
The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, JULY 30, 2020

[77]

JOURNAL OF THE SENATE

Thursday, July 30, 2020.

Met at twenty-eight minutes past one o'clock P.M. (Mr. Rush 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. Rush), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Report.

Report of the Supplier Diversity Office of the Operational Services Division (pursuant to Section 61(s) of Chapter 7 of the General Laws) submitting its Comprehensive Annual Report for Fiscal Year 2019 (received July 28, 2020),-- was placed on file.

SDO,-- annual report. SD3022

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4917) of Michael J. Finn and James T. Welch (with the approval of the mayor and town council) that the city known as the town of West Springfield be authorized to grant easements and conservation restrictions to all or portions of certain parcels of land owned by said city to the Department of Conservation and Recreation;

West Springfield,-- easements.

To the committee on Environment, Natural Resources and Agriculture.

Petition (accompanied by bill, House, No. 4915) of Michael J. Moran (with the approval of the mayor and city council) relative to certain affordable housing in the Brighton section of the city of Boston;

Brighton,-- affordable housing.

To the committee on Housing.

A Bill promoting awareness of sewage pollution in public waters (House, No. 4921,-- on Senate, No. 490 and House, No. 751), -- was read and, under Senate Rule 27, referred to the committee on Ways and Means.

Sewage pollution.

The Senate Order relative to granting the committee on Mental Health, Substance Use and Recovery until July 29, 2020, within which time to report on current Senate documents numbered 1144, 1145, 1152, 1153, 1154 and 1160, relative to Mental Health, Substance Use and Recovery matters (Senate, No. 2821), came from the House with an amendment in line 2 by striking out the figures "29" and inserting in place thereof the figures "31".

Mental Health, Substance Use and Recovery Extension Order.

The rules were suspended, on motion of Ms. Friedman, and the Senate concurred in the House amendment.

The Senate Bill authorizing the city of Gloucester to use certain lands for municipal school purposes (Senate, No. 2628),-- 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 numbered 4872.

Gloucester,-- municipal school purposes.

The rules were suspended, on motion of Mr. Cyr, and the House amendment was

considered forthwith.

Mr. Tarr moved that the Senate concur with the House amendment *with a further amendment* striking out section 1, inserted by the house amendment, and inserting in place thereof the following section:-

“SECTION 1. Notwithstanding any general or special law to the contrary, the city of Gloucester may transfer the care, custody and control of certain city-owned land comprising approximately 2.7 acres, more or less, located at 11 Webster street, which includes Mattos field, and is described in deeds recorded in the Essex southern district registry of deeds in book 2599, page 151 and book 2867, page 34 to the school committee of the city of Gloucester for school purposes without any restrictions imposed on such use by Article 97 of the Amendments to the Massachusetts Constitution.”.

**The motion was accepted; and the further amendment was adopted.
Sent to the House for concurrence in the further amendment.**

Resolutions.

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

Resolutions (filed by Mr. DiDomenico) “commending Grace Sterling Stowell on her fortieth anniversary serving with the Boston Alliance of Gay, Lesbian, Bisexual and Transgender Youth”; and

Grace Sterling Stowell.

Resolutions (filed by Mr. Fattman) “congratulating the town of Bellingham on being recognized as a Purple Heart Town.”

Bellingham,-- Purple Heart Town.

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 authorizing the town of Harvard to convey an easement over a certain parcel of conservation land (Senate, No. 2779) (its title having been changed by the committee on Bills in the Third Reading),-- was read a third time.

Harvard,-- conservation land.

Pending the question on passing the bill to be engrossed, Mr. Eldridge offered an amendment substituting a new draft with the same title (Senate, No. 2866).

**The amendment was adopted.
The bill (Senate, No. 2866) was then passed to be engrossed.
Sent to the House for concurrence.**

Reports of Committees.

By Ms. Rausch, for the committee on Municipailites and Regional Goernment, on petition, a Bill relative to the position of treasurer collector in the town of Lakeville (Senate, No. 2838).

Lakeville,-- treasurer collector.

