

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**TUESDAY, OCTOBER 15, 2019.**

JOURNAL OF THE SENATE

Tuesday, October 15, 2019.

Met at four minutes past eleven o'clock A.M. (Mr. Brownsberger in the Chair).

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

Pledge of Allegiance.

Communication.

Communication, from the Honorable Karen E. Spilka, President of the Senate, announcing the appointment of Senator Rebecca Rausch (pursuant to Section 102 of Chapter 41 of the Acts of 2019) to the special commission regarding the licensing of foreign-trained medical professionals (received October 16, 2019),-- was placed on file.

Foreign-trained medical professionals.

Reports.

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

Report of the Brockton Area Transit Authority (pursuant to Section 8(g) of Chapter 161B of the General Laws) submitting its financial statements, single audit, and certified local assessments for the year ended June 30, 2019 (received, October 10, 2019); and

BATA,-- report. SD2592

Report from the Plymouth County Sheriff's Department (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 third quarter of 2019 (received, October 10, 2019).

Plymouth Sheriff's,-- report. SD2593

Petition.

Ms. Jehlen presented a petition (accompanied by bill, Senate, No. 2369) of Patricia D. Jehlen, Christine P. Barber, Mike Connolly and Denise Provost (with approval of the mayor and city council) for legislation relative to the terms for members of the city of Somerville's Zoning Board of Appeals [Local approval received];

Somerville,-- zoning board.

Referred, under Senate Rule 20, to the committee on Municipalities and Regional Government.

Sent to the House for concurrence.

Reports of Committees.

By Mr. Rodrigues for the committee on Ways and Means, that the Senate Bill to protect persons with intellectual or developmental disability from abuse (Senate, No. 2343),-- ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2368).

Caretakers,-- abuse registry.

Reported on Friday, October 11, pursuant to an order previously adopted, and bill was placed in the Orders of the Day for Thursday, October 17, the question being on ordering the bill to a third reading, with the amendment pending.

By Mr. Rodrigues for the committee on Ways and Means, that the House Bill relative to children's health and wellness (House, No. 4012, amended),-- ought to pass with an

Children's health and wellness.

amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2368.

**Reported on Friday, October 11, pursuant to an order previously adopted, and bill was placed in the Orders of the Day for Thursday, October 17, the question being on ordering the bill to a third reading, with the amendment pending.**

By Mr. Cyr, for the committee on Mental Health, Substance Use and Recovery, on petition, a Bill relative to medical necessity for mental health acute treatment (Senate, No. 1148); and

Mental health treatment,-- medical necessity.

By the same Senator, for the same committee, on petition, a Bill relative to improve access to care by removing barriers to practice for psychiatric clinical nurse specialists (Senate, No. 1157);

Psychiatric,-- clinical nurse specialists.

**Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.**

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill authorizing the Department of Conservation and Recreation to grant easements to the town of Hubbardston for the reconstruction of the Evergreen Road bridge over Mason Brook (Senate, No. 1855),— ought to pass, with an amendment, substituting a new draft entitled “ An Act authorizing the Division of Capital Asset Management and Maintenance to grant easements over portions of certain parcels of land acquired for water supply purposes in the town of Hubbardston to the town of Hubbardston for a bridge reconstruction project” (Senate, No. 2370);

Hubbardston,-- land easements.

**Referred under Senate Rule 26, to the committee on Rules.**

PAPERS FROM THE HOUSE.

A Bill designating a certain bridge in the South Grafton section of the town of Grafton as the Veterans Memorial Bridge (House, No. 3796, amended),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Grafton,-- Veterans Memorial Bridge.

Bills

Authorizing the town of Burlington to grant additional licenses for the sale of all alcoholic beverages and wines and malt beverages to be drunk on the premises (House, No. 3676,-- on petition) [Local approval received];

Burlington,-- liquor license.

Authorizing the conveyance of a fee interest in land in the town of Marion (House, No. 4038,-- on petition) [Local approval received]; and

Marion,-- land conveyance.

