

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, DECEMBER 5, 2019.

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JOURNAL OF THE SENATE

Thursday, December 5, 2019.

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

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

Pledge of allegiance.

Distinguished Guests.

Thee being no objection, the Chair (Mr. Boncore) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced, in the rear of the Chamber, Mary Jane Byrnes. Mrs. Byrnes is a member of the Wilmington School Committee and recipient of the 2019 MASC Division I, All-State School Committee Award. Her husband, Joseph Burns, accompanied her. They were also the guests of Representative Robertson and Representative Gordon. They were welcomed with applause and withdrew from the Chamber.

Mary Jane Byrnes.

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 Senator Ryan C. Fattman (replacing former Senator Viriato M. deMacedo) (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 December 5, 2019); and

Special Commission,-- DOC/Sheriff's funding.

Communication from the Department of Public Health acknowledging receipt of the plan of correction for Suffolk County Jail, Boston in response to an inspection on October 24 and 25, 2019 (received December 4, 2019).

DPH, -- POC. SD2665.

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Cyr, a petition (accompanied by bill) (subject to Joint Rule 12) of Julian Cyr, Michael D. Brady and Michelle M. DuBois for legislation to establish a sick leave bank for Alison Neas, an employee of the Department of Developmental Services; and

Alison Neas,-- sick leave. SD2666

By Mr. Finegold, a petition (accompanied by bill) (subject to Joint Rule 12) of Barry R. Finegold for legislation relative to college athlete compensation;

College athletes,-- compensation. SD2664

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

Reports of Committees.

By Mr. Kennedy, for the committee on Tourism, Arts and Cultural Development, on petition, a Bill relative establishing a food tourism task force (Senate, No. 2023); and

Massachusetts Food Tourism Task Force.

By the same Senator, for the same committee, on petition, a Bill preventing funds

Traveling shows,--

deposited in children's savings accounts from counting against cash assistance benefits (Senate, No. 2028, changed by inserting in Section 1, after subsection (d), the following new subsection:- (e) Giraffidae);

animal use.

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

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 House Bill changing the board of selectmen of the town of Sunderland to a select board (House, No. 4066) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Sunderland,-- select board.

Moment of Silence.

At the request of the Chair (Mr. Boncore), the members, guests and staff stood in a moment of silence and reflection to the memory of Maureen Burgess.

Moment of silence.

PAPER FROM THE HOUSE.

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Erica Moore, an employee of the Hogan Regional Center in the department of developmental services (see House, No. 4111), 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.

Erica Moore,-- sick leave.

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

Recess.

There being no objection, at a quarter past eleven o'clock A.M., the Chair (Mr. Boncore) declared a recess subject to the call of the Chair; and at a quarter past five o'clock P.M., the Senate reassembled, Mr. Boncore the Chair.

Recess.

PAPERS FROM THE HOUSE

Engrossed Bills.

The following engrossed bills (all of which originated in the House), 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. Boncore) and laid before the Governor for his approbation, to wit:

Bills laid before the Governor.

Establishing a select board in the town of Northfield (see House, No. 3907);

Exempting all uniformed positions in the fire department of the town of Acushnet from the civil service law (see House, No. 3916);

Authorizing the town of Williamsburg to continue the employment of Michael Wayne, a member of the police department of the town of Williamsburg (see House, No. 3955, amended);

Authorizing the town of Gill to continue the employment of Gene M. Beaubien (see House, No. 4055);

UNCORRECTED PROOF.

Authorizing the town of Fairhaven to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4086); and

Establishing a sick leave bank for Erica Moore, an employee of the Hogan Regional Center in the department of developmental services (see House, No. 4111).

Order Adopted.

On motion of Mr. Tarr--

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow at one o'clock P.M.

Time of meeting.

Adjournment in Memory of Maureen Burgess.

The Senator from the Cape and Islands, Mr. Cyr requests that when the Senate adjourns today, it adjourn in memory of Maureen Burgess, of Truro, who died on November 11, 2019. She was 72 years old.

An avid learner, Maureen graduated from New York University at the age of 21 with a license in physical therapy. She continued on to receive a master's degree in developmental psychology from Columbia University. In all of her studies and later work she focused on improving the lives of children. Maureen ran a pediatric physical therapy practice until 1998 when she became a faculty member at New York Medical College.

In 2003 Maureen and her husband retired to Truro. Since 2012 she represented Truro on the Cape Cod National Seashore Advisory Commission. She advised Seashore managers on responsible management of the national park lands that span the outer cape. A staunch environmentalist, she fought hard for years for the safe closure of Pilgrim Nuclear Power Plant. In 2014, Maureen was elected to the Truro Select Board. She was known as a dedicated, persistent, and engaged public servant. She always did her homework and was a full participant in everything she did as a member of the board. She truly wanted the best for Truro, listened to the townspeople, and was a voice for collaboration and consensus building. She also volunteered with the International Fund for Animal Welfare to protect nesting birds.

Maureen is survived by her husband of 48 years, Peter, along with cousins, nieces, and nephews. She will be sorely missed by her friends and neighbors in Truro, but all are grateful for her warmth and service.

Accordingly, as a mark of respect in memory of Maureen Burgess, at sixteen minutes past five o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again tomorrow at one o'clock P.M.