

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, MARCH 5, 2020.

JOURNAL OF THE SENATE

Thursday, March 5, 2020.

Met at nineteen minutes past eleven o'clock A.M. (Ms. Lovely 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 (Ms. Lovely), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Distinguished Guest.

There being no objection, the President handed the gavel to Mr. Timilty for the purpose of an introduction. Mr. Timilty then introduced, Heather Mae Walker, the Vice President of Public Relations for the Boston Celtics and Celtics player Enes Kanter. The Senate welcomed them with applause and they withdrew from the Chamber.

Heather Walker and Enes Kanter.

Reports.

Report of the Massachusetts Capital Resource Company (under the provisions of Section 20 of Chapter 816 of the Acts of 1977) submitting its forty-third annual report (Senate, No. 2578) (received March 3, 2020),-- was referred to the committee on Revenue.

MCRC,-- 43rd annual report.

Sent to the House for concurrence.

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

Report of the Massachusetts Gaming Commission (pursuant to Section 70 of Chapter 23K of the General Laws) submitting its 2019 annual report (received February 28, 2020); and

MGC,-- annual report. SD2848

Report of the Multi-Agency Illegal Tobacco Task Force (pursuant to Section 40(d) of Chapter 64C of the General Laws) submitting its fiscal year 2020 annual report (received March 2, 2020).

Tobacco Task Force, - annual report. SD2849

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Tarr (by request), a petition (accompanied by bill) (subject to Joint Rule 12) of Melanie LaRocca for legislation relative to rabies and other vaccination requirements and licensing; and

Vaccinations,-- rabies. SD2851

By the same Senator (by request), a petition (accompanied by bill) (subject to Joint Rule 12) of Eva Korpi for legislation to reduce the environmental impact of cigarette butts in streams, rivers, and in the ocean by increasing the tax on cigarettes by 100%;

Cigarette tax. SD2852

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

Orders.

Mr. Finegold presented an Order relative to granting the committee on Election Laws be granted until April 30, 2020, within which time to make its final report on current Senate document numbered 389, relative to eligible lists of voters (Senate, No. 2582); and

Election Laws,--
extension order.

By the same Senator, an Order relative to granting the committee on the Election Laws until June 1, 2020, within which time to make its final report on a current Senate document relative to supporting parents running for public office (Senate, No. 2583);

Id.

Severally referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently.

Reports of Committees.

By Mr. Cyr, for the committee on Mental Health, Substance Use and Recovery, on petition, a Bill to strengthen prescription drug safety and drug stewardship (Senate, No. 1149); and

Prescription drug
safety.

By the same Senator, for the same committee, on petition, a Bill relative to allowing increased data access in opiate overdose reports (Senate, No. 1151);

Opiate overdose,--
reports.

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

By Mr. Moore, for the committee on Bonding, Capital Expenditures and State Assets, that the Senate Bill relative to proceeds from the sale of bonds (Senate, No. 1184),-- ought to pass;

Bond sales,--
proceeds.

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

By Mr. Feeney, for the committee on Consumer Protection and Professional Licensure, on petition, a Bill relative to the licensure of appraisers (Senate, No. 182);

Appraisers,--
licensure.

By Mr. Lewis, for the committee on Education, on Senate, Nos. 312 and 322, a Bill stopping harm inflicted by the exploitation of life and development (Senate, No. 2579);

Sexual abuse,--
children.

By the same Senator, for the same committee, on Senate, Nos. 327 and 2324, a Bill concerning genocide education (Senate, No. 2581);

Genocide,-- school
curriculum.

By Ms. Gobi, for the committee on Environment, Natural Resources and Agriculture, on petition, a Bill expanding the sale of products by farmer breweries and pub brewers (Senate, No. 461);

Farmer breweries,--
sales.

By Ms. Gobi, for the committee on Higher Education, on petition, a Bill related to educational courses in wine tasting at a qualified institution of higher education (Senate, No. 768);

Wine tasting,--
courses.

By the same Senator, for the same committee, on Senate, Nos. 736, 747 and 764, a Bill relative to sexual violence on higher education campuses (Senate, No. 2580); and

Campuses,-- sexual
violence.

By Mr. Pacheco, for the committee on State Administration and Regulatory Oversight, on petition, a Bill authorizing the commissioner of capital asset management and maintenance to convey an easement in certain land in the city of Fall River (Senate, No. 2472);

Fall River,--
easement.

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

Committees Discharged.

Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration of the Senate Order relative

Economic
Development and

to authorizing the joint committee on Economic Development and Emerging Technologies, to make an investigation and study of certain current Senate documents relative to economic development issues (Senate, No. 2575),-- and recommending that the same be referred to the committee on Rules.

Emerging Technologies committee,-- study.

Under Senate Rule 36, the report was considered forthwith and accepted.

Mr. Finegold, for the committee on Public Service reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1477) of William N. Brownsberger for legislation to protect non-medicare retirees,-- and recommending that the same severally be referred to the committee on Ways and Means

Non-medicare retirees.

Under Senate Rule 36, the reports were considered forthwith and accepted. Sent to the House for concurrence in the discharge of the joint committee.

PAPERS FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation relative to expanding opportunities for minority and women business enterprises in public construction projects (House, No. 4511),-- **was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.**

Minority and women opportunities.

