

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, MAY 14, 2018

[45]

JOURNAL OF THE SENATE.

Monday, May 14, 2018.

Met at sixteen minutes 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.

Distinguished Guests.

There being no objection, the Chair (Mr. Crighton) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced, in the rear of the Chamber, the Gloucester High School Coed Cheerleading Team for the winter 2017-2018 season. Among the group were Captains Jillian Jean Gross, Vanessa Rosemary Rodolosi and Talia Rose Sanfilippo and team members Tara Nicole Aquipel, Auorora Grace Vincenza Billante, Zariah Denise Billante, Carlie Jordyn Goulart, Julia Marie Harrison, Anthony Michael Petrilli, Emma Catherine Powers, Alli Jeanne Smith, Avery Laura Smith, Kyriah Alie Smithson and Macy Maria Thorton. They were being recognized for winning the Northeastern Conference Championship Title, the Massachusetts State Championship Title, the New England Championship Title and the Nationals Championship Title in Orlando, Florida. The Senate applauded their accomplishments and they withdrew from the Chamber. The team was led by Head Coach Erica Mitchell, Choreographer Eric Bichao and was accompanied by Gloucester Public Schools Athletic Director Julie Smith.

Gloucester High
School Coed
Cheerleading Team.

Communications.

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

Communication from the Office of the Comptroller (pursuant to Sections 1A and 1B of Chapter 47 of the Acts of 2017) submitting its report on the comparison of Actual Revenue Collections to Budget for the 3rd quarter of FY2018 (May 10, 2018); and

Comptroller,-- nontax
revenue.
SD2650

Communication from the Office of the Comptroller (pursuant to line item 1599-2040 of Section 2B Chapter 47 of the Acts of 2017) submitting its report on Paid Prior Year Deficiencies (received May 10, 2018).

Comptroller,-- prior
year deficiency
report. SD2651

Reports of Committees.

By Ms. Lovely, for the committee on Children, Families and Persons with Disabilities, on petition (accompanied by bill, Senate, No. 61), an Order relative to authorizing the joint committee on Children, Families and Persons with Disabilities to make an investigation and study of a certain current Senate document relative to foster care (Senate, No. 2521) [Representative O'Connell of Taunton dissenting]; and

Children, Families
and Persons with
Disabilities
committee,-- study.

By Mr. Eldridge, for the committee on Financial Services, on petition (accompanied by bill, Senate, No. 599), an Order relative to authorizing the joint committee on Financial Services to make an investigation and study of a certain

Financial Services
committee,-- study.

current Senate document relative to auto repairer labor rates (Senate, No. 2524);

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 Elder Affairs, on petition, a Bill relative to rest homes (Senate, No. 347);

By the same Senator, for the same committee, on petition, a Resolve to examine cost trends and financial performance among nursing facilities (Senate, No. 349);

By the same Senator, for the same committee, on petition, a Bill protecting elders and persons with disabilities (Senate, No. 350);

By the same Senator, for the same committee, on petition, a Bill relative to reserving beds in nursing homes during certain leaves of absence (Senate, No. 354);

By the same Senator, for the same committee, on petition, a Bill to ensure resident safety within assisted living facilities (Senate, No. 355);

By the same Senator, for the same committee, on petition, a Bill relative to affordable assisted living facilities (Senate, No. 363); and

By Mr. Eldridge, for the committee on Financial Services, on petition (accompanied by bill, Senate, No. 528), a Bill to increase consumer transparency about insurance provider networks (Senate, No. 2523);

Severally 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 (accompanied by bill, Senate, No. 45), a Bill strengthening protection of children in the Commonwealth (Senate, No. 2520);

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 Order relative to authorizing the joint committee on Transportation to make an investigation and study of certain current Senate documents relative to transportation matters (Senate, No. 2483);

Of the Senate Order relative to authorizing the joint committee on Transportation to make an investigation and study of certain current Senate documents relative to transportation issues (Senate, No. 2484);

Of the Senate Order relative to authorizing the joint committee on Economic Development and Emerging Technologies to make an investigation and study of certain current Senate documents relative to internet matters (Senate, No. 2485);

Of the Senate Order relative to authorizing the joint committee on Economic Development and Emerging Technologies to make an investigation and study of certain current Senate documents relative to economic development matters (Senate, No. 2486);

Of the Senate Order relative to authorizing the joint committee on Higher Education to make an investigation and study of certain current Senate documents relative to higher education issues (Senate, No. 2487);

Of the Senate Order relative to authorizing the joint committee on Marijuana

Rest homes,-- regulations.

