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JOURNAL OF THE SENATE.

MONDAY, NOVEMBER 4, 2019.

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JOURNAL OF THE SENATE

Monday, November 4, 2019.

Met at six minutes past eleven o'clock A.M. (Mr. Timilty in the Chair) (having been appointed by the President, under authority conferred under Senate Rule 4, to perform the duties of the Chair).

The Chair (Mr. Timilty), members, guest and staff then recited the pledge of allegiance to the flag. Pledge of Allegiance.

Distinguished Guests.

There being no objection, the Chair (Mr. Timilty), handed the gavel to Mr. Collins for the purpose of an introduction. Mr. Collins then introduced Mr. Jimmy Kane and Mr. Joe Kelly from Legacy Healing. They were recognized for their leadership in providing quality programming to those affected by substance misuse disorder. The Senate applauded their accomplshments and presented them with a Senate Citation. Legacy Healing.

Reports.

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

Report of the Department of Youth Services (pursuant to Section 16 of Chapter 123A of the General Laws) submitting its annual report describing the treatment offered to each person who has been committed to the treatment center or the department of youth services as a sexually dangerous person (received November 1, 2019); and DYS,-- annual report. SD2621

Report of the Water Resources Commission (pursuant to Section 8C of Chapter 21 of the General Laws) submitting amendment to the August 2003 Decision on compliance with the environmental criteria of the Interbasin Transfer Act (ITA) (received October 28, 2019). WRC,-- report. SD2622

Petitions.

Petitions were severally presented and referred as follows

By Mr. Brady, a petition (accompanied by bill, Senate, No. 2393) of Michael D. Brady and Kathleen R. LaNatra (by vote of the town) for legislation to allow Robert G. Gaynor to continue to serve in the position of Special Police Officer for the town of Halifax [Local approval received]; Halifax,-- Robert G. Gaynor.

Under Senate Rule 20, to the committee on Public Service.

Sent to the House for concurrence.

By Mr. Finegold, a petition (accompanied by bill) (subject to Joint Rule 12) of Barry R. Finegold for legislation to provide for a study of noise impacts from the confluence of Interstate 495 and Route 28; and Noise impacts,-- study. SD2618

By Mr. O'Connor, a petition (accompanied by bill) (subject to Joint Rule 12) of Patrick M. O'Connor and Joan Meschino for legislation relative to youth voter engagement; Youth voter engagement. SD2623

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

Report of Committees.

By Mr. Timilty, for the committee on Veterans and Federal Affairs, on petition, a Bill relative to veteran access to recreational lands (Senate, No. 2176); and

Veterans,-- DCR fees.

By the same Senator, for the same committee, on petition, a Bill exempting veterans from civil service exam fees (Senate, No. 2180);

Veterans,-- civil service exam.

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

PAPERS FROM THE HOUSE.

Bills

Abolishing the sewer commission of the town of Royalston (House, No. 4068,-- on petition) [Local approval received]; and

Royalston,-- sewer commission.

Authorizing the town of Swansea to grant additional alcoholic beverage licenses (House, No. 4085, amended,-- on House, No. 3864) [Local approval received on House, No, 3864];

Swansea,-- liquor licenses.

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

Resolutions.

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

Resolutions (filed by Ms. Spilka and Ms. Rausch) "honoring Agostino John Crisafulli on the dedication of Agostino John Crisafulli Square in the town of Natick"; and

Agostino John Crisafulli.

Resolutions (filed by Messrs. Tarr and deMacedo, Ms. DiZoglio and Messrs. Rodrigues, Montigny, Cyr and Pacheco) "congratulating David E. Pierce on the occasion of his retirement as the Director of the Division of Marine Fisheries."

David E. Pierce.

Recess.

There being no objection, at seven minutes past eleven o'clock A.M., the Chair (Mr. Timilty) declared a recess subject to the call of the Chair; and at twenty-three minutes before twelve o'clock noon, the Senate reassembled, Mr. Timilty in the Chair.

Recess.

PAPERS FROM THE HOUSE

Emergency Preambles Adopted.

An engrossed Bill establishing a sick leave bank for Linda Kenney, an employee of the Center for Health Information and Analysis (see Senate, No. 2329, amended), 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.

Linda Kenney,-- sick leave.

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

An engrossed Bill establishing a sick leave bank for Karen Phillips, an employee of the department of mental health (see House, No. 4046, amended), 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,

Karen Phillips,-- sick leave.

the preamble was adopted in concurrence, by a vote of 3 to 0.

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

Jacqueline Dayton,-- sick leave.

An engrossed Bill establishing a sick leave bank for Jacqueline Dayton, an employee of the office of the chief medical examiner (see House, No. 4093, amended), 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 3 to 0.

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

Message from His Excellency the Governor.

Oakham,-- town election.

