

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, NOVEMBER 15, 2018.

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JOURNAL OF THE SENATE.

Thursday, November 15, 2018.

Met at ten minutes past eleven o'clock A.M. (Mr. Rodrigues in the Chair).

The Chair (Mr. Rodrigues), 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:

Communications from the Honorable Karen E, Spilka, President of the Senate, announcing the following appointments:

Audrey Hall of Framingham (pursuant to Section 66 of Chapter 3 of the General Laws) to the Massachusetts Commission on the Status of Women; and

Commission on the Status of Women.

Senator Michael J. Barrett (pursuant to Section 217 of Chapter 69 of the Acts of 2018) to the Special Commission to conduct a study on the ability of a defendant to pay fines and fees; and

Commission on defendants ability to pay fines.

Communications from the Honorable Bruce E. Tarr, Senate Minority Leader, announcing the following appointments:

Mary Jane Byrnes of Wilmington (pursuant to Section 79 of Chapter 154 of the Acts of 2018) as his designee to the Early Education and Care Workforce Council; and

Early Education and Care Workforce Council.

Carmelina Procaccini of Danvers (pursuant to Section 5 of Chapter 177 of the Acts of 2016) as his designee to the Special Commission on the impact of pay disparity.

Pay disparity.

Report.

Report of the Massachusetts Technology Development Corporation aka MassVentures (under the provisions of Section 6 of Chapter 40G of the General Laws) submitting financial statements for the fiscal years ended June 30, 2018 (received November 14, 2018), -- was placed on file.

MTDC,-- annual report. SD2831

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Moore, a petition (accompanied by bill) (subject to Joint Rule 12) of Michael O. Moore and Paul K. Frost for legislation to establish a sick leave bank for Maria Krull, an employee of the Department of Transitional Assistance; and

Maria Krull,-- sick leave. SD2830

By Ms. O'Connor Ives, a petition (accompanied by bill) (subject to Joint Rule 12) of Kathleen O'Connor Ives and Andres X. Vargas for legislation to establish a sick leave bank for Brian S. Bibean, an employee of the Department of Correction;

Brian S. Bibean,-- sick leave. SD2829

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

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4959) of Marjorie C. Decker and Sal N. DiDomenico (with the approval of the mayor and city council) that the city of Cambridge be authorized to offer early voting in municipal elections,-- was referred, in concurrence,

Cambridge,-- municipal elections.

to the committee on Election Laws.

Resolutions.

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

Resolutions (filed by Ms. Lovely) “commending Salem State University on its celebration of the seventieth anniversary of the Universal Declaration of Human Rights.”

Salem State University.

Matters Taken Out of the Orders of the Day.

Ms. Friedman in the Chair, there being no objection, the following matters were taken out of the Orders of the Day and considered as follows:

The House Bill authorizing the merger of the Salvation Army of Massachusetts, Inc. into the Salvation Army, a New York Corporation (House, No. 3691),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act authorizing the merger of the Salvation Army of Massachusetts, Incorporated into the Salvation Army, a New York corporation.”**

Salvation Army,-- merger.

The House Bill authorizing the appointment of retired Salem police officers as special police officers within the city of Salem (House, No. 4705, amended),-- **was read a third time and passed to be engrossed, in concurrence.**

Salem,-- retired police officers.

The House Bill authorizing the board of selectmen of the town of Arlington to place upon a town ballot a question to authorize the board of selectmen to issue 1 additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4892) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Arlington,-- liquor license.

Reports of Committees.

Ms. Lovely, for the committee on Ways and Means, that the Senate Bill relative to the Springfield Technology Park (Senate, No. 209),-- ought to pass, with an amendment substituting a new draft with the same title (Senate No. 2674).

Springfield Technology Park.

There being no objection, the rules were suspended, on motion of Mr. O’Connor, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2674) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

By Mr. Feeney, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for James Condon, an employee of the Department of Mental Health (Senate, No. 2672).

James Condon,-- sick leave.

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

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 Barbara A. L’Italien for legislation to establish a sick leave bank for Robert Socha, an employee of the Department of Correction.

Robert Socha,-- sick leave.
SD2745

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

The House Bill amending the charter of the town of Groton (House, No. 4893,-- on petition) [Local approval received],-- was read.

Groton,-- charter.

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

The House Bill amending the charter of the town of Needham (House, No. 4948,-- on petition) [Local approval received],-- was read.

Needham,-- charter.

There being no objection, the rules were suspended, on motion of Mr. O'Connor, 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. 4963) of John W. Scibak relative to elections for fire district number 2 in the town of South Hadley;

South Hadley,-- fire district elections.

Petition (accompanied by bill, House, No. 4964) of John W. Scibak relative to elections for fire district number 1 in the town of South Hadley; and

Id.

Petition (accompanied by bill, House, No. 4965) of John W. Scibak relative to elections for fire district number 1 in the town of South Hadley;

Id.

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

Petition (accompanied by bill, House, No. 4966) of Andres X. Vargas for legislation to establish a sick leave bank for Gina Parolisi, an employee of the Trial Court;

Gina Parolisi,-- sick leave.

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

Petition (accompanied by bill, House, No. 4967) of Brian M. Ashe relative to employees of the Western Massachusetts Emergency Communications District; and

Communications District

Petition (accompanied by bill, House, No. 4968) of Paul W. Mark and Adam G. Hinds for legislation to establish a sick leave bank for Peter Hayes, an employee of the Department of Children and Families;

Peter Hayes,-- sick leave.