Nursing facilities,-- financial performance.

Elders,-- protection.

Nursing homes,-- resident beds.

Assisted living,-- safety.

Assisted living facilities,-- affordability.

Insurance provider networks,-- transparency.

Child protection.

Transportation committee,-- study.

Id.

EDET committee,-- study.

Id.

Higher Education committee,-- study.

Marijuana Policy committee,-- study.

Policy to make an investigation and study of certain current Senate documents relative to marijuana policy issues (Senate, No. 2488);

Of the Senate Order relative to authorizing the joint committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain current Senate documents relative to environmental and agricultural issues (Senate, No. 2489);

Of the Senate Order relative to authorizing the joint committee on Labor and Workforce Development to make an investigation and study of certain current Senate documents relative to labor and workforce development (Senate, No. 2490);

Of the Senate Order relative to authorizing the joint committee on Public Service to make an investigation and study of certain current Senate documents relative to public service matters (Senate, No. 2491);

Of the Senate Order relative to authorizing the joint committee on Financial Services to make an investigation and study of certain current Senate documents relative to financial services issues (Senate, No. 2496);

Of the Senate Order relative to authorizing the joint committee on Revenue to make an investigation and study of certain current Senate documents relative to revenue matters (Senate, No. 2497);

Of the Senate Order relative to authorizing the joint committee on Telecommunications, Utilities and Energy to make an investigation and study of certain current Senate documents relative to matters before the committee (Senate, No. 2498);

Of the Senate Order relative to authorizing the joint committee on the Judiciary to make an investigation and study of certain current Senate documents relative to judicial issues (Senate, No. 2499);

Of the Senate 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 and substance use disorder treatment (Senate, No. 2508); and

Of the Senate Order relative to authorizing the joint committee on Public Health to make an investigation and study of certain current Senate documents relative to public health issues (Senate, No. 2517);

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 Bill relative to innovative communities (Senate, No. 2470);

Of the Senate Resolve relative to mental health peer specialists certification (Senate, No. 2451);

Of the Senate Resolve to protect pollinator habitat (Senate, No. 2460);

Of the Senate Resolve creating a commission on remediating lead in drinking water of schools and early childhood centers (Senate, No. 2465); and

Of the Senate Resolve establishing a commission on tuition and fee-free and debt-free public higher education (Senate, No. 2469);

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.

Environment, Natural Resources and Agriculture committee,-- study.

Labor and Workforce Development committee,-- study.

Public Service committee,-- study.

Financial Services committee,-- study.

Revenue committee,- study.

Telecommunications, Utilities and Energy committee,-- study.

Judiciary committee,- study.

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

Public Health committee,-- study.

Innovative communities.

Mental health peer,- commission.

Pollinator habitat,-- protect.

Schools,-- drinking water.

Community college,- tuition and fees.

PAPERS FROM THE HOUSE

A petition (accompanied by bill, House, No. 4488) of Jerald A. Parisella and Joan B. Lovely (with the approval of the mayor and city council) that the city of Beverly be authorized to employ Paul Cotter as fire chief, notwithstanding the maximum age requirement,-- **was referred, in concurrence, to the committee on Public Service.**

Beverly,-- fire chief.

A Bill to protect you from the health risks of tobacco and nicotine addiction (House, No. 4486,-- on House, Nos. 835, 1180, 1217, 2455 and 2864),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Nicotine addiction.

Report of the committee on Public Health asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2460) of Denise C. Garlick and others relative to urgent care and retail clinics,-- and recommending that the same be referred to the committee on Health Care Financing,-- **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Urgent care.

Resolutions

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

Resolutions (filed by Ms. Chandler) "congratulating the Amherst Woman's Club on its one hundred and twenty-fifth anniversary";

Amherst Woman's Club.

Resolutions (filed by Ms. Lovely) "congratulating Maggie Chiffer of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America";

Maggie Chiffer.

Resolutions (filed by Ms. Lovely) "congratulating Jenny Conant of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America";

Jenny Conant.