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

By Mr. Pacheo, for the committee on State Administration and Regulatory Oversight, on petition, a Bill authorizing the commissioner of the Division of Capital Asset Management and Maintenance to convey and acquire certain parcels of land in the town of Halifax (Senate, No. 2627).

Halifax,-- land conveyance.

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

Step therapy.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill relative to step therapy and patient safety (Senate, No. 2433),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2843).

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

The bill (Senate, No. 2843) was then ordered to a third reading and read a third time.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at two minutes before two o'clock P.M., on motion of Mr. Cyr, as follows to wit (yeas 39-- nays 0) **[Yeas and Nays No. 261]:**

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Jehlen, Patricia D. |
| Boncore, Joseph A. | Keenan, John F. |
| Brady, Michael D. | Kennedy, Edward J. |
| Brownsberger, William N. | Lesser, Eric P. |
| Chandler, Harriette L. | Lewis, Jason M. |
| Chang-Diaz, Sonia | Lovely, Joan B. |
| Collins, Nick | Montigny, Mark C. |
| Comerford, Joanne M. | Moore, Michael O. |
| Creem, Cynthia Stone | Moran, Susan L. |
| Crighton, Brendan P. | O'Connor, Patrick M. |
| Cyr, Julian | Pacheco, Marc R. |
| DiDomenico, Sal N. | Rausch, Rebecca L. |
| DiZoglio, Diana | Rodrigues, Michael J. |
| Eldridge, James B. | Rush, Michael F. |
| Fattman, Ryan C. | Tarr, Bruce E. |
| Feeney, Paul R. | Timilty, Walter F. |
| Finegold, Barry R. | Tran, Dean A. |
| Friedman, Cindy F. | Velis, John C. |
| Gobi, Anne M. | Welch, James T. – 39. |
| Hinds, Adam G. | |

NAYS – 0.

The yeas and mays having been completed at seven minutes past two o'clock P.M., the bill was passed to be engrossed.

Sent to the House for concurrence.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill relative to out-of-hospital birth access and safety (Senate, No. 1332),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2863).

Midwifery,-- board of registration.

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

The bill (Senate, No. 2863) was then ordered to a third reading and read a third time.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at twenty-five minutes past two o'clock P.M., on motion of Ms. Rausch, as follows to wit (yeas 39-- nays 0) **[Yeas and Nays No. 262]:**

YEAS.

- | | |
|---------------------|---------------------|
| Barrett, Michael J. | Jehlen, Patricia D. |
|---------------------|---------------------|

UNCORRECTED PROOF.

Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
DiDomenico, Sal N.
DiZoglio, Diana
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.

Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.
Velis, John C.
Welch, James T. – 39.

NAYS – 0.

The yeas and nays having been completed at a half past two o'clock P.M., the bill was passed to be engrossed.

Sent to the House for concurrence.

PAPER FROM THE HOUSE.

The Senate Bill Putting Patients First (Senate, No. 2796),-- 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 numbered 4916.

Patients First.

Mr. O'Connor moved that the Senate NON-concur in the House amendment and asked for a committee of conference on the disagreeing votes of the two branches; and Senators Friedman, Cyr and Tran were appointed to the committee on the part of the Senate.

The bill was returned to the House endorsed accordingly.

Reports of Committees.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill concerning genocide education (Senate, No. 2581),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2845).

Genocide,-- school curriculum.

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

The bill (Senate, No. 2845) was then ordered to a third reading and read a third time.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at thirteen minutes before three o'clock P.M., on motion of Mr. Rodrigues as follows to wit (yeas 40– nays 0) **[Yeas and Nays No. 263]:**

YEAS.

Barrett, Michael J.
Boncore, Joseph A.
Brady, Michael D.

Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.

Brownsberger, William N.
 Chandler, Harriette L.
 Chang-Diaz, Sonia
 Collins, Nick
 Comerford, Joanne M.
 Creem, Cynthia Stone
 Crighton, Brendan P.
 Cyr, Julian
 DiDomenico, Sal N.
 DiZoglio, Diana
 Eldridge, James B.
 Fattman, Ryan C.
 Feeney, Paul R.
 Finegold, Barry R.
 Friedman, Cindy F.
 Gobi, Anne M.
 Hinds, Adam G.

