

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**MONDAY, MARCH 26, 2018.**

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## JOURNAL OF THE SENATE.

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Monday, March 26, 2018.

Met at six minutes past eleven o'clock A.M. (Mr. Boncore in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

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The Chair (Mr. Boncore), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

### *Reports.*

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

Report of the Special Senate Committee on Net Neutrality entitled: Net Neutrality and Consumer Protection: A Commonwealth Concern (Senate, No. 2376);

Special Senate  
Committee on Net  
Neutrality,-- report.

Report of the Office of Consumer Affairs and Business Regulation (pursuant to Section 173 of Chapter 133 of the Acts of 2016) its Report of the Working Group on Gender Equity in Disability Policies (received March 23, 2018); and

Consumer Affairs, --  
Gender Equity in  
Disability. SD2592

Report of the Department of Elementary and Secondary Education (pursuant to Chapter 284 of the Acts of 2014) submitting its third annual report on Safe and Supportive Schools Commission (received March 22, 2018).

DESE, -- safe and  
supportive schools.  
SD2593

### *Petitions.*

Petitions were severally presented and referred as follows:

By Ms. Creem, a petition (accompanied by bill) (subject to Joint Rule 12) of Cynthia Stone Creem for legislation to promote student nutrition; and

Student nutrition.  
SD2583

By Mr. Ross, a petition (accompanied by bill) (subject to Joint Rule 12) of Richard J. Ross and David Paul Linsky for legislation further regulating the value of the assets held by the Bacon Free Library in the South Natick section of the town of Natick;

Bacon Free Library,--  
Natick.  
SD2591

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

### *Reports of Committees.*

By Mr. Feeney, for the committee on Public Service, on Senate, No. 1449 and House, No. 1366, a Bill relative to health insurance for surviving spouses (Senate, No. 1449);

Spouses,-- health  
insurance.

**Referred, under Joint Rule 1E, to the committee on Health Care Financing.**

By Ms. Lovely, for the committee on Children, Families and Persons with Disabilities, on petition, a Bill to update terminology and investigative practices related to the protection of persons with disabilities (Senate, No. 52, changed by striking section 6 in its entirety and inserting in place thereof the following:-

Disabled persons, --  
protection.

“SECTION 6. Said section 1 of said chapter 19C, as so appearing, is hereby further amended by striking out the definitions of ‘Disabled person’ and ‘General

counsel' and inserting in place thereof the following definition:-

'Person with a disability', a person between the ages of eighteen to fifty-nine, inclusive, who is a person with an intellectual or developmental disability as defined by section 1 of chapter 123B or who is otherwise mentally or physically disabled and as a result of that mental or physical disability is wholly or partially dependent on others to meet that person's daily living needs; provided however, that the term "person with a disability" shall replace the term 'disabled person' without changing the meaning.");

By Mr. Feeney, for the committee on Public Service, on petition, a Bill relative to local public housing authorities access to the dental and vision insurance plan managed by the group insurance commission (Senate, No. 1385);

By the same Senator, for the same committee, on petition, a Bill relative to a service based retirement option for Group 1 and Group 2 career employees (Senate, No. 1387);

By the same Senator, for the same committee, on petition, a Bill relative to restoration to service (Senate, No. 1390);

By the same Senator, for the same committee, on petition, a Bill relative to the retroactive application of veterans creditable service (Senate, No. 1394);

By the same Senator, for the same committee, on petition, a Bill relative to the annual allowance for certain survivors of public retirees and employees (Senate, No. 1400);

By the same Senator, for the same committee, on petition, a Bill relative to Option (d) beneficiaries (Senate, No. 1401);

By the same Senator, for the same committee, on petition, a Bill relative to death benefits to surviving spouses of call and volunteer firefighters (Senate, No. 1409);

By the same Senator, for the same committee, on petition, a Bill relative to GIC dental and vision benefits for municipal employees (Senate, No. 1424);

