

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



TUESDAY, JULY 30, 2019.

JOURNAL OF THE SENATE

Tuesday, July 30, 2019.

Met at nine minutes past eleven o'clock A.M. (Mr. Collins 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. Collins), 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. Collins) introduced, in the Senate Gallery, Representative Jack Lewis of Framingham. He was accompanied by several guests giving them a tour of the Senate Chamber. The Senate welcomed them with applause and they withdrew from the Gallery.

Representative Jack Lewis.

Report.

Report of the Dukes County Registry of Deeds (under the provisions of Section 4 of Chapter 4 of the Acts of 2003) submitting its plan for expenditure from the County Registers Technological Fund (copies having been forwarded as required to the Senate Committees on Ways and Means and Post Audit and Oversight) (received July 29, 2019),-- was placed on file.

Dukes County,-- ROD. SD2508

Reports of Committees.

By Mr. Pacheco, for the committee on State Administration and Regulatory Oversight, on petition, a Bill establishing 413 day (Senate, No. 1862);

413 Day,-- tourism.

By the same Senator, for the same committee, on petition, a Bill proclaiming May as Aviation Awareness Month (Senate, No. 1866);

Aviation Awareness Month.

By the same Senator, for the same committee, on Senate, No. 1869 and House, No. 2766, a Bill relative to sleep deprivation avoidance and promotion of good sleeping practices (Senate, No. 1869);

Sleep deprivation,-- avoidance.

By the same Senator, for the same committee, on Senate, No. 1872 and House, No. 2756, a Bill designating May 6 as Moyamoya Disease Awareness Day (Senate, No. 1872);

Moyamoya Disease Awareness Day.

By the same Senator, for the same committee, on petition, a Bill creating the official shellfish of the Commonwealth (Senate, No. 1895);

Quohog,-- official shellfish.

By the same Senator, for the same committee, on petition, a Bill observing United States Navy Day (Senate, No. 1904);

U.S. Navy Day.

By the same Senator, for the same committee, on petition, a Bill designating the first Wednesday in May as State Parks Day (Senate, No. 1905);

MA State Parks Day.

By the same Senator, for the same committee, on petition, a Bill designating March as Fibromuscular Dysplasia Awareness Month (Senate, No. 1915); and

Fibromuscular Dysplasia Month.

By the same Senator, for the same committee, on Senate, No. 1920 and House, No. 2713, a Bill relative to the official amphibian of the Commonwealth (Senate, No. 1920);

Official amphibian,-- designate.

Severally read and, under Senate Rule 26, referred to the committee on Rules.

UNCORRECTED PROOF.

By Mr. Brady, for the committee on Public Service, on petition, a Bill authorizing the town of Townsend to continue the employment of Richard Bailey as police chief (Senate, No. 2260, changed in line 9 by striking out the figure “2010” and inserting in place thereof the following figure:- 2020) [Local approval received];

Townsend,--
police chief.

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

PAPERS FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation authorizing and accelerating transportation investment (House, No. 4002),-- **was referred, in concurrence, to the committee on Transportation.**

Transportation
investment.

Bills

Establishing the position of treasurer-collector in the town of Hinsdale (House, No. 3679,-- on petition) [Local approval received]; and

Hinsdale,-- treasurer
collector.

Relative to expanding the board of selectmen in the town of Duxbury (House, No. 3902,-- on Senate, No. 2246) [Local approval received on Senate, No. 2246 and House, No. 3902];

Duxbury,-- board of
selectmen.

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

A report of the committee on Elder Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 615) of Kate Hogan and others relative to the disposal of resources for determining eligibility for Medicaid, and recommending that the same be referred to the committee on Health Care Financing,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Medicaid,--
eligibility.

Engrossed Bill.

An engrossed Bill authorizing the appointment of retired police officers as special police officers in the town of Milton (see Senate, No. 2240) (which originated in the Senate), **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. Collins) and laid before the Governor for his approbation.**

Bill laid before the
Governor.

