

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



TUESDAY, APRIL 17, 2018.

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JOURNAL OF THE SENATE.

Tuesday, April 17, 2018.

Met at a quarter past eleven o'clock A.M. (Mr. Crighton in the Chair).

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

Pledge of allegiance.

Petition.

Mr. Brady presented a petition (accompanied by bill, Senate, No. 2423) of Michael D. Brady, Michelle M. DuBois and Walter F. Timilty (by vote of the town) for legislation to establish an East Bridgewater Sewer District [Local approval received];

East Bridgewater,--
sewer district.

Referred, under Senate Rule 20, to the committee on Municipalities and Regional Government.

Sent to the House for concurrence.

Orders.

Mr. Brownsberger presented an Order relative to granting the committee on the Judiciary until May 2, 2018, within which time to make its final report on current Senate documents numbered 1988, 1992, and 2301 (Senate, No. 2437); and

Judiciary,--
extension order.

Mr. Barrett presented an Order relative to granting the committee on the Telecommunications, Utilities and Energy until April 26, 2018, within which time to make its final report on current Senate documents numbered 1831, 1841, and 1876 (Senate, No. 2438);

Telecommunications,
Utilities and Energy,-
- extension.

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

Reports of Committees.

By Ms. Chang-Diaz, for the committee on Education, on Senate, Nos. 229, 273, 275, 292, 303, 318 and 329, an Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to student health (Senate, No. 2424);

Education
committee,-- study.

By the same Senator, for the same committee, on Senate, Nos. 252, 254, 304, 331 and 1196, an Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to personnel, SBA and technology (Senate, No. 2425);

Id.

By the same Senator, for the same committee, on Senate, Nos. 226, 267, 271, 293, 299, 301, 306, 317 and 321, an Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to assessments and accountability (Senate, No. 2426);

Id.

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 266), an Order relative to authorizing the joint committee on Education to make an investigation and study of a certain current Senate document relative to early education (Senate, No. 2427);

Id.

By the same Senator, for the same committee, on Senate, Nos. 210, 211, 213, 230, 243, 258, 269, 270, 272, 281, 282, 296, 298, 310, 314 and 326, an Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to education issues (Senate, No. 2428);

Id.

By the same Senator, for the same committee, on Senate, Nos. 236, 259, 280, 320, 324 and 325, an Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to school finance (Senate, No. 2429);

Id.

By Ms. Friedman, for the committee on Mental Health, Substance Use and Recovery, on Senate, Nos. 1095, 1096, 1103, 1113 and 1115, an Order relative to authorizing the joint committee on Mental Health, Substance Use and Recovery to make an investigation and study of certain current Senate documents relative to substance use treatment (Senate, No. 2439);

Mental Health,
Substance Use and
Recovery
committee,-- study.

By the same Senator, for the same committee, on Senate, Nos. 1083, 1084, 1094, 1097, 1102, 1104, 1105, 1106, 1107 and 1116, an Order relative to authorizing the joint committee on Mental Health, Substance Use and Recovery to make an investigation and study of certain current Senate documents relative to mental health issues (Senate, No. 2440);

Id.

By Mr. Boncore, for the committee on Transportation, on Senate, Nos. 1953 and 1961, an Order relative to authorizing the joint committee on Transportation to make an investigation and study of certain current Senate documents relative to vehicles (Senate, No. 2434);

Transportation
committee,-- study.

By the same Senator, for the same committee, on Senate, Nos. 1912, 1915, 1929, 1937, 1939, 1944, 1963 and 1979, an Order relative to authorizing the joint committee on Transportation to make an investigation and study of certain current Senate documents relative to transparency and technology (Senate, No. 2435); and

Id.

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 2337), an Order relative to authorizing the joint committee on Transportation to make an investigation and study of a certain current Senate document relative to state identification (Senate, No. 2436);

Id.

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

By Ms. L'Italien, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 96 and House, No. 143, a Resolve relative to the digital right to repair (Senate, No. 2430) [Representative McKenna of Webster dissenting];

Right to repair,--
digital.