By the same Senator, for the same committee, on Senate, No. 1435 and House, No. 3293, a Bill relative to appellate review (Senate, No. 1435);

By the same Senator, for the same committee, on petition, a Bill relative to the civil service assessment of environmental police officers (Senate, No. 1436);

By the same Senator, for the same committee, on petition, a Bill allowing Joseph Barbati, a retired member of the Massachusetts Trial Court, an accidental disability retirement option (Senate, No. 1441);

By the same Senator, for the same committee, on petition, a Bill relative to retirement benefits for Thomas Brian Donnelly (Senate, No. 1446);

By the same Senator, for the same committee, on petition, a Bill relative to increasing the hours of employment of pensioners for services after retirement in the public sector (Senate, No. 1451);

By the same Senator, for the same committee, on petition, a Bill relative to public safety line of duty benefits (Senate, No. 1462);

By the same Senator, for the same committee, on petition, a Bill relative to funeral and burial expenses (Senate, No. 1471);

By the same Senator, for the same committee, on petition, a Bill relative to line of duty death benefits (Senate, No. 1473);

By the same Senator, for the same committee, on petition, a Bill relative to the retirement of University of Massachusetts police (Senate, No. 1476);

By the same Senator, for the same committee, on petition, a Bill relative to the timely and consistent payment of law enforcement personnel (Senate, No. 1477);

By the same Senator, for the same committee, on petition, a Bill relative to

Housing authorities,-- insurance.

Service based retirement allowance.

Retirees,-- restoration to service.

Veterans,-- creditable service.

Retirees and employees,-- allowance.

Option (d),-- beneficiaries.

Firefighters,-- surviving spouses.

Dental and vision benefits,-- GIC.

State police,-- arbitration.

Environmental police officers,-- assessment.

Joseph Barbati,-- disability retirement.

Thomas Brian Donnelly,-- retirement.

Retirees,-- post employment.

Line of duty,-- benefits.

Funeral and burial expenses.

Death benefits,-- line of duty.

UMASS police,-- retirement.

Law enforcement,-- payment.

Employment,-- post-

post-retirement employment (Senate, No. 1478);

By the same Senator, for the same committee, on Senate, No. 1479 and House, No. 1449, a Bill relative to Massachusetts certified emergency telecommunications (Senate, No. 1479);

By the same Senator, for the same committee, on Senate, No. 1482 and House, No. 2563, a Bill relative to the retirement benefits of state police dispatchers (Senate, No. 1482);

By the same Senator, for the same committee, on petition, a Bill authorizing the Norfolk County retirement board to acquire real property in Norfolk County (Senate, No. 1484);

By the same Senator, for the same committee, on petition, a Bill correcting pension inequity for James G. Clothier (Senate, No. 2126);

By the same Senator, for the same committee, on petition, a Bill relative to the Massachusetts teachers retirement system (Senate, No. 2209); and

By the same Senator, for the same committee, on petition, a Bill establishing a sick leave bank for David Silvia Jr., an employee of the Department of Correction (Senate, No. 2324);

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

By Mr. Feeney, for the committee on Public Service, on Senate, No. 1386 and House, No. 1361, a Bill relative to firefighters cessation program (Senate, No. 1386); and

By the same Senator, for the same committee, on petition, a Bill relative to civil service resident preference (Senate, No. 1389);

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

By Mr. Feeney, for the committee on Public Service, on petition, a Bill relative to the provision of group health insurance benefits in the town of Athol (Senate, No. 1418) [Local approval received];

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

#### PAPERS FROM THE HOUSE.

A Bill regulating and insuring short-term rentals (House, No. 4327,-- on House, No. 3454),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

A Bill relative to the financial condition of the city of Lynn (House, No. 4325,-- on House, No. 4302) [Local approval received on House, No. 4302],-- was read.