Authorizing the town of Fairhaven to grant an additional license for the sale of all alcoholic beverages to be drunk of the premises (House No. 4086,-- on House, No. 3967) [Local approval received on House, No. 3967];

Fairhaven,-- liquor license.

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

Reports

Of the committee on Environment, Natural Resources and Agriculture, asking to be discharged from further consideration:

Of the petition (accompanied by bill, House, No. 811) of Hannah Kane and others relative to date labels on food packaging of products,-- and recommending that the same be referred to the committee on Public Health; and

Food packaging,-- date labels.

Of the petition (accompanied by bill, House, No. 799) of Jonathan Hecht and others that the Department of Environmental Protection revise the regulations governing the

Rideshare,-- regulations.

rideshare program,-- and recommending that the same be referred to the committee on Transportation;

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

*Resolutions.*

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

Resolutions (filed by Messrs. deMacedo and Pacheco) “congratulating the Upper Cape Cod Regional Vocational Technical School on its fiftieth anniversary”;

Upper Cape Cod  
Regional Vocational  
Technical School.  
Erik Daniel Craffey.

Resolutions (filed by Mr. Pacheco) “congratulating Erik Daniel Craffey on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Ms. Spilka and Ms. Jehlen) “congratulating Louise Jeannette Bocca Auterio on her one hundredth birthday”; and

Louise Jeannette  
Bocca Auterio.

Resolutions (filed by Mr. Timilty) “congratulating Francis A. Hegarty on the occasion of his retirement as the Norfolk County Director.”

Francis A. Hegarty.

*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 further regulating the procedure for municipal acceptance of subdivision roads in the town of Hingham (Senate, No. 2242) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Hingham,--  
subdivision roads.

**Sent to the House for concurrence.**

The House Bill authorizing the town of Winthrop to continue the employment of Fire Chief, Paul E. Flanagan (House, No. 3909),-- was read a third time.

Winthrop,-- Paul E.  
Flanagan.

Pending the question on passing the bill to be engrossed, Mr. Boncore presented an amendment inserting after the word “subsequent”, in line 9, the following words:- “to his reaching the age of 65 and upon retirement Paul E. Flanagan shall receive a superannuation”.

**The amendment was adopted.**

**The bill, as amended, was then passed to be engrossed.**

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

The House Bill amending the town manager act of the town of Arlington relative to the appointment and management of the town treasurer (House, No. 3978),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act further regulating the appointment and management of the town treasurer and collector of the town of Arlington.”**

Arlington,-- town  
treasurer.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4130) of Todd M. Smola for legislation to establish a sick leave bank for Melinda Trudell, an employee of the Executive Office of Health and Human Service;

Melinda Trudell,--  
sick leave.

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

**UNCORRECTED PROOF.**

Petition (accompanied by bill, House, No. 4129) of Linda Dean Campbell and David T. Vieira for an investigation by a special commission (including members of the General Court) relative to a suitable memorial to commemorate Deborah Sampson;

Deborah Sampson,--  
memorial.

**Under suspension of Joint Rule 12, to the committee on Veterans and Federal Affairs.**

The Senate Bill further regulating the sale and consumption of alcoholic beverages at certain polling places in the town of Middleton (Senate, No. 2344),-- came from the House passed to be engrossed, in concurrence *with an amendment* striking out all after the enacting clause and inserting in place thereof the following:

Middleton.-- polling  
places.

“SECTION 1. Notwithstanding section 24 of chapter 54 of the General Laws, the town of Middleton may designate polling places in any building or location; provided, that alcoholic beverages shall not be served or consumed in that portion of a building or location used as a polling place, during voting hours or while ballots are being counted therein.

SECTION 2. This act shall take effect upon its passage.”

**The rules were suspended, on motion of Mr. Fattman, and the House amendment was considered forthwith and adopted, in concurrence.**

*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 Daniel J. Hollis.

Moment of Silence.

*Order Adopted.*

On motion of Mr. Fattman--

*Ordered*, That when the Senate adjourns today, it adjourn to meet again on Thursday next at one o'clock P.M., in a full formal session with a calendar.

Time of Meeting.