Lesser, Eric P.
 Lewis, Jason M.
 Lovely, Joan B.
 Montigny, Mark C.
 Moore, Michael O.
 Moran, Susan L.
 O'Connor, Patrick M.
 Pacheco, Marc R.
 Rausch, Rebecca L.
 Rodrigues, Michael J.
 Rush, Michael F.
 Spilka, Karen E.
 Tarr, Bruce E.
 Timilty, Walter F.
 Tran, Dean A.
 Velis, John C.
 Welch, James T. – 40.

NAYS – 0.

**The yeas and nays having been completed at six minutes before three o'clock P.M., the bill was passed to be engrossed.
 Sent to the House for concurrence.**

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

The Senate Bill relative to improving access to treatment for individuals with perinatal substance use disorder (Senate, No. 2482) (the committee on Rules having recommended that the bill be amended by substituting a new draft entitled a “Resolve relative to improving access to treatment for individuals with perinatal substance use disorder” (Senate, No. 2864).

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

The resolve (Senate, No. 2864) was then ordered to a third reading and read a third time.

After remarks, the question on passing the resolve to be engrossed was determined by a call of the yeas and nays, at three minutes past three o'clock P.M., on motion of Ms. Lovely as follows to wit (yeas 39– nays 0) [**Yeas and Nays No. 264**]:

YEAS.

Barrett, Michael J.
 Boncore, Joseph A.
 Brady, Michael D.
 Brownsberger, William N.
 Chandler, Harriette L.
 Chang-Diaz, Sonia
 Collins, Nick
 Comerford, Joanne M.
 Creem, Cynthia Stone
 Crighton, Brendan P.
 Cyr, Julian
 DiDomenico, Sal N.

Jehlen, Patricia D.
 Keenan, John F.
 Kennedy, Edward J.
 Lesser, Eric P.
 Lewis, Jason M.
 Lovely, Joan B.
 Montigny, Mark C.
 Moore, Michael O.
 Moran, Susan L.
 O'Connor, Patrick M.
 Pacheco, Marc R.
 Rausch, Rebecca L.

Perinatal,-- substance use.

UNCORRECTED PROOF.

DiZoglio, Diana
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.

Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.
Velis, John C.
Welch, James T. – **39.**

NAYS – 0.

The yeas and mays having been completed at ten minutes past three o'clock P.M., the resolve was passed to be engrossed.

Sent to the House for concurrence.

The House Bill to reduce racial inequities in maternal health (House, No. 4818) (the committee on Rules 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 2865).

Maternal health.

There being no objection, the rules were suspended, on motion of Ms. Lovely, and the bill was read a second time and was amended, as recommended by the committee on Rules.

The bill, as amended, was then ordered to a third reading and read a third time.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at twenty-one minutes past three o'clock P.M., on motion of Ms. Lovely as follows to wit (yeas 39– nays 0) [**Yeas and Nays No. 265**]:

YEAS.

Barrett, Michael J.
Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
DiDomenico, Sal N.
DiZoglio, Diana
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.

Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.
Velis, John C.
Welch, James T. – **39.**

NAYS – 0.

The yeas and mays having been completed at twenty-nine minutes past three o'clock P.M., the bill was passed to be engrossed.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A Bill authorizing the division of capital asset management and maintenance to convey a certain portion of the Gardner Heritage State Park to the city of Gardner (House, No. 4911,-- on House, No. 2801),-- was read.

Gardner Heritage State Park.

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

A Bill relative to the penalties for the crime of female genital mutilation (House, No. 4606,-- on Senate, No. 834 and House, Nos. 1466 and 3332),-- was read.

Female genital mutilation.

