

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



WEDNESDAY, NOVEMBER 27, 2019.

JOURNAL OF THE SENATE

Wednesday, November 27, 2019.

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

Pledge of allegiance.

Communication.

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

Communication from the Department of Public Health submitting its plan of correction relative to inspection of NCCI Gardner (received November 25, 2019); and

DPH,-- plan of correction. SD2649
DPH,-- Berkshire POC. SD2654

Communication from the Department of Public Health acknowledging receipt of the plan of correction for Berkshire County Jail and House of Correction Pittsfield in response to an inspection on November 8, 2019 (received November 26, 2019).

Reports.

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

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspection of Franklin County Jail and House of Correction, Greenfield (received November 25, 2019);

DPH,-- facility inspection. SD2650

Report of the Human Resources Division (pursuant to Section 25 of Chapter 31 of the General Laws) submitting a list of civil service fire promotional series eligible lists that have been revoked (received November 25, 2019);

HRD,-- fire eligible lists. SD2651

Report of the Merrimack Valley Regional Transit Authority (pursuant to Section 8(g) of Chapter 161B of the General Laws) submitting its financial statements and supplementary information for the year ended June 30, 2019 (received November 25, 2019);

MVRTA,-- financial statement. SD2652

Report of the Martha's Vineyard Transit Authority (pursuant to Section 8(g) of Chapter 161B of the General Laws) submitting its financial statements and supplementary information for the year ended June 30, 2019 (received November 26, 2019); and

VTA,-- financial statement. SD2653

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspections of the following correctional facilities: Hampshire County Jail and House of Correction, Northampton; MASAC in Plymouth, Carver; Massachusetts Treatment Center, Bridgewater; MCI Cedar Junction, Walpole; MCI Framingham; Middlesex County Jail and House of Corrections, Billerica; MCI Shirley; Norfolk Country House of Correction and Alternative Center, Dedham; Northeastern Correctional Center, Concord; Old Colony Correctional Center, Bridgewater; Plymouth Country Correctional Facility; Pondville Correctional Center, Norfolk; Souza-Baranowski Correctional Center, Shirley; Bridgewater State Hospital; Hampden County Jail and House of Correction, Ludlow; and Western Massachusetts Recovery and Wellness Center, Springfield (received October 30, 2019).

DPH,-- facility inspections. SD2655

Petition.

By Mr. Brownsberger, a petition (accompanied by bill) (subject to Joint Rule 12) of William N. Brownsberger and Jonathan Hecht for legislation to establish a sick leave bank for Aurora Wilber, an employee of the Massachusetts Commission for the Deaf and Hard of Hearing;

Aurora Wilber,-- sick leave.
SD2648

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

Reports of Committees.

By Mr. Finegold, for the committee on Public Service, on petition, a Bill regulating certain insurance benefits for elected officials of the town of Blackstone (Senate, No. 2355) [Local approval received]; and

Blackstone,-- insurance benefits.

By the same Senator, for the same committee, on petition, a Bill allowing Robert G. Gaynor to continue to serve in the position of Special Police Officer for the town of Halifax (Senate, No. 2393) [Local approval received];

Halifax,-- Robert G. Gaynor.

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

PAPERS FROM THE HOUSE.

Notice was received from the House of Representatives announcing the following appointment by the Minority Leader:

Representative Elizabeth Poirier of North Attleboro (under Section 217 of Chapter 6 of the General Laws) to the Commission of Autism.

Commission on Autism.

Bills

Establishing the appointed office of town clerk in the town of Pelham (House, No., 4101,-- on petition) [Local approval received]; and

Pelham,-- town clerk.

Authorizing the town of Holliston to convert a certain liquor license (House, No. 4118,-- on petition) [Local approval received];

Holliston,-- liquor license.

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

Communications.

The Clerk read the following communications:

**The Commonwealth of Massachusetts
MASSACHUSETTS SENATE**

November 26, 2019

Senator Viriato M. deMacedo,-- resignation.

The Honorable Karen E. Spilka
Senate President
24 Beacon Street – Room 332
Boston, MA 02133

Dear Senate President Spilka,

I hereby irrevocably resign from my position as State Senator for the Plymouth and Barnstable district as of 11:59 p.m. on November 30, 2019. I will assume my responsibilities at Bridgewater State University on December 1, 2019.

Thank you for your assistance. It has been my pleasure serving under your leadership. If you should have any questions, please do not hesitate to contact me.

Sincerely,
Vinny deMacedo
State Senator
Plymouth and Barnstable District

On motion of Mr. Tran, the above communication was ordered printed in the Journal of the Senate.

Ordered printed.

The Commonwealth of Massachusetts
MASSACHUSETTS SENATE

November 26, 2019

Michael D. Hurley, Senate Clerk
Office of the Clerk of the Senate
State House, Room 335
Boston, MA 02133

Senator Sal N. DiDomenico,--
absence from Chamber.

Dear Mr. Clerk:

Unfortunately, I was unable to be present in the Chamber for a roll call vote taken on November 20, 2019 on an amendment to S.2407 “An Act modernizing tobacco control”. Had I been present, I would have voted in the negative on the adoption of roll call number 139.

Sincerely,
Sal DiDomenico
Middlesex and Suffolk District

On motion of Mr. Tran, the above communication was ordered printed in the Journal of the Senate.

Ordered printed.

Reports of Committees.

By Mr. Finegold, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for Elliot Brown, an employee of the Executive Office of Health and Human Services (Senate, No. 2415).

Elliot Brown,-- sick leave.

The bill 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.

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

The Senate Bill authorizing the Southern Worcester County Regional Vocational School District to enter into solar power generation agreements (Senate, No. 1971).

Worcester County School District,-- solar power.

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

Pending the question on ordering the bill to a third reading, Ms. Gobi presented an amendment by inserting after the word “contrary”, in line 7, the following words:- “but subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws”.

The amendment was adopted.

The bill (Senate, No. 1971, amended) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

The House Bill establishing a sick leave bank for Jay D. Perry, an employee of the Massachusetts Department of Transportation (House, No. 4169,-- on petition),-- was read.

Jay D. Perry,-- sick leave.

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.

A petition (accompanied by bill, House, No. 4238) of Michael S. Day and Sheila C. Harrington relative to the information technology systems and capacities of the judiciary,-- **was referred in concurrence, under suspension of Joint Rule 12, to the committee on the Judiciary.**

Judiciary,-- IT systems.

Matters Taken Out of the Orders of the Day.

There being no objection, the following matters were taken out of the Order of the Day and considered as follows:

The Senate Bill exempting Paul Jacques from the maximum age requirement for applying for civil service appointment as a police officer in the town of North Andover (Senate, No. 2265),-- **was read a third time and passed to be engrossed.**

North Andover,-- civil service exemption.

Sent to the House for concurrence.

The Senate Bill authorizing the City Council of the city of Somerville to appoint a clerk of committees and assistant clerks of committees (Senate, No. 2307),-- **was read a third time and passed to be engrossed.**

Somerville,-- clerks of committees.

Sent to the House for concurrence.

The House Bill authorizing the city of Fitchburg to employ Kevin D. Roy as fire chief beyond the retirement age (House, No. 4071),-- **was read a third time and passed to be engrossed in concurrence.**

Fitchburg,-- Kevin D. Roy.

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

Erica Moore,-- sick leave.

Order Adopted.

On motion of Mr. Tran--

Ordered, That when the Senate adjourns today, it adjourn to meet again Monday next at eleven o'clock A.M.

Time of meeting.

On motion of the same Senator, at twelve minutes past eleven o'clock A.M, the Senate adjourned to meet again Monday next at eleven o'clock A.M.