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

Engrossed Bills.

The following engrossed bills (both 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 (Ms. Friedman) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and laid before the Governor for his approbation, to wit:

Authorizing the town of Whately to continue the employment of John Hannum (see House, No. 4547, amended); and

Bills laid before the Governor.

Authorizing the city of Marlborough to grant an additional license for the sale of alcoholic beverages not to be drunk on the premises (see House, No. 4621).

Order Adopted.

On motion of Mr. O'Connor--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday next at eleven o'clock A.M.

Time of meeting.

Moment of Silence.

At the request of the Chair (Ms. Friedman), the members, guests and staff stood in a moment of silence and reflection to the memory of Thomas McIntyre and Nelson K. Benton.

Moment of silence.

Adjournment in Memory of Thomas McIntyre

The Senator from Suffolk, Mr. Collins, moved that when the Senate adjourns today, it adjourn in memory of Thomas McIntyre.

Thomas McIntyre, of Mission Hill, Jamaica Plain, and West Roxbury, passed from this life on Monday, November 12. Pre-deceased by his wife Katherine Bowen McIntyre, also of Mission Hill. Proud father of Judith of Needham, Alice of West Roxbury, Susan of St. Petersburg, Florida, Tricia of Boston, Carol Gallagher and husband Joe of Hyde Park, Jean Maras and husband Stephen of Scituate, Kate Jacobs and husband Greg of Needham, Thomas of West Roxbury and Joseph and wife Barrett of New York City. Pre-deceased by parents Alice and Cornelius, brothers Eugene, John, and Richard and sister Audrey. Devoted Grampa of Kayla, Audrey, Leah, Danny, Seth, David, Ava, Clara, Liam, Ella, Josie, Griffin, Rhys and Kira.

Tom was a lifelong member of the Bricklayers and Allied Craftsmen Union, Local 103, Boston. He remained on the forefront of the development, growth and vitality of all Labor Unions, and their importance to the lives of workers and their families. Passionate about affordable housing, he pioneered the innovative collaboration of Boston's Labor Unions, Boston City Hall and the city's financial institutions in designing and constructing affordable housing for working class citizens in the city.

Mr. McIntyre was a devoted BC Eagles fan, supporter of the Jamaica Plain Footlight Club, and was proud to announce the nomination of Governor Michael Dukakis for President at the Democratic National Convention in 1988.

Adjournment in Memory of Nelson K. Benton

The Senator from Essex, Ms. Lovely, moved that when the Senate adjourns today it do so in memory of Nelson K. Benton.

Nelson K. Benton, 66, a legendary North Shore journalist and community leader, died Friday, November 2, 2018, at his home in Arizona, surrounded by his loving family, after a courageous battle with pancreatic cancer.

Nelson was a longtime editor and political reporter for the Salem News, and ended his influential career as editorial page editor of the Eagle-Tribune Publishing Co., and North of Boston Media Group. A longtime resident of Peabody, he retired in 2012 and moved with his wife, Laurie, to Arizona. The couple was married for 46 years.

The son of the late Nelson and Betty (Chiarello) Benton, Nelson was born December 14, 1951, in Jamaica, New York, and then lived for 14 years in the Philippines, where his father worked as a manager for the Singer Sewing Machine Co. The Benton family moved back to the United States in 1965 and settled in Danvers, where Nelson met his future wife, Laurie Brown. The high school sweethearts began dating after junior year, went to prom together, and graduated DHS, class of 1969. The couple then studied at the University of Maine, Orono, where they both took accelerated classes and graduated in only three years so they could get married more quickly.

Nelson and Laurie, a retired Salem public school teacher, bought a home in Peabody where they raised their two sons, Tim and Todd. Despite his demanding career, Nelson was a devoted family man, never missing a sporting event or school function.

Nelson worked for 40 years at the Salem News, beginning his career as an intern and working his way through the newsroom ranks from beat reporter, to city editor, to managing editor, to editorial page editor. Nelson won numerous prestigious awards for his voluminous work, including the Yankee Quill Award, considered the highest individual honor awarded by fellow journalists in New England. He was also inducted in the New England Newspaper Press Association Hall of Fame. The Salem News longtime Student-Athlete Award is named in his honor.

His dedication to the best interests of the North Shore community was best displayed during his coverage of the Salem Teachers Union strike in the early 1990s. Although Nelson could have written about the heated community topic with a bias due to his wife's membership in the union, he stuck to the facts and served as the voice of the North Shore people, advocating for what was best for the overall community, specifically the Salem school system.

Along with community journalism, Nelson loved to read, golf, and swim, and was a big fan of the Patriots and Red Sox. His greatest joys came from being with his family, especially his grandchildren.

Benton was a journalist to the core but above that he was a family man. His love and dedication for his family and the friends he had throughout the North Shore was always his priority, regardless of the pressing matters he was responsible for as part of his career.

Nelson leaves his wife of 46 years, Laurie (Brown) Benton, of Surprise, Arizona; son Todd Benton and his wife, Erin, and their daughters, Eliana, 13, and Emilee, 8, also of Surprise, Arizona; and son Timothy Benton and his wife, Laurie, and their sons TJ, 5, and Brady Nelson, 7 months, of Lanoka Harbor, New Jersey.

Accordingly, as a mark of respect to the memory of Thomas McIntyre and Nelson K. Benton, at twenty-nine minutes before twelve o'clock noon, on motion of Mr. O'Connor, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.

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