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

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at thirteen minutes before four o'clock P.M., on motion of Mr. Boncore, as follows, to wit (yeas 39 – nays 0) **[Yeas and Nays No. 266]**:

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Jehlen, Patricia D. |
| Boncore, Joseph A. | Keenan, John F. |
| Brady, Michael D. | Kennedy, Edward J. |
| Brownsberger, William N. | Lesser, Eric P. |
| Chandler, Harriette L. | Lewis, Jason M. |
| Chang-Diaz, Sonia | Lovely, Joan B. |
| Collins, Nick | Montigny, Mark C. |
| Comerford, Joanne M. | Moore, Michael O. |
| Creem, Cynthia Stone | Moran, Susan L. |
| Crighton, Brendan P. | O'Connor, Patrick M. |
| Cyr, Julian | Pacheco, Marc R. |
| DiDomenico, Sal N. | Rausch, Rebecca L. |
| DiZoglio, Diana | Rodrigues, Michael J. |
| Eldridge, James B. | Rush, Michael F. |
| Fattman, Ryan C. | Tarr, Bruce E. |
| Feeney, Paul R. | Timilty, Walter F. |
| Finegold, Barry R. | Tran, Dean A. |
| Friedman, Cindy F. | Velis, John C. |
| Gobi, Anne M. | Welch, James T. – 39. |
| Hinds, Adam G. | |

NAYS – 0.

The yeas and nays having been completed at three minutes before four o'clock P.M., the bill was passed to be engrossed, in 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 House Bill authorizing the city of Beverly to lease all or a portion of a certain parcel of land acquired for park and recreation purposes (House, No. 4863) (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.**

Beverly,-- park land.

Recess.

There being no objection, at two minutes past four o'clock P.M., the Chair (Mr. Rush) declared a recess, subject to the call of the Chair; and at twenty-two minutes past five o'clock P.M., the Senate reassembled, the President in the Chair.

Recess.

PAPERS FROM THE HOUSE.

The following House Order (approved by the committees on Rules of the two branches, acting concurrently) was considered forthwith and adopted in concurrence, as follows, to wit:

The House Order relative to suspending Joint Rule 12A (House, No. 4910),— came from the House.

Suspension of JR12A.

The rules were suspended, on motion of Ms. Lovely, and the order was considered forthwith.

The same Senator moved to amend the order by striking out the text and inserting in place thereof the text of Senate document numbered 2873.

After remarks, the amendment was adopted.

The question on adoption of the order was determined by a call of the yeas and nays, at twenty-eight minutes past five o'clock P.M., on motion of Ms. Lovely, as follows to wit (yeas 40— nays 0) [**Yeas and Nays No. 267**]:

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Jehlen, Patricia D. |
| Boncore, Joseph A. | Keenan, John F. |
| Brady, Michael D. | Kennedy, Edward J. |
| Brownsberger, William N. | Lesser, Eric P. |
| Chandler, Harriette L. | Lewis, Jason M. |
| Chang-Diaz, Sonia | Lovely, Joan B. |
| Collins, Nick | Montigny, Mark C. |
| Comerford, Joanne M. | Moore, Michael O. |
| Creem, Cynthia Stone | Moran, Susan L. |
| Crighton, Brendan P. | O'Connor, Patrick M. |
| Cyr, Julian | Pacheco, Marc R. |
| DiDomenico, Sal N. | Rausch, Rebecca L. |
| DiZoglio, Diana | Rodrigues, Michael J. |
| Eldridge, James B. | Rush, Michael F. |
| Fattman, Ryan C. | Spilka, Karen E. |
| Feeney, Paul R. | Tarr, Bruce E. |
| Finegold, Barry R. | Timilty, Walter F. |
| Friedman, Cindy F. | Tran, Dean A. |
| Gobi, Anne M. | Velis, John C. |
| Hinds, Adam G. | Welch, James T. — 40. |

NAYS — 0.

The yeas and nays having been completed at twenty-three minutes before six o'clock P.M., the order was adopted, as amended.

Sent to the House for concurrence in the amendment.

Engrossed Bill.

Ms. Friedman in the Chair, an engrossed Bill relative to the penalties for the crime of female genital mutilation (see House, No. 4606) (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. Friedman) (having**

Bill laid before Governor.

been appointed, by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and laid before the Governor for his approbation.

Engrossed Bill—Land Taking for Conservation Etc.

An engrossed Bill authorizing the city of Beverly to lease all or a portion of a certain parcel of land acquired for park and recreation purposes (see House, No. 4863) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty minutes before six o'clock P.M., as follows, to wit (yeas 39 - nays 0) [Yeas and Nays No. 268]:

Beverly,--
park land.

