spaces.

By the same Senator, for the same committee, on Senate, Nos. 455, 456 and 522 and House, Nos. 785, 789 and 851, a Bill relative to a moratorium on hydraulic fracturing (Senate, No. 522);

Hydraulic fracturing,--  
- moratorium.

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

By Ms. Gobi, for the committee on Environment, Natural Resources and Agriculture, on petition, a Bill defining "Farmers Market" (Senate, No. 481);

Farmers market.

**Read and, under Senate Rule 26, referred to the committee on Rules.**

PAPERS FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation relative to the disability retirement of Ryan Moore and Donald Demiranda, police officers in the town of Falmouth (House, No. 3973),-- **was referred, in concurrence, to the committee on Public Service.**

Falmouth police officers,-- retirement.

A petition (accompanied by bill, House, No. 3978) of Sean Garballey and Cindy F. Friedman (by vote of the town) relative to the appointment and management of the town treasurer of the town of Arlington,-- **was referred, in concurrence, to the committee Municipalities and Regional Government.**

Arlington,-- town treasurer.

Bills

Relative to the Sherwood Forest Road maintenance district in the town of Becket (House, No. 1819,-- on petition ) [Local approval received]; and

Becket,-- Sherwood Forest Road maintenance.  
Hudson,-- liquor license.

Authorizing the town of Hudson to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (House, No. 3848,-- on petition) [Local approval received];

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

Reports

Of the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3827) of Tackey Chan relative to genetic counselors, and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure;

Genetic counselors.

Of the committee on State Administration and Regulatory Oversight, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 2679) of Daniel Cahill and Stephan Hay relative to deposits of public monies; and

Public monies,-- deposits.

Of the petition (accompanied by bill, House, No. 2705) of Thomas A. Golden, Jr., relative to the depositing of public monies;

Id.

And recommending that the same severally be referred to the committee on Financial Services.

**Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

*Petition.*

On motion of Mr. Tarr, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Ms. Comerford (accompanied by bill) (subject to Joint Rule 12) of Joanne M. Comerford, Natalie M. Blais, Daniel R. Carey, Mindy Domb and other members of the General Court for legislation relative to the Hampshire Council of Governments,-- **and the same was referred to the committee on the Municipalities and Regional Government.**

Hampshire Council of Governments,--  
abolish.  
SD2501

**Sent to the House for concurrence.**

*Resolutions.*

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

Resolutions (filed by Mr. Moore and Ms. Chandler) “commending Karen E. Duffy on her dedication to the community of the city of Worcester.”

Karen E. Duffy.

PAPERS FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No. 3981) of Jonathan D. Zlotnik and Anne M. Gobi for legislation to establish a sick leave bank for Robert Jaillet, an employee of the Department of Correction;

Robert Jaillet,--  
sick leave.

**Under suspension of Joint Rule 12, to the committee on Public Service.**

Petition (accompanied by bill, House, No. 3982) of Danielle W. Gregoire, Carmine Lawrence Gentile and James B. Eldridge that the commissioner of Capital Asset Management and Maintenance be authorized to grant a drainage easement to the city of Marlborough and to amend a permanent right of way easement in said city;

Marlborough,--  
easement.

**Under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.**

A Bill establishing a sick leave bank for Timothy Cuthbert, an employee of the Department of State Police (House, No. 3959,-- on petition),-- was read.

Timothy Cuthbert,--  
sick leave.

**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 establishing a sick leave bank for Sandra Cuthbert, an employee of the Massachusetts Maritime Academy (House, No. 3960, amended,-- on petition),-- was read.

Sandra Cuthbert,--  
sick leave.

**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 establishing a sick leave bank for Darcy F. Currey, an employee of the Department of Correction (House, No. 3957,-- on petition),-- was read.

Darcy F. Currey,--  
sick leave.

**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 establishing a sick leave bank for Beth Baldwin, an employee of the Division of Capital Asset and Management Maintenance (House, No. 3962,-- on petition),-- was read.

Beth Baldwin,--  
sick leave.

**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.**

**UNCORRECTED PROOF.**

A Bill establishing a sick leave bank for Salvador A. Bolanos, an employee of the parole board (House, No. 3964,-- on petition),-- was read.

Salvador A.  
Bolanos,-- sick leave.

**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.**

*Moment of Silence.*

At the request of the Chair (Ms. Chandler), the members, guests and staff stood in a moment of silence and reflection to the memory of Thomas J. Noonan.

Moment of silence.

On motion of Mr. Tarr--

*Ordered,* That when the Senate adjourns today, it adjourn to meet again today at one o'clock P.M. in a full formal session without a calendar.

Time of meeting.

*Adjournment in Memory of Thomas J. Noonan.*

The Senators from Worcester, Ms. Chandler and Mr. Moore, moved that when the Senate adjourns today it do so in memory of Thomas J. Noonan of Shrewsbury Massachusetts, who passed July 7th in the comfort of his home.

Tom Noonan was born on February 26, 1929 to Dennis T. and Nora C. Noonan. One of four siblings, he was raised on Worcester's Vernon Hill and attended Saint John's High School.

Tommy tried to join the Navy during WWII, but he was sent home back to Saint John's because he was only an eager fourteen. After graduation, by the time he was able to re-enlist, it was the end of the war and he would later tell his family that he didn't need to reenlist because "once the Germans and Japanese heard rumors of his potential return they threw down their artillery and surrendered!" He later served four years in the Reserves and fulfilled his self-obligation to his country.

Tom first worked at the Telegram and Gazette and briefly as a state trooper. In 1961 he was offered a position as a docket clerk in Worcester's Central District Court. He worked his way up to assistant clerk and was appointed Clerk Magistrate of the Central District Court by Gov. Dukakis in 1977 – where he would remain an institution, a friendly face and a mentor until his retirement in 2017.

Tommy was blessed with a large and loving family and is survived by his wife Linda E. Turnquist, his many children, grandchildren, and great grandchildren. He will be missed.

Accordingly, as a mark of respect in memory of Thomas J. Noonan, at twenty-one minutes past eleven o'clock A.M., on motion of Mr. Tarr, the Senate adjourned to meet again today at one o'clock P.M.