

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



WEDNESDAY, MAY 3, 2017.

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JOURNAL OF THE SENATE.

Wednesday, May 3, 2017.

Met at eighteen minutes past one o'clock P.M.

The Senator from Essex and Middlesex, Mr. Tarr, led the President, members, guests and staff in the recitation of the pledge of allegiance to the flag.

Pledge of allegiance.

Communication.

Communication from the Office of the Comptroller (pursuant to line item 1599-2040 of Section 2B of Chapter 133 of the Acts of 2016) submitting its third quarter paid prior year deficiency report (received May 2, 2017),-- was placed on file.

Comptroller,-- prior year deficiency report. SD2186

Report.

Report of the Massachusetts Gaming Commission (pursuant to Section 65 of Chapter 23K of the General Laws) submitting its 2016 Annual Gaming Audit report (copies having been forwarded as required to the Senate Committee on Ways and Means) (received May 3, 2017),-- was placed on file.

MassGaming,-- annual gaming audit. SD2190

Petition.

Mr. Brownsberger (by request) presented a petition (accompanied by bill) (subject to Joint Rule 12) of Richard Carlson for legislation relative to motor vehicle registration plates;

Motor vehicle,-- registration plates. SD2185

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

Reports of a Committee.

By Mr. McGee, for the committee on Transportation, on petition, a Bill relative to vehicle idling (Senate, No. 1950); and

Vehicle idling.

By the same Senator, for the same committee, on petition, a Bill relative to low-speed vehicles (Senate, No. 1954);

Low-speed vehicles.

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

By Mr. McGee, for the committee on Transportation, on petition, a Bill designating certain portions of state highway as the Officer Ronald Tarentino, Jr. memorial highway (Senate, No. 1967); and

State highway,-- designation.

By the same Senator, for the same committee, on Senate, Nos. 1908 and 1962, a Bill to prevent driver distraction and motor vehicle fatalities (Senate, No. 2058);

Motor vehicles,-- mobile phones.

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

PAPERS FROM THE HOUSE.

Bills

UNCORRECTED PROOF.

Establishing a sick leave bank for Brenda May, an employee of the Department of Children and Families (House, No. 3455,-- on petition); and

Brenda May,-- sick leave.

Making appropriations for the fiscal year 2018 for the maintenance of the departments, boards, commissions, institutions, and certain activities of the Commonwealth, for interest, sinking fund, and serial bond requirements, and for certain permanent improvements (House, No. 3601,-- on House, No. 1, in part);

General appropriations bill.

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

A Bill relative to the membership of the Millbury Redevelopment Authority (House, No. 1101,-- on petition) [Local approval received],-- **was read and placed in the Orders of the Day for the next session.**

Millbury Redevelopment Authority.

Resolutions.

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

Resolutions (filed by Mr. Brady) “congratulating Nicholas Belizaire of the city of Brockton on his elevation to the rank of Eagle Scout”;

Nicholas Belizaire.

Resolutions (filed by Mr. Brady) “congratulating Sean Robert Hernon of the town of Hanover on his elevation to the rank of Eagle Scout”;

Robert Hernon.

Resolutions (filed by Mr. Brady) “congratulating Ryan Francis Kinney of the town of Hanover on his elevation to the rank of Eagle Scout.”; and

Ryan Francis Kinney.

Resolutions (filed by Mr. Pacheco) “congratulating Associate Justice Lawrence Moniz on his retirement from the Bristol County Juvenile Court.”

Associate Justice Lawrence Moniz.

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 relative to a lease for the bathing beach bathhouse facility and surrounding grounds located on Otis Street in Hingham (Senate, No. 22),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been change by the committee on Bills in the Third Reading to read as follows: “An Act authorizing the trustees of the bathing beaches in the town of Hingham to enter into a lease for the operation of the bathhouse facility and surrounding grounds”.**

Hingham,-- bathhouse lease.

Sent to the House for concurrence.

The Senate Bill amending the charter of the City of Lowell (Senate, No. 1125),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed.**

Lowell,-- charter.

Sent to the House for concurrence.

The Senate Bill authorizing the city of Leominster to pay a certain unpaid bill (Senate, No. 1132),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed.**

Leominster,-- unpaid bill.

Sent to the House for concurrence.

