

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, SEPTEMBER 30, 2019.

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Monday, September 30, 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.

Distinguished Guests.

There being no objection, the Chair (Mr. Brownsberger), handed the gavel to Mr. Tarr for the purpose of an introduction. Mr Tarr then introduced the 8th grade class from Rockport Middle School. They were accompanied by Whitney Day, an 8th grade Civics teacher, Samantha McAulliff, an 8th grade English teacher, Martha Cox-Starros, an 8th grade Spanish teacher, Yvonne Story, an 8th grade Math teacher, Dana George, an 8th grade Special Education teacher, Katie Welch, an 8th grade Teacher's Aide and the Rockport Superintendent, Rob Liebow. The Senate welcomed them with applause and they withdrew from the Chamber.

Rockport Middle School,-- 8th grade class.

Communications.

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

Communication from the Office of the Comptroller (pursuant to M.G.L. c. 29, § 2TT) submitting the FY2020 financial plan for the Liability Management & Reduction Fund (received September 27, 2019); and

Comptroller,-- liability fund. SD2575

Communication from the Massachusetts Legal Assistance Corporation (pursuant to line item 0321-1600 of Chapter 154 of the Acts of 2018) submitting its FY19 Report to the Governor and the General Court (received September 27, 2019).

MLAC,-- annual report. SD2576

Reports.

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

Report of the Group Insurance Commission (pursuant to MGL Ch. 32A, § 21) submitting its FY2019 GIC Vender Quality Annual Report (received September 27, 2019); and

GIC,-- report.. SD2577

Report of the Massachusetts Life Insurance Community Investment Initiative, (pursuant to section 2 (e) of Chapter 259 of the Acts of 1998), submitting its 2018 annual report (received September 30, 2019).

MLICII,-- report. SD2578

Petition.

Ms. Gobi presented a petition (accompanied by bill) (subject to Joint Rule 12) of Anne M. Gobi and Brian M. Ashe for legislation relative to negligent property inspections;

Property inspections. SD2572

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

PAPERS FROM THE HOUSE.

UNCORRECTED PROOF.

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

Representative Garlick of Needham as co-chair and Michael Widmer to the special commission established (under Section 101 of Chapter 41 of the Acts of 2019) 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.

Department of Correction,-- funding.

A Bill relative to campaign finance (House, No. 4087,-- on Senate, No. 399),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Campaign finance.

Bills

Relative to the Adams-Cheshire Regional School District (House, No. 634, amended-- on petition); and

Adams-Cheshire Regional School District.
Cape Cod and Islands Water Protection Fund.

Making technical corrective changes to the Cape Cod and Islands Water Protection Fund tax assessments (House, No. 4073,-- on House, No. 3974);

Were severally read and, under Senate Rule 26, referred to the committee on Rules.

Resolutions.

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

Resolutions (filed by Messrs. Lewis and Cyr, Ms. Comerford, Ms. Friedman, and Messrs. Lesser and Moore) "commending organizations promoting energy efficiency on their celebration of October 2, 2019 as Energy Efficiency Day."

Energy Efficiency Day.

Moment of Silence.

At the request of the Chair (Mr. Brownsberger), the members, guests and staff stood in a moment of silence and reflection to the memory of Randy Pouliot.

Moment of Silence.

Recess.

There being no objection, at seven minutes past eleven o'clock A.M., the Chair (Mr. Brownsberger) declared a recess subject to the call of the Chair, and, at nineteen minutes past eleven o'clock A.M., the Senate reassembled, Mr. Brownsberger in the Chair.

Recess.

PAPERS FROM THE HOUSE

Emergency Preambles Adopted.

An engrossed Bill relative to hospital access to discounted prescription drug prices (see House, No. 4017, amended), 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 3 to 0.

Prescription drug prices.

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

An engrossed Bill establishing certain reporting requirements for the board of the commonwealth health insurance connector (see House, No. 4018, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and

Health insurance connector,-- reporting.

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 3 to 0.

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

An engrossed Bill relative to the environmental health of the Blue Hills Reservation (see House, No. 4021, amended), 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 3 to 0.

Blue Hills
Reservation.

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

Engrossed Bill.

An engrossed Bill revising the charter for the city of Melrose (see House, No. 3822, amended) (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 (Mr. Brownsberger) and laid before the Governor for his approbation.**

Bill laid before the
Governor.

Reports of Committees.

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 House Bill establishing the DHY Clean Waters Community Partnership for the towns of Dennis, Harwich and Yarmouth (House, No. 3948)

DHY Clean Waters
Community
Partnership.

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.

By Ms. Lovely, for the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of John F. Keenan for legislation relative to the membership of the PRIM board

PRIM Board,--
membership.

The rules were suspended, on motion of Mr. Tarr, 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.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4092) of Lori A. Ehrlich, Eric P. Lesser and others relative to uniform partition of heirs property;

Heirs property,--
uniform partition.

Under suspension of Joint Rule 12, to the committee on the Judiciary.

Petition (accompanied by bill, House, No. 4094) of Dylan A. Fernandes that the county of Dukes County be authorized to borrow funds to pay costs of acquiring land and for certain other capital improvements; and

Dukes County,--
land.

Petition (accompanied by bill, House, No. 4095) of Dylan A. Fernandes that the county of Dukes County be authorized to change the position of treasurer from an elected

Dukes County,--
Treasurer.

to an appointed position;

Severally, under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 4096) of Paul J. Donato, Rebecca L. Rausch and others for legislation to establish an immunization program within the Department of Public Health for certain child care centers, schools, camps and institutions of higher education;

Immunization program.

Under suspension of Joint Rule 12, to the committee on Public Health.

Petition (accompanied by bill, House, No. 4093) of James M. Murphy for legislation to establish a sick leave bank for Jacqueline Dayton, an employee of the Office of the Chief Medical Examiner;

Jacqueline Dayton,-- sick leave.

Under suspension of Joint Rule 12, to the committee on Public Service.

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 re-enacted and were signed by the Acting President (Mr. Brownsberger) and again laid before the Governor for his approbation, to wit:

Relative to hospital access to discounted prescription drug prices (see House, No. 4017, amended);

Bills laid before the Governor.

Establishing certain reporting requirements for the board of the commonwealth health insurance connector (see House, No. 4018, amended); and

Relative to the environmental health of the Blue Hills Reservation (see House, No. 4021, amended).

Order Adopted.

On motion of Mr. Tarr--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday next at eleven o'clock A.M., in a full formal session with a calendar.

Time of Meeting.

Adjournment in Memory of Randy Pouliot.

The Senator from Worcester and Middlesex, Mr. Tran, presented a request that when the Senate adjourns today, it do so in memory of Randy Pouliot of Gardner, Massachusetts.

Randy Pouliot passed away on September 21, 2019. Randy worked for the Gardner Fire Department from 2000 to 2003 and then for sixteen years as a Leominster firefighter. Randy and with his wife Melaine helped coordinate the American Cancer Society Relay for Life, and served as an honorary board members for the Cancer Support Fund of Central Massachusetts.

Randy is survived by his wife of 20 years, Melanie; three daughters Kaitlin Macallister and her husband Nick, Lindsay Race and her husband Ben, and Sarah Petalas and her husband Seth; and four grandchildren Carter, Aubrey, Amelia, and Logan.

Accordingly, as a mark of respect in memory of Randy Pouliot, at twenty-eight minutes before twelve o'clock noon, on motion of Mr. Tarr, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.