

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**THURSDAY, AUGUST 15, 2019.**

JOURNAL OF THE SENATE

Thursday, August 15, 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 Guest.

There being no objection, the Chair (Mr. Rodrigues) handed the gavel to Mr. O'Connor for the purpose of an introduction. Mr. O'Connor then introduced, seated in the rear of the Chamber, four Scituate High School freshmen students who are the founders of the Scituate Summer Fun Foundation. The foundation was created to help raise awareness and resources for families experience homelessness on the South Shore. Among the group were Patrick Sullivan, Kiera Reidy, Carly Bolton and Leiney Smith. These students were recognized for raising over \$600 to help families at the Carolina Hill Shelter in Marshfield. The Senate applauded their accomplishments and they withdrew from the Chamber.

Scituate Summer Fun Foundation.

Communication.

Communication from the Office of the Comptroller (pursuant to Section 2E of Chapter 41 of the Acts of 2019) submitting the Fiscal Year 2020 transfer schedule for the following account: 1595-1070 Safety Net Provider Trust Fund (received August 14, 2019),-- was placed on file.

Comptroller,-- transfer schedule. SD2534

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Eldridge, a petition (accompanied by bill) (subject to Joint Rule 12) of James B. Eldridge for legislation to provide criminal justice reform protections to all prisoners in segregated confinement; and

Prisoners,-- confinement. SD2532

By the same Senator, a petition (accompanied by bill) (subject to Joint Rule 12) of James B. Eldridge for legislation relative to emergency lighting in senior housing;

Senior housing,-- emergency lighting. SD2533

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

Reports of a Committee.

By Ms. Gobi, for committee on Environment, Natural Resources and Agriculture, on petition, a Bill protecting our coasts from offshore drilling (Senate, No. 448); and

Offshore drilling,-- coasts.

By the same Senator, for the same committee, on Senate, No. 466 and House, No. 860, a Bill creating a commission to study Willett Pond (Senate, No. 466, changed in line 8, by striking out the word "Willett" and inserting in place thereof the following:- Willett; and in line 13, by striking out the figure "2019" and inserting in place thereof the following:- 2020);

Willett Pond,-- commission.

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

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4047) of Paul K. Frost and Michael O. Moore (by vote of the town) relative to sewer regulations in the town of Auburn,-- **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Auburn,-- sewer regulations.

A Bill authorizing the town of Norwood to continue the employment of police chief William G. Brooks, III (House, No. 2356,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Norwood,-- police chief.

Reports

Of the committee on Public Health, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 1853) of Jennifer E. Benson and others for legislation to establish a commission on step therapy protocol to address the impact of step therapy protocols on total medical expenses and health care quality outcomes;

Step therapy protocol,-- commission.

Of the petition (accompanied by bill, House, No. 1868) of Paul J. Donato, Kay Khan and others relative to restrictions on the licenses of certified registered nurse anesthetists;

Nurse anesthetists,-- license restrictions.

Of the petition (accompanied by bill, House, No. 1916) of Kate Hogan, Smitty Pignatelli and others for legislation to expand patient access to oral health care;

Oral health care,-- patient access.

Of the petition (accompanied by bill, House, No. 1944) of Kay Khan and others relative to participation in the national nurse licensure compact agreement;

Nurse licensure compact agreement.

Of the petition (accompanied by bill, House, No. 1965) of Ronald Mariano and Carmine Lawrence Gentile relative to urgent care centers; and

Urgent care centers.

Of the petition (accompanied by bill, House, No. 2012) of Aaron Vega, Tackey Chan and others relative to the funding and management of 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.

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

*Resolutions.*

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

Resolutions (filed by Mr. O'Connor) "congratulating the town of Hull on its three hundred and seventy-fifth anniversary of incorporation."

Hull,-- 375<sup>th</sup> anniversary.

*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 House Bill establishing a sick leave bank for Timothy Cuthbert, an employee of the Department of State Police (House, No. 3959),-- **was read a third time and passed to be engrossed, in concurrence.**

Timothy Cuthbert,-- sick leave.

The House Bill establishing a sick leave bank for Sandra Cuthbert, an employee of the Massachusetts Maritime Academy (House, No. 3960, amended),-- **was read a third time and passed to be engrossed, in concurrence.**

Sandra Cuthbert,-- sick leave.

**UNCORRECTED PROOF.**

The House Bill revising the charter for the city of Melrose (House, No. 3822) (its title having been changed by the committee on Bills in the Third Reading),-- was read a third time.

Melrose,-- charter.

Pending the question on passing the bill to be engrossed, Mr. Lewis presented an amendment in section 1 by striking out, in line 300, the figure “5-1” and inserting in place thereof the following figure:- “5-2”;

In said section 1, by striking out, in lines 725 and 726, the words “of the certificate of the city clerk that a sufficient number of voters have signed the supplemental initiative petition” and inserting in place thereof the following words:- “that the city council calls for such an election”;

In said section 1, by inserting after the word “certificate”, in line 728, the following words:- “of the city clerk that a sufficient number of voters have signed the supplemental initiative petition”; and

In said section 1, by inserting after the word “charter”, in line 848, the following words:- “shall refer to”.

