

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, FEBRUARY 5, 2018.

JOURNAL OF THE SENATE.

Monday, February 5, 2018.

Met at seven minutes past eleven o'clock A.M.

The President, members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Communications.

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

Communication from the Department of Public Health relative to plans of correction for the following correctional facilities:

DPH, -- plans of correction. SD2511

- Pondville- Correctional Center
South Middlesex Correctional Center
Mass Treatment Center
Suffolk County House of Correction
MCI Norfolk (received February 1 2018);

Communication from the Office of Worcester District Attorney (pursuant to Section 32 of Chapter 12 of the General Laws) submitting its calendar year 2017 Community Based Juvenile Justice Programs report (received February 1, 2018);

Worcester DA,-- juvenile justice programs report. SD2512
Central Voter Registration. SD2514

Communication from William F. Galvin, Secretary of the Commonwealth, submitting a copy of a report on Central Voter Registration activity within the Commonwealth (under the provisions of item 0521-0001 of Chapter 47 of the Acts of 2017) (received February 2, 2018);

Communication from the Office of Plymouth County District Attorney (pursuant to Section 32 of Chapter 12 of the General Laws) submitting its calendar year 2017 Community Based Juvenile Justice Programs report (received February 2, 2018); and

Plymouth DA,-- juvenile justice programs report. SD2515

Communication from the Hampshire Sheriff's Office relative to a plan of correction for the Hampshire County Jail & House of Correction (received February 2, 2018).

Hampshire Sheriff's Office,-- plan of correction. SD2516

Reports.

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

Report of the Special Commission relative to Energy Storage and Battery Test Facilities (pursuant to Section 134 of Chapter 47 of the Acts of 2017) submitting its comprehensive study on feasibility, administration and economic impact of a battery testing facility.(received February 1, 2018); and

Energy Storage and Battery Test Facilities, report. SD2508

Report from Mass Department of Elementary and Secondary Education (pursuant to Chapter 47, Section 127, of the Acts of 2017) submitting its Fiscal Conditions in Rural School (received February 1 , 2018); and

DESE, -- rural schools report. SD2509

Report of the Massachusetts Gaming Commission (pursuant to Section 70 of Chapter 23K of the General Laws) submitting its fiscal year 2017 annual report (received February 1 , 2018); and

MASS Gaming, annual report. SD2510

Report of the Department of Public Health (pursuant to Sections 5, 20 and

DPH,-- facility

21 of Chapter 111 of the General Laws) relative to inspections of the following correctional facilities:

inspections.
SD2513

- MCI Cedar Junction
- Boston Pre-Release Center
- Bristol County Jail, Ash Street Facility
- Western Mass Recovery and Wellness Center (received February 1, 2018).

Order.

Mr. Brownsberger presented an Order relative to granting the committee on the Judiciary until March 21, 2016, within which time to make its final report on current Senate documents numbered 1177, 756, 778, 787, 806, 822, 825, 885, 962, 969 (Senate, No. 2287); and

Judiciary,--
extension order.

Mr. Moore presented an Order relative to granting the committee on the Municipalities and Regional Government until March 7, 2016, within which time to make its final report on current Senate document numbered 81 (Senate, No. 2288);

Municipalities and
Regional
Government,--
extension order.

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

Reports of Committees.

By Mr. Moore, for the committee on Public Safety and Homeland Security, on petition (accompanied by bill, Senate, No. 1305), an Order relative to authorizing the joint committee on Public Safety and Homeland Security to make an investigation and study of certain current Senate relative to public safety (Senate, No. 2289);

Public Safety and
Homeland Security
committee,-- study.

Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Welch, for the committee on Health Care Financing, that the Senate Bill to protect access to confidential healthcare (Senate, No. 591) (also based on House, No. 2960),-- ought to pass [Estimated cost: greater than \$100,000];

Confidential
healthcare,- access.

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

By Mr. Lesser, for the committee on Economic Development and Emerging Technologies, on petition, a Resolve establishing a special legislative commission on young professionals (Senate, No. 208); and

Special commission,-
- young
professionals.

By Ms. Friedman, for the committee on Mental Health, Substance Use and Recovery, on petition (accompanied by bill, Senate, No. 1091), a Bill establishing a restoration center in Middlesex County (Senate, No. 2283);

Middlesex County,--
restoration center.

Severally read and, under Joint Rule 29, referred to the committees on Rules of the two branches, acting concurrently.

By Ms. Friedman, for the committee on Mental Health, Substance Use and Recovery, on petition, a Bill to provide critical community services (Senate, No. 1087);

Community services.

By the same Senator, for the same committee, on petition, a Bill to provide more timely treatment of inpatient mental health care (Senate, No. 1088);

Mental health,--
treatment.