Read and, under Joint Rule 29, referred to the committee on Rules of the two branches, acting concurrently.

By Ms. L'Italien, for the committee on Consumer Protection and Professional Licensure, on Senate, Nos. 107 and 108, a Resolve relative to disclosure of radio frequency notifications (Senate, No. 2431) [Representative McKenna of Webster dissenting];

Cell phones,--
disclosure of RF
radiation.

By the same Senator, for the same committee, on Senate, Nos. 128 and 153 and House, No. 130, a Bill to protect innovation and entrepreneurship in the Commonwealth (Senate, No. 2432) [Representative McKenna of Webster dissenting];

Patent infringement,-
- protection.

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 124), a Bill authorizing the sale of farmer-distiller products at

Farmers markets,--
sales.

farmers' markets (Senate, No. 2433);

By Mr. Moore, for the committee on Public Safety and Homeland Security, on petition, a Bill relative to the regionalization of public safety services (Senate, No. 1329); and

By the same Senator, for the same committee, on petition, a Bill establishing a mental wellness and suicide prevention training course for law enforcement officers (Senate, No. 1331);

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

Committees Discharged.

Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration

Of the Senate Bill establishing a special commission on two-generation approaches to childhood education (Senate, No. 38);

Of the Senate Bill providing for an investigation and study by a special interagency task force relative to gender-responsive programming for juvenile justice system-involved girls (Senate, No. 49);

Of the Senate Bill relative to children's camp safety (Senate, No. 1202);

Of the Senate Bill to increase access to health care in underserved areas of Massachusetts (Senate, No. 1216);

Of the Senate Resolve to re-establish the Brain Injury Commission (Senate, No. 1168); and

Of the Senate Resolve establishing an advisory committee on the accessibility of fresh food retail in communities throughout the Commonwealth (Senate, No. 1276);

And recommending that the same severally be referred to the committee on Rules;

Under Senate Rule 36, the reports were severally considered forthwith and accepted.

Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration

Of the Senate Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to transportation and regional schools (Senate, No. 2383);

Of the Senate Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to safety (Senate, No. 2384); and

Of the Senate Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to curriculum (Senate, No. 2385);

And recommending that the same severally be referred to the committee on Rules;

Under Senate Rule 36, the reports were severally considered forthwith and accepted.

PAPERS FROM THE HOUSE.

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

Public safety,--
regionalization.

Law enforcement,--
training.

Childhood education,--
special commission.

Gender responsive
programming,-- girls.

Recreational camps,--
safety standards.
Underserved areas,--
healthcare.

Brain injury,--
commission.

Fresh food,--
accessibility.

Education
committee,-- study.

Id.

Id.

Petition (accompanied by bill, House, No. 4411) of Smitty Pignatelli and Adam G. Hinds (by vote of the town) that the town of Lenox be authorized to exchange certain parcels of land located in said town with Massachusetts Audubon Society, Inc. for open space and passive recreation purposes;

Lenox,-- land exchange.

To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 4410) of Paul W. Mark and Adam G. Hinds (by vote of the town) that the town of Dalton be authorized to convey a certain parcel of land in said town known as the Dalton town forest to the Department of Fish and Game;

Dalton,-- land conveyance.

To the committee on State Administration and Regulatory Oversight.

Bills

Relative to the operation of certain trailers and semi-trailers (House, No. 4105,-- on petitions); and

Trailers,-- operation.

Designating certain bridges in the city known as the town of Barnstable as the First Responders Appreciation Overpasses (House, No. 4152,-- on petition);

Barnstable,-- bridges.

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

A Bill authorizing the city of Newton to lease the John W. Weeks School (House, No. 4262,-- on House, No. 4089) [Local approval received on House, No. 4089],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Newton,-- John W. Weeks School.

Resolutions.

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

Resolutions (filed by Ms. Chandler) “reaffirming friendship between the Commonwealth and Taiwan and enhancing bilateral relations and supporting Taiwan in the international community.”

The Commonwealth and Taiwan.

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 town of Hamilton to establish a special fund for the Patton Homestead (Senate, No. 2245) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Hamilton,-- special fund.

