

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**THURSDAY, AUGUST 8, 2019.**

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JOURNAL OF THE SENATE

Thursday, August 8, 2019.

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

Pledge of Allegiance.

Communication.

The following communications were severally received and placed on file, to wit: Communication from the Executive Office of Public Safety and Security submitting its copy of FY2019 Edward Byrne Memorial Justice Assistance Grant application (received August 7, 2019); and

EOPSS,-- JAG application. SD2518

Communication from Senator Cindy F. Friedman and Representatives Dan Ryan and Shaunna O'Connell as members of the Special Commission on Medication-Assisted Treatment (established pursuant to Chapter 208 of the Acts of 2018) indicating that the commission needs more time to complete their report required under said statute.

Medication-Assisted Treatment Commission.

Petition

Mr. Rush presented a petition (accompanied by bill) (subject to Joint Rule 12) of Michael F. Rush and John H. Rogers for legislation to establish a sick leave bank for Linda Kenney, an employee of the Center for Health Information and Analysis;

Linda Kenney,-- sick leave. SD2517

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

Committee Discharged.

Ms. Comerford, for the committee on Public Health, reported, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 716) of Marc R. Pacheco for legislation to remove the restrictions on the licenses of certified registered nurse anesthetists as recommended by the Institute of Medicine and the Federal Trade Commission;

Nurse anesthetists,-- restrictions.

Of the petition (accompanied by bill, Senate, No. 1215) of Harriette L. Chandler, Kate Hogan, Smitty Pignatelli, Jason M. Lewis and other members of the General Court for legislation to improve oral health for all Massachusetts residents;

Dental therapists,-- oral health.

Of the petition (accompanied by bill, Senate, No. 1235) of Julian Cyr, Walter F. Timilty, Paul R. Feeney, Jason M. Lewis and other members of the General Court for legislation relative to step therapy and patient safety; and

Step therapy.

Of the petition (accompanied by bill, Senate, No. 1293) of Jason M. Lewis, Harriette L. Chandler, James T. Welch, Paul A. Schmid, III and other members of the General Court for legislation to promote public health through the prevention and wellness trust fund;

Prevention and wellness trust fund

And recommending that the same severally be referred to the committee on Health Care Financing.

Severally, under Senate Rule 36, the reports were considered forthwith and accepted.

Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4034) of Paul K. Frost, Peter J. Durant and Anne M. Gobi (by vote of the town) for legislation relative to recall elections in the town of Charlton;

Charlton,-- recall elections.

**To the committee on Election Laws.**

Petition (accompanied by bill, House, No. 4035) of Michelle L. Ciccolo (by vote of the town) relative to the capital expenditures committee of the town of Lexington;

Lexington,-- capital expenditures committee.  
Plainville— charter.

Petition (accompanied by bill, House, No. 4036) of Shawn Dooley and Michael J. Soter (by vote of the town) that the town of Plainville be authorized to establish a charter for said town;

Petition (accompanied by bill, House, No. 4037) of Frank A. Moran and Tram T. Nguyen (by vote of the town) that the town of Andover be authorized to transfer care, custody and control of a certain parcel of land in said town currently used as a cemetery and burial place to the board of selectmen for the purpose of conveying the parcel to J&J Ball Realty Trust; and

Andover,-- land transfer.

Petition (accompanied by bill, House, No. 4038) of William M. Strauss (by vote of the town) that the town of Marion be authorized to transfer to the care, custody and control of a parcel of land held by the conservation commission of said town for conservation purposes;

Marion,-- land transfer.

**Severally to the committee on Municipalities and Regional Government.**

A Bill relative to the board of selectmen of the town of Northfield (House, No. 3907,-- on petition) [Local approval received],-- **was read, and under Senate Rule 26, placed in the Orders of the Day for the next session.**

Northfield,-- board of selectmen.

*Resolutions.*

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

Resolutions (filed by Ms. Spilka) “congratulating Patrick P. Barnes on his elevation to the rank of Eagle Scout”;

Patrick P. Barnes.

Resolutions (filed by Ms. Spilka) “congratulating William “Will” Michael Dionne on his elevation to the rank of Eagle Scout”;

William “Will” Michael Dionne.

Resolutions (filed by Ms. Spilka) “congratulating Ethan A. Kramer on his elevation to the rank of Eagle Scout”; and

Ethan A. Kramer.

Resolutions (filed by Ms. Spilka) “congratulating John “Jack” T. Riley on his elevation to the rank of Eagle Scout.”

John “Jack” T. Riley.

*Message from His Excellency the Governor.*

A message from His Excellency the Governor recommending legislation relative to authorizing the division of capital asset management and maintenance to grant easements to the town of Natick for the reconstruction of North Main Street (Route 27) (Senate, No. 2316) (received in the office of the Clerk of the Senate on Tuesday, August 6, 2019, at eleven minutes before two o’clock P.M.).

Natick,-- easements.

**The message was read; and, under Senate Rule 20, with the accompanying bill,**

was referred to the committee on State Administration and Regulatory Oversight.  
Sent to the House for concurrence.

PAPER FROM THE HOUSE

*Engrossed Bill.*

An engrossed Bill authorizing the town of Plymouth to continue the employment of G. Edward Bradley (see House, No. 3742) (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. Brownsberger) and laid before the Governor for his approbation.**

Bill laid before the Governor.