A petition (accompanied by bill, House, No. 4517) of Denise Provost and others (with the approval of the mayor and city council) that the city of Somerville be authorized to allow certain tenants and entities the right to purchase certain residential property when that property is being offered for sale,-- **was referred, in concurrence, to the committee on Housing.**

Somerville,-- tenants rights.

Resolutions.

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

Resolutions (filed by Ms. Lovely) “congratulating the Maple Street Congregational Church, United Church of Christ on the occasion of its one hundred and seventy-fifth anniversary.”

Maple Street Congregational Church.

Reports of Committees.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of James T. Welch for legislation to protect the health and livelihood of employees of the Roderick L. Ireland Courthouse and Hampden Juvenile Court.

Ireland Courthouse,-- employees. SD2829

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 The Judiciary.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Bruce E. Tarr, Kenneth I. Gordon and David Allen Robertson for legislation to provide certain retirement benefits for Thomas W. Devlin, a trooper of the Department of State Police.

Thomas W. Devlin,-- retirement benefits. SD2830

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 Service.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Michael D. Brady and Kathleen R. LaNatra for legislation to authorize the commissioner of the Division of Capital Asset

Halifax,-- land. SD2841

Management and Maintenance to convey and acquire certain parcels of land in the town of Halifax.

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 State Administration and Regulatory Oversight.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Bruce E. Tarr, Mark C. Montigny, Ryan C. Fattman, Dean A. Tran and other members of the General Court for legislation relative to the MBTA Pension Fund Sustainability.

MBTA,--
pension fund.
SD2826

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 Transportation.

Severally 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 House Bill providing for the charter of the town of Plymouth (House, No. 1811) (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.**

Plymouth,--
charter.

The Senate Bill establishing a sick leave bank for Tracey Pisano, an employee of the trial court of the commonwealth (Senate, No. 2556) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Tracey Pisano,--
sick leave.

Sent to the House for concurrence.

Reports of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, on petition, a Bill authorizing the department of revenue to approve a revised tax rate for the city of Taunton for the fiscal year 2020 (Senate, No. 2535);

Taunton,--
revised tax rate.

The bill was read. There being no objection, the rules were suspended, on motion Mr. Fattman, and the bill was read a second time, ordered to a third reading, read, a third time and passed to be engrossed.

Sent to the House for concurrence.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill authorizing the division of capital asset management and maintenance to convey certain parcels of land in the city of Salem (Senate, No. 1881),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2584).

Salem,--
land.

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

The bill (Senate, No. 2584) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill authorizing the commissioner of Capital Asset Management and Maintenance to grant an

Princeton,--
easement.

easement in the town of Princeton (House, No. 4184),-- ought to pass.

There being no objection, the rules were suspended, on motion of Mr. Timilty, and the bill 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 as follows: “An Act authorizing the commissioner of capital asset management and maintenance to grant an easement upon certain land in the town of Princeton”.

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill designating a certain pavilion shelter on the Esplanade in the city of Boston as the Priebatsch Pavilion (see House, No. 4124) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the Acting President (Ms. Lovely) and laid before the Governor for his approbation.**

Bill laid before Governor.

Moment of Silence.

The Chair (Ms. Lovely), the members, guests and staff stood in a moment of silence and reflection to the memory of Marguerite R. Coughlin.

Moment of silence.

Order Adopted.

On motion of Mr. Fattman,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday next at eleven o'clock A.M., and the Clerk be directed to dispense with the printing of a calendar.

Time of meeting.

Adjournment in Memory of Marguerite R. Coughlin.

The Senator from Essex, Ms. Lovely, moved that when the Senate adjourns today, it adjourn in memory of Marguerite R. Coughlin, 91, of Beverly.

Marguerite, beloved wife of William J. Coughlin, passed away on January 6, 2020 at the Rosewood Rehabilitation Center in Peabody, after a brief illness. Marguerite was born in Melrose to the late Edward and Genevieve Waitt.

Mrs. Coughlin was a dedicated teacher in Beverly at the Centerville Elementary School, and kept in touch with her former students, being invited to many special events in their lives in the years to come.

Marguerite was well remembered as a member of the Planning Board and received a plaque from former Mayor William Scanlon attesting to her many years of active service. She was also well known for helping others as a voice for people who needed assistance in navigating local and state laws. Helping others was her mantra and she was resolved to aiding the less fortunate in life. In any circumstance, she was quick to respond and be a force in the lives of others.

Marguerite was a strong partner to her husband and best friend Bill, who served as a City Councilor in Beverly for fourteen years. Together, they were a team dedicated to each other for 66 loving years, strongly committed to their marriage vows. Bill and Marguerite were the recipients of the Beverly Council of Aging Senior Citizens Award for their many years of service to the community. Moreover, they were active in the Senior Club at the Beverly COA

In addition to her husband of 66 years, Marguerite is survived by her two daughters, Kathleen Kalentkowski and her husband Edward, and Cheryl Coughlin. Her two sons, William J. Coughlin III and Matthew J. Coughlin, predeceased her.

Additionally, Grammie was blessed with eight loving grandchildren: Kristen Kalentkowski Gauvin, Megan Marchand and her husband Christopher, Alyssa Coyle and her husband Chris, Matthew Kalentkowski and his wife Bianca, Sara Bucknam, Jena Bucknam, Jimmy Coughlin, Laura Coughlin, and great-grandson, Liam Gauvin.

Accordingly, as a mark of respect in memory of Marguerite R. Coughlin, at half past eleven o'clock A.M., on motion of Mr. Fattman, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.