Message from His Excellency the Governor (pursuant to Article II, Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation validating actions taken in connection with a special town election in the town of Oakham (Senate, No. 2394) (received in the Office of the Clerk of the Senate on Friday, November 1, 2019 at ten minutes past one o'clock P.M.).

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

Sent to the House for concurrence.

Reports of a Committee.

Ms. Lovely, for the committee on Rules, reported that the following matters be placed in the Orders of the Day for the next session:

Westhampton,-- town elections.

The Senate Bill validating actions taken in connection with an annual town election in the town of Westhampton (Senate, No. 2327).

There being no objection, the rules were suspended on motion of Mr. Tran, and the bill was read as 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 validating actions taken in connection with an annual town meeting and an annual town election in the town of Westhampton."

Sent to the House for concurrence.

South Grafton,-- Veterans bridge.

The House Bill designating a certain bridge in the South Grafton section of the town of Grafton as the Veterans Memorial Bridge (House, No. 3796, amended).

There being no objection, the rules were suspended on motion of Mr. Collins, and the bill was read as second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

PAPERS FROM THE HOUSE.

Patricia Foley,-- sick leave.

A Bill to establish a sick leave bank for Patricia Foley, an employee of the Massachusetts Department of Transportation (House, No. 4151,-- on petition),-- was read.

There being no objection, the rules were suspended, on motion of Mr. Tran, and the bill was read a second time and ordered to a third reading.

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

Marijuana operators,-- unlicensed.

Petition (accompanied by bill, House, No. 4168) of Hannah Kane and others relative to unlicensed marijuana operators;

Under suspension of Joint Rule 12, to the committee on Cannabis Policy.

Petition (accompanied by bill, House, No. 4169) of Antonio F.D. Cabral and Mark C. Montigny for legislation to establish a sick leave bank for Jay D. Perry, an employee of the Massachusetts Department of Transportation; Jay D. Perry,-- sick leave.

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

PAPERS FROM THE HOUSE

Engrossed Bills.

The following engrossed bills (the first of 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. Timilty) and laid before the Governor for his approbation, to wit: Bills laid before the Governor.

Establishing a sick leave bank for Linda Kenney, an employee of the Center for Health Information and Analysis (see Senate, No. 2329, amended);

Exempting Ryan M. Charette from the maximum age requirement for appointment as a firefighter in the town of Dracut (see House, No. 3703);

Making the charter of the town of Nantucket gender neutral (see House, No. 4011);

Establishing a sick leave bank for Karen Phillips, an employee of the department of mental health (see House, No. 4046, amended);

Exempting the labor service positions of the department of public works in the city of Medford from the civil service laws (see House, No. 4082); and

Establishing a sick leave bank for Jacqueline Dayton, an employee of the office of the chief medical examiner (see House, No. 4093, amended).

Moment of Silence.

At the request of the Chair (Mr. Timilty), the members, guests and staff stood in a moment of silence and reflection to the memory of Reverend James W. Cox. Moment of silence.

Order Adopted.

On motion of Mr. Tran,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Wednesday 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 Reverend James W. Cox.

The Senator from Cape and Islands, Mr. Cyr, requested that when the Senate adjourns today, it do so in memory of Reverend James W. Cox of Provincetown.

James W. Cox, "Reverend Jim" as he was fondly known, passed away at home on September 10, 2019, surrounded by friends. He was 59 years old.

Mr. Cox, a longtime Cape Cod resident, will be remembered for his devotion to his community and his caring and accepting nature. Born in Barnstable and raised in Wellfleet, he was an active, dedicated member of the Provincetown community and served the broader Cape community for decades. A retired elder in the New England Conference of the United Methodist Church, Mr. Cox was deeply committed to his faith and served as pastor of the Provincetown United Methodist Church and other churches throughout the Commonwealth. He was dedicated to charitable organizations such as the Soup Kitchen in Provincetown, the AIDS Support Group of Cape Cod, the Provincetown Swim for Life,

and the Homeless Prevention Council.

Following graduation from Nauset Regional High School, Mr. Cox studied at Centenary College in Shreveport, LA and Boston University, where he earned a Master of Divinity Degree. He was fully ordained into the United Methodist Church and invited all to attend his services, regardless of their race, sexual orientation, gender identity, or religious beliefs.

In addition to his admirable commitment to his community involvements, Mr. Cox was a loving son of Hazel (Atwood) Cox of Keene, NH and the late Howard D. Cox. He is survived by his brothers, Jeffrey H. Cox and his wife, Kerry, of South Wellfleet and Howard D. Cox and his wife, Jennifer, of Brewster, as well as several nieces.

Accordingly, as a mark of respect in memory of Reverend James W. Cox, at one minute before twelve o'clock noon, on motion of Mr. Tran, the Senate adjourned to meet again on Wednesday next at eleven o'clock A.M.