

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, OCTOBER 28, 2019.

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JOURNAL OF THE SENATE

Monday, October 28, 2019.

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

The Chair (Mr. Collins), 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 Honorable Bruce E. Tarr, Minority Leader, announcing the appointment of Dr. Noemi Custodia, Ph.D., Vice President of Lawrence Campus & Community Relations at Northern Essex Community College (pursuant to Section 102 of Chapter 41 of the Acts of 2019) special commission to study and make recommendations regarding the licensing of foreign-trained medical professionals (received October 28, 2019); and

Foreign-trained medical professionals commission.

Communication from Christine M. Netski, President of the Boston Bar Association, announcing the appointment of Kate R. Cook (pursuant to Section 101 of Chapter 41 of the Acts of 2019) to the special commission 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 October 24, 2019).

DOC/Sheriffs funding commission.

Report.

Report of the Human Resources Division (pursuant to Section 25 of Chapter 31 of the General Laws) submitting a list of civil service fire chief series eligible lists that have been revoked (received October 24, 2019),-- was placed on file.

HRD,-- fire chief eligible lists. SD2608

Report of a Committee.

By Mr. Pacheco, for the committee on State Administration and Regulatory Oversight, on Senate, Nos. 1818 and House 2673, a Bill relative to land use restrictions in the South Boston section of the city of Boston (Senate, No. 2385);

Public land use restrictions.

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

PAPERS FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation to improve health care by investing in value (House, No. 4143),-- was referred, in concurrence, to the committee on Health Care Financing

Health care,-- improvements.

A Bill validating certain proceedings in the town of Sharon (printed in House, No. 3826,-- being a message from His Excellency the Governor),-- was read and, under Senate Rule 26, referred to the committee on Rules.

Sharon,-- town elections.

The Senate Bill relative to educational opportunity for students (Senate, No. 2365),-- 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 text of House document

Students,-- educational opportunities.

numbered 4145.

On motion of Mr. Fattman, the rules were suspended; and on further motion of the same Senator, the Senate NON-concurred in the House amendment and asked for a committee of conference on the disagreeing votes of the two branches.

Senators Lewis, Rodrigues and O'Connor were appointed to the committee on the part of the Senate

The bill was returned to the House endorsed accordingly.

The House relative to children's health and wellness (House, No. 4012),— 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 contained in Senate, No. 2377, and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representative Benson of Lunenburg, Decker of Cambridge and Murator of Plymouth have been appointed the committee on the part of the House.

Children'— health and wellness.

On motion of Mr. Fattman the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Friedman, Cyr and Tarr deMacedo were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

Resolutions.

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

Resolutions (filed by Ms. Chandler and Mr. Moore) "congratulating MassBiologics of the University of Massachusetts Medical School on its one hundred twenty-fifth anniversary";

MassBiologics.

Resolutions (filed by Ms. Creem, Mr. Brady, Ms. Chandler, Ms. Comerford, Messrs. Crighton, Cyr and DiDomenico, Ms. DiZoglio, Messrs. Fattman and Feeney, Ms. Friedman, Ms. Gobi, Messrs. Humason, Keenan, Kennedy, Lesser and Lewis, Ms. Lovely, Messrs. Montigny, Moore, O'Connor and Pacheco, Ms. Rausch and Messrs. Rodrigues, Rush, Tarr, Timilty, Tran and Welch) "commending the Susan G. Komen Breast Cancer Foundation for its observation of October 2019 as Breast Cancer Awareness Month"; and

The Susan G. Komen Breast Cancer Foundation.

Resolutions (filed by Mr. Moore, Ms. Chandler and Mr. Fattman) "congratulating the Blackstone River Watershed Association on the fiftieth anniversary of its establishment."

The Blackstone River Watershed Association.

Reports of a Committee.

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 James B. Eldridge for legislation to provide criminal justice reform protections to all prisoners in segregated confinement;

Prisoners,-- confinement. SD2532

The rules were suspended, on motion of Mr. Fattman, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Safety and Homeland Security.

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 Jason M. Lewis for legislation to prohibit for-profit correctional facilities;

Correctional facilities,-- for-profit. SD2594

The rules were suspended, on motion of Mr. Fattman, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Safety and Homeland Security.

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 relative to the operations of the

Pilgrim Nuclear Decommissioning

Pilgrim Nuclear Decommissioning Advisory Panel;

Advisory Panel.
SD2570

The rules were suspended, on motion of Mr. Fattman, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Telecommunications, Utilities and Energy. Severally sent to the House for concurrence.

Matter Taken Out of the Orders of the Day.

There being no objection, the following matter was taken out of the Orders of the Day and considered as follows:

The Senate Bill allocating marijuana-related revenue in the town of Millbury (Senate, No. 1196) (its title having been changed by the committee on Bills in the Third Reading),-- was read a third time.

Millbury,--
marijuana revenue.

Pending the question on passing the bill to be engrossed, Mr. Moore presented an amendment striking out, in lines 2 and 3, the words “manager of the town of Millbury shall deposit into the town’s stabilization funds without appropriation” and inserting in place thereof the following words:- “of Millbury shall, without appropriation, credit to the town’s stabilization funds, as allocated pursuant to subsection (b),”.

The amendment was adopted.

The bill (Senate, No. 1196, amended) was then passed to be engrossed. Sent to the House for concurrence.

Report of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill to support improved financial stability in higher education (House, No. 4099),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate documents numbered 2387; and by inserting before the enacting clause the following emergency preamble:

Higher education,--
financial stability.

“Whereas, The deferred operation of this act would tend to defeat its purposes, which are to support improved financial stability in higher education and to make certain changes in law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

Order Adopted.

Mr. Rodrigues offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill to support improved financial stability in higher education (House, No. 4099) (the committee on Ways and Means having recommended that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2387) shall be placed in the Orders of the Day for a second reading on Wednesday, October 30, 2019.

Procedural order.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 1:00 P.M., on Tuesday, October 29, 2019. All such amendments shall be second-reading amendments to the Senate Ways and Means new text (Senate, No. 2387), but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the

UNCORRECTED PROOF.

committee on Bills in the Third Reading.

Under the rules, referred to the committee on Rules.

Subsequently, Ms. Lovely, for said committee, reported, recommending that the order be adopted.

The rules were suspended, on motion of Mr. Fattman, and the order was considered forthwith and adopted.

The bill will be placed in the Orders of the Day for Wednesday, October 30, 2019, for a second reading the amendment pending.

Order Adopted.

On motion of Mr. Fattman,--

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

Time of meeting.

Recess.

There being no objection, at thirteen minutes before twelve o'clock noon, the Chair (Mr. Collins) declared a recess subject to the call of the Chair; and at eighteen minutes past four o'clock P.M., the Senate reassembled, the President in the Chair.

Recess.

On motion of the Mr. Tarr, at nineteen minutes past four o'clock P.M., the Senate adjourned to meet again on Wednesday next at one o'clock P.M.