Resolutions (filed by Ms. Lovely) "congratulating Melissa Driver of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America";

Melissa Driver.

Resolutions (filed by Ms. Lovely) "congratulating Olivia Inman of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America";

Olivia Inman.

Resolutions (filed by Ms. Lovely) "congratulating Lindsay Porter of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America";

Lindsay Porter.

Resolutions (filed by Ms. Lovely) "congratulating Kajsa Wingerup of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America";

Kajsa Wingerup.

Resolutions (filed by Ms. Spilka) "congratulating Keely E. Dion of the town of Medway on her Girl Scout Gold Award"; and

Keely E. Dion.

Resolutions (filed by Ms. Spilka) "congratulating Stephanie Skura of the city of Framingham on her Girl Scout Gold Award."

Stephanie Skura.

Reports of Committees.

Mr. Montigny, for the committee on Rules, reported that the following matters be placed in the Orders of the Day for immediate consideration on Thursday, May 17, 2018:

The Senate Bills

Relative to protecting biometric information under the security breach law (Senate, No. 95); and

Biometric information.

Relative to the powers and duties of a regional school district (Senate, No. 264); and

Regional school districts.

The Senate Resolve establishing a special legislative commission on young professionals (Senate, No. 208).

Young professionals commission.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Melvin Maldonado, an employee of the Department of Mental Health (Senate, No. 2444),-- ought to pass.

Melvin Maldonado,-- sick leave.

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.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE

A Bill relative to protecting the rights of custodial and other non-teaching employees of school districts (House, No. 1390,-- on Senate, No. 1442 and House, No. 1390),-- was read.

School employees,-- rights.

There being no objection, at the request of Mr. Pacheco, the bill was placed in the Orders of the Day for immediate consideration on Thursday, May 17, 2018.

A Bill establishing a sick leave bank for Bethany Ryan, an employee of the Hampshire County Sheriff's Department (House, No. 4403,-- on petition),-- was read.

Bethany Ryan,-- sick leave.

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

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

Petition (accompanied by bill, House, No. 4497) of Josh S. Culter and others relative to the commitment of certain individuals for alcohol and substance use disorder;

Alcohol and substance use disorder.

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

Petition (accompanied by bill, House, No. 4498) of Paul W. Mark and Adam G. Hinds for legislation to authorize the Teachers' Retirement Board to grant creditable service to Rachel Porter;

Rachel Porter,-- retirement.

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

Petition (accompanied by bill, House, No. 4499) of Patricia A. Haddad relative to gender identity on certain state identification;

Gender identification.

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

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.

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 Albert J. “Al” Perette Jr.

Moment of silence.

Adjourn In Memory of Albert J. “Al” Perette Jr.

The Senator from Plymouth and Norfolk, Mr. O’Connor, moved that when the Senate adjourns today, it adjourn in memory of Albert J. “Al” Perette Jr.

On April 30th, 2018 lifelong Weymouth resident, business owner and veteran Albert J. “Al” Perette Jr. passed away at the age of 85. Al proudly served in the U.S. Army from 1953-1955 during the Korean Conflict. During his service, Al was assigned to an 18 month tour of duty in Korea.

Upon completing his service, Al went on to have a successful career as the owner of Al’s Barbershop in Weymouth for over 60 years. Al was well known in his hometown of Weymouth and affectionately known as “Al the Barber.”

In September 2017, Al was presented with Korea’s Ambassador for Peace Medal by South Korean Consulate Consul General Ohm Song-jun for his service to our nation while in Korea.

Al enjoyed fishing, hunting and spending time with longtime fellow veteran friends. Al was also an active parishioner at Immaculate Conception Parish in Weymouth.

He was the beloved husband of 60 years to the late Marilyn (Pitts) Perette. Devoted father of Michael Perette, Robert Perette and his wife Amy, Jon Perette and his companion Beth and Joseph Perette and his companion Holly. He is the cherished Papa of 8 grandchildren and 5 great-grandchildren.

Al will be remembered for his devotion to our country, love of his family and his pride for his community. He will be missed by the many resident that knew him, and even more so by his loving family who survives him.

Accordingly, as a mark of respect in memory Albert J. “Al” Perette Jr., at twenty-eight minutes past eleven o’clock A.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Thursday next at eleven o’clock A.M.