The House Bill authorizing the town of Millis to transfer certain recreational property in exchange for dedication of conservation land (House, No. 1106),-- **was read a second time, ordered to a third reading, read a third time and passed to**

Millis,-- park land.

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 town of Millis to transfer a certain parcel of park land”.

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Gail Normandin, an employee of the Executive Office of Labor and Workforce Development (Senate, No. 2049),-- ought to pass with and amendment substituting a new draft with the same title (Senate, No. 2059).

Gail Normandin,--
sick leave.

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

The bill (Senate, No. 2059) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

Order Adopted.

Mr. Moore offered the following order, to wit:

Ordered, that there shall be a special committee on the part of the Senate on cyber security readiness. The committee shall consist of 5 members of the Senate, 4 of whom shall be appointed by the President of the Senate and 1 of whom shall be appointed by the Minority Leader of the Senate. The committee shall review and make recommendations for the state to improve its cyber security readiness, enhance technological responses to homeland security and public safety threats, and further protect financial, medical and other sensitive information. The committee shall file its report, with any recommendations for legislation, with the clerk of the senate by March 30, 2018 (Senate, No. 2060).

Cyber security.

Under the rules, referred to the committee on Rules.

Subsequently, Mr. Montigny, for the said committee, reported, recommending that the order ought to be adopted.

The rules were suspended, on motion of Mr. Moore, and the order (Senate, No. 2060) was considered forthwith.

Remarks of Senator Michael O. Moore.

As we continue to evaluate and establish our priorities for public safety and security in the Commonwealth, there must be an increasing emphasis on issues of cyber security.

Remarks of Senator
Michael O. Moore.

To that end, this Special Committee will focus on identifying the needs of our public safety officials in the cyber realm, and providing them with the tools necessary to protect Massachusetts residents.

From bank accounts to medical records, energy systems and law enforcement information, sensitive material is increasingly being stored online. With that has come the advent of cyber criminals who have the ability to inflict tremendous damage from anywhere in the world.

These attacks can result in serious human and economic costs, and how we prepare to meet these threats will ultimately determine the degree of harm. The potential for serious threats necessitates a thorough review of our existing cyber security defenses.

While there will be improvements to make within our own borders, the Committee will also need to consider the way we interact with the federal homeland security apparatus.

Officials from the Department of Public Safety, and other institutions like the Commonwealth Fusion Center have already begun to confront these issues, and the committee will aim to supplement these efforts.

I am hopeful that by engaging with strategic partners and evaluating the strength of our operations, we can better protect the people of Massachusetts from these threats.

Our expanding reliance on technology will require us to constantly evaluate and invest in the protection of state networks, and the establishment of strong cyber security policies.

I'd like to thank the Senate President for his commitment to this vital issue, and I look forward to working with all of you to make this a success.

On motion of Mr. Lovely, under the provisions of Senate Rule 6, the remarks were printed in the Journal of the Senate.

The order (Senate, No. 2060) was then adopted.

Order Adopted.

Ms. Flanagan offered the following order, to wit:

Ordered, that there shall be a special committee on the part of the Senate on addiction prevention, treatment and recovery options. The special committee shall review existing state statutes and funding, as well as the implementation and enforcement of recently enacted substance abuse legislation, and make recommendations to further strengthen opioid abuse prevention, intervention, treatment and recovery options and access to such programs for all residents of the Commonwealth. (Senate, No. 2061).

Addiction prevention,
treatment and
recovery.

Under the rules, referred to the committee on Rules.

Subsequently, Mr. Montigny, for the said committee, reported, recommending that the order ought to be adopted.

The rules were suspended, on motion of Ms. Flanagan, and the order (Senate, No. 2061) was considered forthwith

Messrs. Tarr, deMacedo, Fattman, Humason, O'Connor and Ross moved to amend the order by inserting in line 2 after the word options the following: "to be appointed by the president of the senate and the minority leader of the senate".

The amendment was adopted.

After remarks, the order, as amended was then adopted.

Communications.

The Clerk read the following communications:

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
OFFICE OF THE PRESIDENT

May 3, 2017

William F. Welch
Clerk of the Senate
Massachusetts State House, Room 335

Senator President
Stanley C.
Rosenberg.