Sent to the House for concurrence.

The House Bill establishing the position of town manager in the town of Ayer (House, No. 4080, amended),-- **was read a third time and passed to be engrossed, in concurrence.**

Ayer,-- town manager.

PAPER FROM THE HOUSE.

A Bill establishing a private road maintenance revolving fund in the town of Westminster (House, No. 3905,-- on petition),-- was read.

Westminster,-- private roads.

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.

Report of a Committee.

The following report was laid before the Senate, the time within which the said committee was required to report having expired:---

Of the committee on Telecommunications, Utilities and Energy, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 2263) of Barbara A. L'Italien, Andres X. Vargas, Sonia Chang-Diaz, Diana DiZoglio and other members of the General Court for legislation to protect consumers by prohibiting blocking, throttling, or paid prioritization in the provision of internet service.

Net neutrality.

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

On further motion of the same Senator, the bill was substituted for the report of the committee.

The bill (Senate, No. 2236) was read and, after remarks, under Senate Rule 27, was referred to the committee on Ways and Means.

Taken From the Files.

There being no objection, at the request of Mr. Tarr, the report of the Special Senate Committee on Net Neutrality entitled: Net Neutrality and Consumer Protection: A Commonwealth Concern (Senate, No. 2376),— **was taken from the files.**

Special Senate
Committee on Net
Neutrality,-- report.

At the further request of the same Senator, the said report was referred to the committee on Ways and Means.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4422) of Andres X. Vargas and others relative to the responsibilities of school districts regarding school lunches;

School lunches.

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

Petition (accompanied by bill, House, No. 4423) of Stephan Hay and Dean A. Tran for legislation to establish a sick leave bank for Stephanie Perez, an employee of the Trial Court; and

Stephanie Perez,--
sick leave.

Petition (accompanied by bill, House, No. 4424) of Thomas P. Walsh and Joan B. Lovely for legislation to establish a sick leave bank for George Hodgdon, an employee of the Trial Court;

George Hodgdon,--
sick leave.

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

Petition (accompanied by bill, House, No. 4425) of Mary S. Keefe and Michael O. Moore for legislation to establish a sick leave bank for Maria Williams, an employee of the Department of Mental Health;

Maria Williams,--
sick leave.

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

Moment of Silence.

At the request of the Chair (Mr. Crighton), the members, guests and staff stood in a moment of silence and reflection to the memory of Ross Alameddine.

Moment of silence.

PAPER FROM THE HOUSE

Order.

The Senate Order relative to granting the committee on Public Health until March 22, 2018, within which time to make its final report on certain current Senate documents relative to public health (Senate, No. 2328),-- came from the House adopted, in concurrence *with an amendment* striking out the text of the order and inserting in place thereof the following:

Public Health,--
extension order.

“Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Health be granted until Wednesday, May 9, 2018, within which time to make its final report on current Senate documents numbered 142, 1165, 1166, 1169, 1238 and 1245, relative to Public Health”.

The rules were suspended, on motion of Mr. Tarr, and the order was considered forthwith; and, after remarks, the Senate concurred in the House amendment.

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., and that the Clerk be directed to dispense with the printing of a calendar.

Time of meeting.

Adjourn In Memory of Ross Alameddine.

The Senator from Essex, Mr. Crighton, moved that when the Senate adjourns today, it adjourn in memory of Ross Alameddine.

Eleven years ago, on April 16, 2007, Ross Alameddine of Saugus, and 31, others were tragically taken by gun violence on the campus of Virginia Tech University.

Ross was an English major with minors in French and business. He attended St. Mary's Grammar School in Melrose and was a 2005 graduate of Austin Preparatory School in Reading. Ross loved roller-blading, movies and music. He played piano and sang at the coffee house at Austin Preparatory. Ross's fondness of language and voicing strong opinions made him an active participant in French and debate clubs at Austin Prep.

He is survived by his parents, Lynnette Alameddine of Saugus and Dr. Abdallah Alameddine and his sister Yvonne Alameddine.

Accordingly, as a mark of respect in memory of Ross Alameddine, at twenty-nine 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.