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1086), a Bill to require health care coverage for the emergency

Psychiatric services,-
- health care

psychiatric services (Senate, No. 2282); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1110), a Bill relative to psychotropic medication (Senate, No. 2284);

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

By Mr. Lesser, for the committee on Economic Development and Emerging Technologies, on petition, a Bill establishing the MassMade Program (Senate, No. 178);

By the same Senator, for the same committee, on petition, a Bill to establish Gateway City Opportunity Zones (Senate, No. 186);

By the same Senator, for the same committee, on petition, a Bill relative to the Springfield Technology Park (Senate, No. 209);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 192), a Bill creating the Home Works Program (Senate, No. 2281);

By Ms. Friedman, for the committee on Mental Health, Substance Use and Recovery, on petition, a Bill providing opportunity for youth with substance abuse needs (Senate, No. 1082, changed in section 2, in line 6, by striking out the figure "2017" and inserting in place thereof the figure "2019"; and in line 10 by striking out the figure "2018" and inserting in place thereof the figure "2020"); and

By Mr. Moore, for the committee on Municipalities and Regional Government, on petition (accompanied by bill, Senate, No. 1145), a Bill enhancing the issuance of citations for cruel conditions for animals (Senate, No. 2285);

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

By Mr. Welch, for the committee on Health Care Financing, on petition, a Bill to safeguard access to patient medical records (Senate, No. 651) [Estimated cost: less than \$100,000];

By Mr. Moore, for the committee on Municipalities and Regional Government, on petition, a Bill to allow simple majority voting (Senate, No. 1133);

By the same Senator, for the same committee, on petition, a Bill relative to municipal deposits (Senate, No. 1134);

By the same Senator, for the same committee, on petition, a Bill relative to variances (Senate, No. 1149); and

By the same Senator, for the same committee, on petition, a Bill relative to the expenditure of certain municipal and district monies (Senate, No. 1157, changed in section 1, in line 4, by striking out the amount "twenty thousand dollars" and inserting in place thereof the figure "\$150,000");

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

By Mr. Brady, for the committee on Revenue, on petition (accompanied by bill, Senate, No. 2035), a Bill to provide property tax exemptions for certain nonprofit senior housing in Boxford (Senate, No. 2286) [Local approval received on Senate, No. 2035];

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

coverage.

Psychotropic medication.

MassMade program,-
- establishment.

Gateway City
Opportunity Zones.

Springfield
Technology Park.

Home Works
Program,-- creation.

Substance abuse,--
youth.

Cruel conditions for
animals,-- citations.

Medical records,--
access.

Voting,-- simple
majority.

Municipal deposits.

Variances,-- permit
granting.

Municipal monies.

Boxford,-- elderly
housing.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4161) of Paul McMurtry and Michael F. Rush (by vote of the town) that the town of Dedham be authorized to convert a license for the sale of wine and malt beverages not to be drunk on the premises to a license for the sale of all alcoholic beverages not to be drunk on the premises in said town; and

Dedham,-- liquor license.

Petition (accompanied by bill, House, No. 4164) of Paul McMurtry and Michael F. Rush (by vote of the town) that the town of Dedham be authorized to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises in said town;

Id.

Severally to the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 4163) of Solomon Goldstein-Rose and Stanley C. Rosenberg (by vote of the town) that the town of Amherst be authorized to establish a public art fund in said town;

Amherst,-- public art fund.

To the committee on Municipalities and Regional Government.

Bills

Establishing a revolving fund for a school learning lab within a vocational-technical program operated by the public schools in the town of Westborough (House, No. 3992, amended,-- on petition) [Local approval received];

Westborough,-- school learning lab.

Establishing a special fund in the town of Westborough (House, No. 4028, amended,-- on petition) [Local approval received];

Westborough,-- special fund.

Establishing the appointed office of town clerk in the town of Ayer (House, No. 4077,-- on petition) [Local approval received];

Ayer,-- town clerk.

Establishing the appointed office of tree warden in the town of Ayer (House, No. 4078,-- on petition) [Local approval received]; and

Ayer,-- tree warden.

Relative to the funding of the other post-employment benefits liability trust fund in the town of Northbridge (House, No. 4084,-- on petition) [Local approval received];

Northbridge,-- post-employment benefits liability trust fund.

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

Report of the committee on Transportation asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2759) of Theodore C. Speliotis relative to reimbursement for personal injuries or property damage from defective ways,-- and recommending that the same be referred to the committee on the Judiciary,-- **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Defective ways,-- reimbursement.

Resolutions.

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

Resolutions (filed by Mr. Ross and Ms. Spilka) “congratulating Benjamin Ninemire of the town of Natick on his elevation to the rank of Eagle Scout”; and

Benjamin Ninemire.

Resolutions (filed by Mr. Tran, Ms. Donoghue and Messrs. Cyr and Tarr) “recognizing the XXIII Winter Olympic Games in the Republic of Korea.”

XXIII Winter Olympic Games.

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 Senate Bill authorizing the board of selectmen of Hardwick to appoint the town collector (Senate, No. 2114),-- **was read a third time and passed to be engrossed.**

Hardwick,-- town collector.

Sent to the House for concurrence.

The Senate Bill authorizing the board of selectmen of Hardwick to appoint the town treasurer (Senate, No. 2115),-- **was read a third time and passed to be engrossed.**

Hardwick,-- town treasurer.

Sent to the House for concurrence.

The House Bill increasing the exemption for residential property in the town of Provincetown (House, No. 3860, amended),-- **was read a third time and passed to be engrossed, in concurrence.**

Provincetown.

Report of Committees.

By Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Walter F. Timilty for legislation to honor and recognize the heroism of Rosa Parks.

Rosa Parks,-- honor. SD2460

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 Transportation.

Sent to the House for concurrence.

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill abolishing the Board of License Commissioners in the town of Salisbury (see House, No. 4029) (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 President and laid before the Governor for his approbation.**

Bill laid before the Governor.

Order Adopted.

On motion of Mr. Tarr,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Wednesday next at eleven o'clock A.M., in a full formal session without a calendar

Time of meeting.

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