

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, SEPTEMBER 5, 2019.

JOURNAL OF THE SENATE

Thursday, September 5, 2019.

Met at eight 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.

Communications.

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

Communications from the Honorable Karen E. Spilka, President of the Senate, announcing the following appointments (pursuant to Chapter 313 of the Acts of 2010, as most recently amended by Chapter 350 of the Acts of 2016) to the Ellen Story Commission on Postpartum Depression (received September 4, 2019):

Senator John F. Keenan

Senator Diane A. DiZoglio

Senator Anne M. Gobi

Communications from the Honorable Bruce E. Tarr, Minority Leader, announcing the following appointments:

Senator Viriato deMacedo (pursuant to Section 101 of Chapter 41 of the Acts of 2019) to the Special Commission on to conduct a comprehensive study to evaluate and make recommendations regarding the appropriate level of funding for the department of correction and each sheriff's department (received September 4, 2019); and

Mr. Matthew Connolly (pursuant to Section 90 of Chapter 41 of the Acts of 2019) to the Special Commission to study civil asset forfeiture policies and practices in the commonwealth (received September 4, 2019).

Ellen Story
Commission on
Postpartum
Depression.

Special
Commission,--
DOC/Sheriff's
funding

Special Commission
to study civil asset
forfeiture policies.

Reports.

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

Report of the Massachusetts Capital Resource Company (pursuant to Section 12 of Chapter 816 of the Acts of 1977) submitting its annual report on the current status of said corporation (received September 4, 2019); and

Report of the Plymouth County Sheriff (pursuant to Section 84 of Chapter 69 of the Acts of 2018) submitting its report reflecting the aggregate data population of the Plymouth County Correctional Facility for the second quarter of 2019 (received September 4, 2019).

MCRC,-- annual
report.
SD2550

Plymouth Sheriff,--
data population
report.
SD2551

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Brady, a petition (accompanied by bill) (subject to Joint Rule 12) of Michael D. Brady for legislation to authorize the division of asset management and maintenance to dispose of certain parcels of land in the city of Brockton; and

By Ms. Rausch, a petition (accompanied by bill) (subject to Joint Rule 12) of Rebecca L. Rausch, Paul J. Donato, Maria Duaine Robinson, Denise Provost and other members of the General Court for legislation to promote community immunity;

Brockton,-- land.
SD2552

Community
Immunity Act.
SD2548

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

PAPERS FROM THE HOUSE.

Notice was received from the House announcing the following appointment by the Minority Leader of the House of Representatives:

Representative David Viera of Falmouth has been appointed to serve as his designee on the task force established (under Section 32 of Chapter 34 of the Acts of 2019) on the preservation and storage of evidence.

Prevention and storage of evidence.

Bills

Relative to the town administrator in the town of Fairhaven (House, No. 3968,-- on petition) [Local approval received]; and

Fairhaven,-- town administrator.

Authorizing the town of Fairhaven to transfer an interest in certain park land (House, No. 4009,-- on petition) [Local approval received];

Fairhaven,-- park land.

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

Report of the committee on Children, Families and Persons with Disabilities asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 96) of Tackey Chan, Bruce J. Ayers and Paul Brodeur for legislation to provide an income tax exemption for families caring for their elderly relative at home,-- and recommending that the same be referred to the committee on Revenue,-- **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Elderly care,-- tax exemption.

Message from His Excellency the Governor.

A message from His Excellency the Governor recommending legislation validating actions taken in connection with an annual town election in the town of Westhampton (Senate, No. 2327) (received in the office of the Clerk of the Senate on Wednesday, September 4th, 2019, at four minutes past ten o'clock A.M.)

Westhampton,-- town election.

The message was read; and, under Senate Rule 20, with the accompanying bill, was referred to the committee on Transportation.

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. Eldridge) "congratulating Margaret Gruskowski on her one hundredth birthday."

Margaret Gruskowski.

Report of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate bill to preserve the Schooner Ernestina-Morrissey (Senate, No. 2287),-- ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2328);

Schooner Ernestina-Morrissey.

There being no objection, the rules were suspended, on motion of Mr. deMacedo, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2328), was then ordered to a third reading, read a third time and passed to be engrossed.

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 Senate Bill authorizing the town of Webster to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 143),-- was read a second time.

Webster,-- liquor license.

Pending the question on ordering the bill to a third reading, Mr. Fattman presented an amendment striking out subsection (b) and inserting in place thereof the following subsection:-

“(b) Upon the issuance of the license granted pursuant to this act, Waterfront Mary’s I, LLC shall return the seasonal license that it currently holds for the sale of all alcoholic beverages to be drunk on the premises to the licensing authority

The amendment was adopted.

The bill, as amended, 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 authorizing the town of Milford to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (House, No. 3939),-- **was read a second time, ordered to a third reading read a third time and passed to be engrossed, in concurrence.**

Milford,-- liquor license.

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 Charles J. Moran.

Moment of silence

Order adopted.

On motion of Mr. Timilty--

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 Charles J. Moran.

The Senator from Worcester and Middlesex, Mr. Tran, moved that when the Senate adjourns today, it adjourns in memory of Charlie J. Moran of Clinton, Massachusetts.

Charles J. Moran, a lifelong resident of Clinton, passed away peacefully on Friday, August 30, 2019 at the age of 85.

Charlie was born in Clinton to the late Charles & Irene (Griffin) Moran. He graduated from the Clinton High School, Class of 1951, and the Massachusetts College of Pharmacy. He proudly served our nation in the US Army as a Pharmacist at Walter Reed Army Medical Center in Washington, D.C. before being honorably discharged. Upon his return home, he joined his family in business as a Pharmacist, ultimately owning and operating Moran Drug in Clinton until retiring in 1984. He served as a member of the Clinton Rotary Club, American Legion, and devoted 5 decades of service to Clinton Housing Authority. A man of great faith, he was a devout life member of St. John the Guardian of Our Lady Parish in Clinton.

In retirement, Charlie routinely traveled to Wachusett Mountain 7 days a week for the

duration of the winter season, skiing competitively in the senior racing circuit for nearly 25 years. All other seasons were spent candlepin bowling at Masons Bowling Alley in Leominster, where, on a daily basis, Charlie took great pleasure in competing against and beating his sister Renie. A self-proclaimed poor old farmer from upper Main Street, Charlie walked every morning to purchase his newspaper and proudly grew his award-winning tomatoes in his backyard garden, where he would not only grow vegetables for himself, but he would also donate produce to local organizations, senior center, local food pantry.

He is survived by two sisters, Irene “Renie” Moran of Clinton; and Joan Monahan, wife of the late William E. Monahan, of Worcester; nieces, Mary Foley & husband Joseph of West Boylston; and Joanne Ciociolo-Callahan & husband Daniel of Dennis Port; nephew, William J. Monahan & wife Nancy of Shrewsbury; great nieces & nephews: Mike, Brian, and Dan Foley, Maggie, Griffin, and Liam Monahan, and Julia Ciociolo. He leaves his close cousin James Powers of West Newton and many dear friends.

He had constantly been a great inspiration to the community of Clinton. His legacy will forever live on through his quiet generosity and memorable personality.

Accordingly, as a mark of respect in memory of Charles J. Moran, at sixteen minutes past eleven o’clock A.M., on motion of Mr. Timilty, the Senate adjourned to meet again on Monday next at eleven o’clock A.M.