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Jehlen, Patricia D. |
| Boncore, Joseph A. | Keenan, John F. |
| Brady, Michael D. | Kennedy, Edward J. |
| Brownsberger, William N. | Lesser, Eric P. |
| Chandler, Harriette L. | Lewis, Jason M. |
| Chang-Diaz, Sonia | Lovely, Joan B. |
| Collins, Nick | Montigny, Mark C. |
| Comerford, Joanne M. | Moore, Michael O. |
| Creem, Cynthia Stone | Moran, Susan L. |
| Crighton, Brendan P. | O'Connor, Patrick M. |
| Cyr, Julian | Pacheco, Marc R. |
| DiDomenico, Sal N. | Rausch, Rebecca L. |
| DiZoglio, Diana | Rodrigues, Michael J. |
| Eldridge, James B. | Rush, Michael F. |
| Fattman, Ryan C. | Tarr, Bruce E. |
| Feeney, Paul R. | Timilty, Walter F. |
| Finegold, Barry R. | Tran, Dean A. |
| Friedman, Cindy F. | Velis, John C. |
| Gobi, Anne M. | Welch, James T. – 39. |
| Hinds, Adam G. | |

NAYS – 0.

The yeas and nays having been completed at fourteen minutes before six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Ms. Friedman) and laid before the Governor for his approbation.

A 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,-- on House, No. 4409),-- was read.

Chelsea,-- land
conveyance.

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

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:

UNCORRECTED PROOF.

The House Bill authorizing the Massachusetts Water Resources Authority to release easements upon certain real property in the town of Stoneham (House, No. 4844),-- **was read a third time and passed to be engrossed, in concurrence.**

Stoneham,-- property easement.

The Senate Bill establishing a sick leave bank for Charlotte Charest, an employee of the trial court of the commonwealth (Senate, No. 2787) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Charlotte Charest,-- sick leave.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

The Senate Bill authorizing the release of an agricultural preservation restriction of certain land in Plymouth (Senate, No. 2781),-- 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 contained in House document numbered 4890; and by inserting before the enacting clause the following emergency preamble:

Plymouth,-- land release.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the execution of the release of an agricultural preservation restriction of certain land in the town of Plymouth by the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The rules were suspended, on motion of Ms. DiZoglio, and the House amendment was considered forthwith and adopted, in concurrence.

The Senate Bill authorizing the Massachusetts Department of Transportation to release its interest by deed or to grant an easement in a certain parcel of land in the city of Fall River (Senate, No. 2780),-- 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 contained in House document numbered 4914.

Fall River,-- easement.

The rules were suspended, on motion of Ms. Lovely, and the House amendment was considered forthwith and adopted, in concurrence.

Recess.

There being no objection, at twenty-one minutes before six o'clock P.M., the Chair (Ms. Friedman) declared a recess, subject to the call of the Chair; and at seven minutes before eight o'clock P.M., the Senate reassembled, the President in the Chair.

Recess.

Suspension of Senate Rule 38A.

Mr. Tarr moved that Senate Rule 38A be suspended to allow the Senate to meet beyond the hour of 8:00 P.M.; and the same Senator requested unanimous consent that the rules be suspended without a call of the yeas and nays. There being no objection, the motion was considered forthwith, and it was adopted.

Senate Rule 38A.

Recess.

There being no objection, at five minutes before eight o'clock P.M., the President declared a recess, subject to the call of the Chair; and at thirteen minutes before nine o'clock P.M., the Senate reassembled, the President in the Chair.

PAPER FROM THE HOUSE.

The House Bill enabling partnerships for growth (House, No. 4887),-- 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 2874), and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Michlewitz of Boston, Ferrante of Gloucester and Wong of Saugus had been appointed to the committee on the part of the House.

Economic
Development.

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

The bill was returned to the House endorsed accordingly.

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. in a full formal session without a calendar.

Time of meeting.

On motion of the same Senator, at eleven minutes before nine o'clock P.M., the Senate adjourned to meet again tomorrow at one o'clock P.M.