Moment of Silence.

At the request of the Chair (Mr. Collins), the members, guests and staff stood in a moment of silence and reflection to the memory of John P. Riley.

Moment of silence.

Recess.

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

Recess.

PAPER FROM THE HOUSE.

A Bill relative to simulcasting and racing (House, No. 4003,-- on House, No. 74, in part),-- was read.

Simulcasting.

There being no objection, the rules were suspended, on motion of Mr. Timilty, and the bill was read a second time.

Pending the question on ordering the bill to a third reading, Mr. Rodrigues moved that

the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2305.

The amendment was adopted.

After remarks, 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.

Recess.

There being no objection, at ten minutes before two o'clock P.M., the Chair (Mr. Timilty) declared a recess subject to the call of the Chair; and at twenty-eight minutes before six o'clock P.M., the Senate reassembled Mr. Collins in the Chair.

Recess.

PAPER FROM THE HOUSE.

The House Bill relative to simulcasting and racing (House, No. 4003, amended),— came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2305.

Simulcasting.

On motion of Mr. Timilty, the Senate insisted on its amendment.

The bill was returned to the House endorsed accordingly.

Order Adopted.

On motion of Mr. Tarr--

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

Time of meeting.

Adjournment in Memory of John P. Riley.

The Senator from Essex, Ms. Lovely, moved that when the Senate adjourns today it do so in memory of Mr. John P. Riley.

Mr. John P. Riley, 80, of Salem, loving companion of Beverlie McSwiggin for over 40 years, passed away peacefully on Thursday, June 20, 2019, at home while surrounded by his loving family, after a courageous battle with cancer.

Born in Salem, he was the son of the late William and Mary Ellen (McGuinness) Riley. John was also the grandson of the late John P. Riley, Medal of Honor recipient who served in the United States Navy during the Spanish-American War and for whom Riley Plaza in Salem is named. Raised and educated in Salem, John was a graduate of Salem High School, class of 1957, where he excelled at both football and baseball.

An honorably discharged veteran, John proudly served his country as a member of the United States Navy aboard the U.S.S. Forrestal, receiving a commendation for outstanding performance of duty for his heroism during a dangerous and hazardous rescue endeavor.

A lifelong resident of Salem, John dedicated his life to the city he loved serving as a firefighter for 37 years until the time of his retirement in 2003. He also worked for the Commonwealth of Massachusetts as a Court Officer and Deputy Sheriff for Essex County.

John shared many proud moments with his family, especially his grandchildren, but one of the proudest moments was when his oldest grandson, Ryan Riley, followed in his footsteps and became a firefighter for the City of Salem in 2014.

Known by friends and family as "Smiley Riley," John was always there for others, whether to give a kind word, valuable advice or simply to share his huge smile to show his

support and encouragement. John was the "go to" person whenever someone was in need, no matter how big or small, and people could always count on him even in a moment's notice. One of John's greatest joys was making people's lives easier, and he did it humbly.

In addition to his beloved partner Beverlie McSwiggin of Salem, John is survived by his sons, John Riley, Jr. (wife Jean) of Valicro, FL, and Michael Riley of Danvers; daughters, Gloria Riley, Cheryl Riley-Jalbert (husband Michael) and Lynda LeClerc, all of Salem, Beverlie's daughters, Michelle Iturralde (fiancé Christopher Flagg), Kendra Malionek (husband David) both of Salem, and Jennifer Vargas (husband Tony) of Peabody, his 14 grandchildren; and 4 great-grandchildren. John is also survived by his sister, Teasie Riley Goggin, sister-in-law, Shirley Beauvais Riley, both of Salem, and several nieces and nephews. He was predeceased by his sister, Mary O'Brien; his brother, William Riley; and his daughter-in-law, Pauline Riley.

Accordingly, as a mark of respect in memory of John P. Riley, at twenty-seven minutes before six o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Wednesday next at one o'clock P.M.