*Adjournment in Memory of Daniel J. Hollis.*

The Senator from Worcester and Norfolk, Mr. Fattman, moved that when the Senate adjourns today, it do so in memory of Daniel J. Hollis, 19, of Mendon who passed away Wednesday, October 2nd, 2019, in Brigham and Women’s Hospital, Boston with is family by his side from injuries sustained from an assault in Boston.

Daniel was many things student, athlete, leader, artist, music-lover, and friend. He was just 19 years old and only beginning to experience the world around him. His family and the small town of Hopedale, Massachusetts provided a strong foundation from which he took off to explore the thrills of life in the city at Emerson College. He looked forward to traveling abroad and expanding his creative pursuits through clothing design and marketing. While often receiving recognition for his play on the field or ice, it was the camaraderie of the team that Dan most loved about sports. For Daniel, life was about relationships and enjoying experiences with others.

A 2018 graduate of Hopedale Jr. & Sr. High School, he served as class secretary for six years. He was a member and former Captain of the Hopedale Lacrosse Team where he is recognized as one of the State’s all-time leading lacrosse goalies. He also played and was the Asst. Captain with the Hopedale-Milford Co-Op High School Hockey team, a member of the Hopedale High School Golf Team, and played for a number of youth hockey organizations and club lacrosse teams. At Emerson College, he was presently a member of the Emerson College Lacrosse Team.

Dan is survived by his parents Jason R. Hollis and Jennifer A. Kelly; his sister

Kathryn L. Hollis; his paternal grandparents Richard and Maryan Hollis; many aunts, uncles, and cousins, and his trusted canine companion Bauer. He was predeceased by his maternal grandparents, Janet and Norbert Kelly, Jr.

Accordingly, as a mark of respect in memory of Daniel J. Hollis, at sixteen minutes past eleven o'clock A.M., on motion of Mr. Fattman, the Senate adjourned to meet again on Thursday next at one o'clock P.M.

*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 William E. McGonagle.

Moment of Silence.

*Adjournment in Memory of William E. McGonagle.*

The Senator from Suffolk, Mr. Collins, moved that when the Senate adjourns today, it adjourn in memory of William E. McGonagle.

William E. McGonagle, of South Boston, passed away Wednesday, October 9th, surrounded by loving family. Beloved husband of forty-seven years to Ellen M. (Regan) McGonagle. Devoted father of Matthew R., his wife Laura A. of Hull, Mark R., his wife Kathlin of Dorchester, Alyson R. Perschke and her husband Eric of Dorchester. Loving "Papa" of Maggie, Andrew, Lucy, Evelyn, Calvin, Dylan and Bella. Loving son of Daniel and Jeannette (Geary) McGonagle. Dear brother of Anne Connolly, Daniel "Mickey" McGonagle, Edward, Mary Jane "Mamie" Berger and Elenanor "Ellie" Bosse. Also survived by many loving nieces, nephews, relatives and friends.

Billy was a longtime Administrator of the Boston Housing Authority and Late Veteran US Navy, RES. Mr. McGonagle was a lifelong resident of South Boston and was a product of public housing himself, having grown up in the Mary Ellen McCormack, the State's oldest public housing development. Through his hard work and dedication at the BHA he rose through its ranks from janitor to executive assistant before being named administrator of the BHA in 2009, and he served in that role under two mayoral administrations.

As Administrator, he provided housing for over 50,000 residents, with 25,000 residents housed directly through the BHA and 25,000 residents housed through vouchers administered by Authority, and has worked tirelessly on behalf of these residents. During his tenure he helped moved Boston become a more inclusive and accepting city by removing barriers to public housing to ensure that residents in every neighborhood had access to quality housing. He championed and supported public housing and it residents throughout his career, and has been recognized by the urban league of Eastern Massachusetts, the Mass Union of Public Housing Tenants, and the South Boston Citizen's Association for his tireless efforts in uplifting Boston's most vulnerable residents.

Accordingly, as a mark of respect in memory of William E. McGonagle, at sixteen minutes past eleven o'clock A.M., on motion of Mr. Fattman, the Senate adjourned to meet again on Thursday next at one o'clock P.M.