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

#### *Emergency Preamble Adopted.*

An engrossed Bill establishing a sick leave bank for Essie Page, an employee of the Parole Board (see House, No. 4245), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an

retirement.

Certified telecommunications.

State police dispatchers,-- retirement benefits.

Norfolk County,-- property.

James G. Clothier,-- pension inequity.

Teachers,-- retirement system.

David Silvia,-- sick leave.

Firefighters,-- cessation program.

Civil service,-- resident preference.

Athol,-- group insurance.

Short term rentals.

Lynn,-- finances.

Essie Page,-- sick leave.

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. Boncore) and sent to the House for enactment.**

*Resolutions.*

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

Resolutions (filed by Mr. deMacedo) “congratulating the Plymouth South High School Panthers on their 2018 Massachusetts Interscholastic Athletic Association Division II State Hockey Championship”;

Plymouth South High School Panthers.

Resolutions (filed by Ms. Lovely) “congratulating Cheryl A. LaPointe on her retirement”; and

Cheryl A. LaPointe.

Resolutions (filed by Mr. Pacheco) “congratulating Mary Elizabeth Dwyer on her one hundredth birthday.”

Mary Elizabeth Dwyer.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4339) of Tackey Chan, John F. Keenan and others for legislation to designate the Houghs Neck Maritime Center in the city of Quincy in honor of Francis X. McCauley;

Quincy,-- Houghs Neck Maritime Center.

**Under suspension of Joint Rule 12, to the committee on Environment, Natural Resources and Agriculture.**

Petition (accompanied by bill, House, No. 4338) of Angelo J. Puppolo, Jr., relative to civil penalties for the disposal of trash or garbage from motor vehicles;

Motor vehicles,-- littering penalties.

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

Petition (accompanied by bill, House, No. 4337) of Carole A. Fiola and others for legislation to establish a special commission to research current logistical issues related to outpatient methadone centers and to identify alternatives to the distribution of outpatient methadone treatment;

Outpatient methadone centers.

**Under suspension of Joint Rule 12, to the committee on Mental Health, Substance Use and Recovery.**

Petition (accompanied by bill, House, No. 4336) of Paul McMurtry and Michael F. Rush establishing a sick leave bank for Gloria Phillips, an employee of the Department of Industrial Accidents;

Gloria Phillips,-- sick leave.

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

*Reports of Committees.*

By Mr. Montigny, for the committee on Rules of the two branches, acting concurrently, that the Senate Order relative to granting the committee on Public Health until May 9, 2018, within which time to make its final report on current Senate documents numbered 142, 1165, 1166, 1169, and 1238 (Senate, No. 2370),-- ought to be adopted.

Public Health,-- extension order.

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the order was considered forthwith.

**After remarks, and pending the question adoption of the order, Mr. Tarr moved that the matter be laid on the table; and, in accordance with the provisions of Senate Rule 24, the consideration of the motion to lay on the table was postponed without question until the next session.**

Mr. Montigny, 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 clarifying property tax exemptions for solar and wind systems (Senate, No. 2160) (the committee on Rules having recommended that the bill be amended by substituting a new draft with the same title, Senate, No. 2364).

Solar power,-- tax exemptions.

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

**The bill (Senate, No. 2364) was then ordered to a third reading, read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

*Moment of Silence.*

At the request of the Chair (Mr. Boncore), the members, guests and staff stood in a moment of silence and reflection to the memory of Georgia (Zagorites) Salaris.

Moment of silence.

*Recess.*

There being no objection, at seventeen minutes before twelve o'clock noon, the Chair (Mr. Boncore) declared a recess subject to the call of the Chair; and, at one o'clock P.M., the Senate reassembled, Mr. Boncore in the Chair.

Recess.

#### PAPER FROM THE HOUSE.

A Bill providing affordable health insurance options to municipal retirees (printed in House, No. 4313,-- being a message from his Excellency the Governor),-- was read.