**The amendment was adopted.**

**The bill, as amended, was then passed to be engrossed, in concurrence, with the amendment.**

**Sent to the House for concurrence in the amendment.**

The House Bill relative to the Sherwood Forest Road maintenance district in the town of Becket (House, No. 1819),-- was read a second time.

Becket,-- Sherwood Forest Road.

Pending the question on ordering the bill to a third reading, Mr. Hinds presented an amendment in section 2, by inserting after the word “district”, in line 54, the following words:- “not less than 30 days before the district meeting”;

In said section 2, by inserting after the word “district”, in line 57, the following words:- “not less than 30 days before the district meeting”; and

In said section 2, in proposed section 6 of chapter 380 of the acts of 1982, by striking out paragraph E.

**The amendment was adopted.**

**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, its title having been changed by the committee on Bills in the Third Reading as follows: “An Act modifying the Sherwood Forest Road maintenance district in the town of Becket”.**

**Sent to the House for concurrence in the amendment.**

*Reports of Committees.*

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 Michael O. Moore for legislation to establish a hate crimes grant program;

Hate crimes,-- grant program.  
SD2506

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

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 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

**The rules were suspended on motion of Mr. O’Connor, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and**

**Agriculture.**

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 Dean A. Tran and Jennifer E. Benson for legislation to establish a sick leave bank for Amanda Franczek, an employee of the Department of Children and Families;

Amanda Franczek,--  
sick leave.  
SD2529

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

Legion of Merit,--  
license plate.  
SD2484

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 Viriato M. deMacedo for legislation to allow for a Legion of Merit license plate;

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

Mashpee,-- bridge  
naming.  
SD2498

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 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;

**The rules were suspended on motion of Mr. O'Connor, 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.**

*Moment of Silence.*

At the request of the Chair (Mr. Rodrigues), the members, guests and staff stood in a moment of silence and reflection to the memory of Donald L. McKinnon.

Moment of silence.

*Order adopted.*

On motion of Mr. O'Connor--

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.

*Adjournment in Memory of Donald L. McKinnon*

The Senator from Plymouth and Bristol, Mr. Pacheco, moved that when the Senate adjourns today, it do so in memory of Donald L. McKinnon.

On July 1, 2019, we lost a tremendous public servant, Donald L. McKinnon.

Having lived 86 years, Donald served 39 of those years on the Raynham Board of selectmen, becoming the Town's longest-serving member, serving for 13 consecutive terms from 1973 to 2012.

Donald L. McKinnon was born at Winchester Hospital, January 13, 1933 to Frank and Mae (Coleman) McKinnon. He attended Woburn schools and graduated from the Woburn High School Class of 1950.

In 1952, Donald enlisted in the United States Army and at the rank of Corporal went on to serve in the Korean War. Donald was stationed in Italy, where he served in the 351st Infantry Regiment of the 88th Division under the Intelligence and Reconnaissance Platoon and worked with United Nations forces. He completed his tour with the Army in 1954.

In 1955, believing that the key to one's future was a good education, Donald enrolled

in Suffolk University where he earned his Bachelors of Science in Business Administration Degree and his Master's in Education.

In 1959, on a Saturday evening with friends at Moseley's on the Charles, Don met his lovely wife Katherine (Lyons) where they danced into each other's hearts. Donald and Katherine married shortly thereafter and moved to Raynham where Donald secured a position with the Taunton Public School system.

Donald retired from teaching in 1998 after serving 28 years as a professional educator. Donald's public service did not end there; Donald embraced his town with heart and soul. A communicant of St. Ann's Church, and always having a special place in his heart for children, Donald taught 7th and 8th grade CCD classes for 15 years. He volunteered as a youth sports coach, served as a member of the site committee for the new Bridgewater-Raynham High School as well as the site Committee for the new Raynham Town Hall.

He hosted two weekly cable shows, "The Good Old Days," depicting Raynham's Town history and "Agree to Disagree," a program that explores the differences of opinion between the Democratic and Republican Parties. He led the establishment of rent control in the Raynham mobile home park and created a school bus safety law.

Donald also served as a Morton Hospital Trustee and has been honored with numerous awards recognizing his service and dedication to his community; including the Lions Melvin Jones Fellow award and the President's Award for the Massachusetts Environmental Health Association.

Donald's proudest accomplishments centered on his family. He was the husband of 58 years to Katherine (Lyons) McKinnon. He was the proud father of James and Shawn McKinnon, and Laura Caron. Don was also well known for bragging about his grandchildren Donald McKinnon, Dylan Richardson, Molly and Jacob Caron and Ashley Casey. He was fond of his friends in his "Rag Rock Gang" and "The ROMEO's" (Retired Old Men Eating Out).

Donald McKinnon was both a patriot and public servant. He was well respected and loved, and will always be one of Raynham's favorite sons.

Accordingly, as a mark of respect in memory of Donald L. McKinnon, at twenty-five minutes past eleven o'clock A.M., on motion of Mr. O'Connor, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.