*Reports of Committees.*

By 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 Senate Bill relative to the United States Cadet Nurse Corps Day (Senate, No. 2178, changed).

U.S. Cadet Nurse Corps Day.

**There being no objection, the rules were suspended, on motion of Mr. Tarr, and, after remarks, the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading as follows: "An Act designating United States Cadet Nurse Corps Day".**

**Sent to the House for concurrence.**

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 Nick Collins, Daniel R. Cullinane and Russell E. Holmes for legislation relative to the Boston Residents Job Policy.

Boston Residents Jobs Policy. SD2431

**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.**

**Sent to the House for concurrence.**

*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 House Bill exempting the position of sealer of weights and measures in the town of Lynnfield from the Civil Service Law (House, No. 3815),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Lynnfield,-- civil service.

The House Bill authorizing the appointment of retired police officers in the town of Avon to serve as special police officers (House, No. 3823),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Avon,-- special police.

The House Bill 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),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Hudson,-- liquor license.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4043) of Angelo J. Puppolo, Jr., and others that the Office of Information Technology consider cloud computing service options under certain circumstance,-- **was referred in concurrence, under suspension of Joint Rule 12, to the committee on Economic Development and Emerging Technologies.**

Office of Information Technology,-- cloud service.

A Bill establishing a sick leave bank for Christine Smith, an employee of the Department of Conservation and Recreation (House, No. 3952),-- was read.

Christine Smith,-- 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 (Mr. Brownsberger), the members, guests and staff stood in a moment of silence and reflection to the memory of Sergeant Jason Sturgis.

Moment of silence.

PAPERS FROM THE HOUSE

*Emergency Preambles Adopted.*

An engrossed Bill establishing a sick leave bank for Marilyn O'Neil, an employee of the Executive Office of Public Safety and Security (see Senate, No. 2301), 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.

Marilyn O'Neil,-- sick leave.

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

An engrossed Bill establishing a sick leave bank for Anthony Barton, an employee of the Department of Mental Health (see Senate, No. 2315), 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.

Anthony Barton,-- sick leave.

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

*Engrossed Bills.*

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

Bills laid before the Governor.

Establishing a sick leave bank for Marilyn O'Neil, an employee of the Executive Office of Public Safety and Security (see Senate, No. 2301); and

Establishing a sick leave bank for Anthony Barton, an employee of the Department of Mental Health (see Senate, No. 2315).

*Order adopted.*

On motion of Mr. Tarr--

Ordered. That when the Senate adjourns today, it adjourn to meet again on Monday

Time of Meeting.

next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

*Adjournment in Memory of Sergeant Jason Sturgis.*

The Senator from Cape and Islands, Mr. Cyr, moved that when the Senate adjourns today, it do so in memory of Sergeant Jason Sturgis of Barnstable. Sgt. Sturgis passed away at age 42 after serving as a member of the Barnstable Police Department for nearly two decades. During his time with the department, he had an immense impact on Barnstable and all of Cape Cod.

Sgt. Sturgis was born in Springfield and spent part of his childhood in Illinois. His family moved back to Massachusetts, settling in West Barnstable. He graduated from Barnstable High School, and later earned a Bachelor of Arts and a Masters in Criminal Justice from Curry College. He began his career with Barnstable Police Department as a patrolman, and throughout his tenure has worked in several different departments within the police department. He was eventually promoted to the rank of Sergeant in 2017. Sgt. Sturgis demonstrated commendable service in his work with the department's Community Impact Unit.

The Community Impact Unit was originally founded to police the growing homeless and street population in downtown Hyannis, as it became clear that the growth of these populations was rooted in deeper causes such as mental health, substance use, and poverty. The Community Impact Unit focused on building trust and connection with the homeless population by connecting them to helpful services offered by local health centers or housing assistance organizations, and through its successful jail diversion program, which aimed to keep people out of the court system and prevent them from unnecessary incarceration.

Sgt. Sturgis was a critical member of this unit and fostered genuine relationships with individuals with whom he worked. He displayed an abundance of compassion and empathy for every member of his community, especially those who needed the most help. He believed that building trust between communities and police departments was crucial, and his approach to police work served as a model for his peers, both in his own department and in those across the Commonwealth. He understood that homelessness was a symptom of larger problems in someone's life, and he strived to help them advance towards a better future. He led the collaboration between multiple local organizations to coordinate comprehensive efforts to aid the homeless population, ranging from hospitals to local churches. Sgt. Sturgis was awarded the Excellence in Behavioral Service Award for his commendable leadership with the Community Impact Unit.

Sgt. Sturgis truly cared about the people of Barnstable, and always displayed compassion, leadership, and understanding throughout his many years of service.

Sgt. Sturgis was equally dedicated to his family; he was a loving husband and father to three children. Sgt. Sturgis enjoyed golfing and was an avid boater. He will be greatly missed by the residents of Barnstable, as he was a well-respected and beloved member of the community. He is remembered by his wife Sarah Jane Sturgis and his three children, Charlotte, Keith, and Paige.

Accordingly, as a mark of respect in memory of Sergeant Jason Sturgis, at thirteen minutes past twelve o'clock noon, on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.