

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, NOVEMBER 23, 2020

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JOURNAL OF THE SENATE

Monday, November 23, 2020.

Met at twelve minutes before twelve o'clock noon (Mr. Timilty 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. Timilty), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Communication.

Communication from the Department of Higher Education (pursuant to line item 7066-0036 of Chapter 41 of the Acts of 2019) submitting its annual report on the STEM Starter Academy program (received November 17, 2020),-- was placed on file.

DHE,--
STEM report.
SD3114

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 5144) of Tami L. Gouveia and Michael J. Barrett (by vote of the town) that the town of Concord be authorized to grant additional liquor licenses for the sale of wines and malt beverages to be drunk on the premises;

Concord,-- liquor
licenses.

To the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 5145) of Tami L. Gouveia and Michael J. Barrett (by vote of the town) relative to a permanent senior means tested property tax exemption in the town of Concord;

Concord,-- senior
property tax
exemption.

To the committee on Revenue.

Reports of Committees.

By Mr. Finegold, for the committee on Public Service, on petition (accompanied by bill, Senate, No. 2954), a Bill establishing a sick leave bank for Keith Trudell, an employee of the department of mental health (Senate, No. 2960).

Keith Trudell,-- sick
leave.

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

By Mr. Boncore, for the committee on Transportation, on petition, a Bill authorizing the town of Marblehead to amend Chapter 37 of the Acts of 2004: Parking Violations in the Town of Marblehead (Senate, No. 2938) [Local approval received].

Marblehead,--
parking violations.

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

By Ms. Rausch, for the committee on Municipalities and Regional Government, on petition, a Bill amending the charter for the regional government of Barnstable County (Senate, No. 2928) [Local approval received].

Barnstable County,--
charter.

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

Matters Taken Out of the Orders of the Day.

The following matters were taken out of the Orders of the Day and considered as follows:

The Senate Bill authorizing the city known as the town of Randolph to grant 2 additional licenses for the sale of wine or malt beverages not to be drunk on the premises (Senate, No. 2929) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Randolph,--
liquor licenses.

Sent to the House for concurrence.

The House Bill changing the name of the board of selectmen in the town of West Boylston to select board (House, No. 4214) (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.**

West Boylston,--
board of selectmen.

The House Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Chelsea (House, No. 4891, amended),-- was read a third time.

Chelsea,-- land.

Pending the question on passing the bill to be engrossed, Mr. DiDomenico presented an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2961.

The amendment was adopted.

The bill, as amended, was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 5153) of Jonathan D. Zlotnik that the commissioner of Capital Asset Management and Maintenance be authorized to lease a certain parcel of land on the Mount Wachusett Community College campus in the city of Gardner to Heywood Healthcare Inc.,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.**

Gardner,-- land.

The House Bill making appropriations for the fiscal year 2021 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 5151),— 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 document numbered 2955, and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Michelwitz of Boston, Garlick of Needham and Smola of Warren had been appointed the committee on the part of the House.

General
appropriations bill.

On motion of Mr. Fattman, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Rodrigues, Friedman and O'Connor were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Marshall Johnson, an employee of the department of conservation and recreation (see House, No. 5019), having been

Marshall Johnson,--
sick leave.

UNCORRECTED PROOF.

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.

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

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. Timilty) and laid before the Governor for his approbation, to wit:

Amending certain liquor licenses in the town of Winchester (see House, No. 3991);
and

Bills laid before the Governor.

Establishing a sick leave bank for Carissa Sinclair, an employee of the department of mental health (see House, No. 4875).

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 Jay Ciccone, Jr.

Moment of silence.

Order Adopted.

On motion of Mr. Fattman,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Wednesday 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 Jay Ciccone, Jr.

The Senator from Middlesex and Norfolk, Ms. Creem, moves that when the Senate adjourns today, it adjourn in memory of Newton City Councilor-at-large Jay Ciccone, Jr., who passed away suddenly on November 7, 2020 at the age of 55.

Jay, the son of Allan L. Ciccone, Sr. and the late Patricia N. "Patti" (Maloney) Ciccone, was born in Newton. He worked in the Sherborn Police department and retired after 17 years as a police officer. He was first elected to the Newton City Council in 2007 and was serving his 7th term in Ward 1 in Nonantum as a City Councilor-at-large.

Jay was active in his community and belonged to several neighborhood organizations, including the St. Mary of Carmen Society in Nonantum. He also coached local football and baseball teams.

He will be recalled as a dedicated public servant who was a "man of the people". He was devoted to his family, his late father, 4 children, 2 grandchildren and girlfriend. He leaves behind his beloved girlfriend Diane Shepard, his children Allan L. Ciccone, III and his wife Andrea, Joseph Ciccone and his fiancée Mihaela Manea, Caitlin Connolly and her husband Chris, and Colleen Ciccone, grandchildren Alessia Ciccone and Cameron Connolly, as well as siblings and numerous relatives. He will be fondly remembered by the Newton community, the Newton City Council and all those who knew him.

Accordingly, as a mark of respect in memory of Jay Ciccone, Jr., at eleven minutes past twelve o'clock noon, on motion of Mr. Fattman, the Senate adjourned to meet again on Wednesday next at eleven o'clock A.M.