Municipal retirees,-- health insurance.

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

*Recess.*

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

Recess.

#### PAPERS FROM THE HOUSE

*Emergency Preamble Adopted.*

An engrossed Bill providing affordable health insurance options to municipal retirees (see House Bill, printed in House No. 4313), 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 2 to 0.

Municipal retirees,-- health insurance.

**The bill was signed by the Acting President (Mr. Boncore) 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. Boncore) and laid before the Governor for his approbation, to wit:

Establishing a sick leave bank for Essie Page, an employee of the Parole Board (see House, No. 4245);

providing affordable health insurance options to municipal retirees (House Bill, printed in House No. 4313); and

Relative to the fiscal condition of the city of Lynn (House, No. 4325).

Bills laid before the Governor.

*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 Georgia Salaris*

The Senator from Essex, Ms. Lovely, moved that when the Senate adjourns today, it adjourn in memory of Georgia (Zagorites) Salaris.

Georgia (Zagorites) Salaris died peacefully on March 7, 2018 at the Kaplan Family Hospice House in Danvers with her family by her side following a brief illness.

The daughter of James and Bessie (Boutselis) Zagorites, Georgia was born and raised in Lowell. Georgia met and fell in love with John Salaris upon his return from service in the Pacific as a member of the Army Air Corps during World War II. After marrying, John and Georgia, or "Jo" as she was called by the Zagorites side of the family, settled in Peabody, John's hometown. They shared a happy marriage for 67 years until her loving husband passed on in 2013.

Georgia graduated from Lowell High School. She learned to sew at an early age at the Church of All Nations in Lowell. She became an expert seamstress and taught others how to sew. Many will fondly remember Georgia as the owner of Georgia's Bridal Room in South Peabody. With her exquisite sense of fashion, for twenty years, Georgia made many young women feel like a Princess as she helped brides choose the perfect gown. She single-handedly outfitted numerous large bridal parties and was quite proud that all of Mayor Torigian's daughters got their gowns at Georgia's Bridal Room.

Georgia was an avid golfer and, over the years, played countless rounds of golf with "Johnnie" as well as her many good golfing friends. She was known as a superb putter, regularly winning putting awards. Her favorite location to play was the Middleton Golf Course. John and Georgia enjoyed traveling to Nassau in the Bahamas with family and friends where they frequently golfed at Cable Beach and Paradise Island. Closer to home, they made frequent trips to Cape Cod to golf with friends and vacation with family.

Georgia was a faithful congregant of St. Vasilios Church in Peabody. She was an active member of the Daughters of Penelope and the Philoptochos Society, both for over fifty years. She generously gave of her time, volunteering for numerous benefits often baking Greek delicacies and delivering gifts to older church members. Georgia made many cherished friendships which she maintained



over scores of years. Her close friends and family will always remember her as being kind and caring as well as witty, enjoying a good joke and regaling in heartfelt stories. She was a devoted spouse, a proud and caring mother, and a doting grandmother.

Georgia is survived by her two daughters, Suzanne Lanzikos, and her husband, Paul, of Beverly Farms, and Valerie Splaine, and her husband, Michael, of Danvers. She loved both her sons-in-law as she loved her own two children. She was the grandmother of Sasha and Tema Lanzikos, both of whom were so very special to her. Tema and “Grammy” were also best of friends spending many a night sharing stories over shrimp scampi suppers made by Grammy with love. She leaves behind her sister, Mary Paisios of Hinsdale, Illinois, and her sister-in-law, Stasia Inglis of Peabody. She also leaves many loving nieces and nephews. She was pre-deceased by her siblings, Peter Zagorites, Helen Kourembis, Eva Koutsos, and Poti Zagorites. She will be remembered fondly by her family and friends.

Accordingly, as a mark of respect to the memory of Georgia (Zagorites) Salaris, at thirteen minutes before two o’clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Thursday next at eleven o’clock A.M.