Boston, MA 02133

Dear Mr. Clerk,

The following members are appointed to the Senate special committee on Addiction Prevention, Treatment, and Recovery Options:

Jennifer L. Flanagan, Chair
John F. Keenan, Vice Chair
Michael D. Brady
Anne M. Gobi
Eric P. Lesser
Joan M. Lovely
Michael O. Moore
Kathleen O'Connor Ives
Walter F. Timilty

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
OFFICE OF THE PRESIDENT

May 3, 2017

Id.

William F. Welch
Clerk of the Senate
Massachusetts State House, Room 335
Boston, MA 02133

Dear Mr. Clerk,

The following members are appointed to the Senate special committee on Cyber Security:

Michael O. Moore, Chair
Cynthia Stine Creem, Vice Chair
Michael D. Brady
Eric P. Lesser

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
OFFICE OF THE PRESIDENT

May 3, 2017

Id.

William F. Welch
Clerk of the Senate
Massachusetts State House, Room 335
Boston, MA 02133

Dear Mr. Clerk,

The following members are appointed to the Senate special committee on Citizen Engagement:

John F. Keenan
Jason M. Lewis

Adam G. Hinds

Order Adopted.

Mr. Montigny offered the following order, to wit:

Ordered, That due to a vacancy in the office of Senator from the Fourth Middlesex District caused by the death of Kenneth J. Donnelly, members of the General Court may sign on to legislation filed by Kenneth J. Donnelly prior to the cause of the vacancy in the Fourth Middlesex district without approval from the original sponsor for a period ending on the twenty-sixth of May, 2017. All requests for sign-ons should be e-mailed to senate.clerk@masenate.gov.

Co-sponsorship,--
certain petitions.

Under the rules, referred to the committee on Rules.

Subsequently, Mr. Montigny, for the said committee, reported, recommending that the order ought to be adopted.

The rules were suspended, on motion of Mr. Montigny, and the order was considered forthwith and adopted.

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 Michael D. Brady for legislation to further regulate the appointment of certain guardians.

Guardians,--
appointment.
SD2177

The rules were suspended, on motion of Mr. Brady, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 3661) of Mathew J. Muratore relative to the investment of funds by fraternal benefit societies,-- **was referred in concurrence, under suspension of Joint Rule 12, to the committee on Financial Services.**

Fraternal benefit
societies,-- funds.

Engrossed Bill—State Loan.

An engrossed Bill providing for the financing of certain improvements to municipal roads and bridges (see House No. 3648) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was put upon its final passage; and, this being a bill providing for the borrowing of money, in accordance with the provisions of Section 3 of Article LXII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at quarter before two o'clock P.M., as follows to wit (yeas 36 - nays 0) [**Yeas and Nays No. 11**]:

Municipal roads and
bridges,--
improvements.

YEAS.

Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Creem, Cynthia Stone
Cyr, Julian

Keenan, John F.
Lesser, Eric P.
Lewis, Jason M.
L'Italien, Barbara A.
Lovely, Joan B.
McGee, Thomas M.
Montigny, Mark C.

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deMacedo, Viriato M.
DiDomenico, Sal N.
Donoghue, Eileen M.
Eldridge, James B.
Fattman, Ryan C.
Flanagan, Jennifer L.
Forry, Linda Dorcena
Gobi, Anne M.
Hinds, Adam G.
Humason, Donald F., Jr.
Jehlen, Patricia D.

Moore, Michael O.
O'Connor Ives, Kathleen
O'Connor, Patrick M.
Pacheco, Marc R.
Rodrigues, Michael J.
Rosenberg, Stanley C.
Ross, Richard J.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.
Welch, James T. – 36.

NAYS – 0.

ABSENT OR NOT VOTING.

Barrett, Michael J.
Rush, Michael F.

Timilty, James E. – 3.

The yeas and nays having been completed at eleven minutes before two o'clock P.M., after remarks, the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

Order Adopted.

On motion of Ms. Chandler,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on tomorrow next at eleven o'clock P.M., and that the Clerk be directed to dispense with the printing of a calendar.

Time of meeting.

Moment of Silence.

At the request of the President, the members, guests and staff stood in a moment of silence and reflection to the memory of Christine Tarr of Gloucester.

Moment of silence.

Adjourn In Memory of Christine Tarr

The Senator from Essex and Middlesex, Mr. Tarr, moved that when the Senate adjourns today, it adjourn in memory of Christine Tarr of Gloucester.

Christine Tarr of Gloucester passed away on January 21, 2017 at the age of 95. Born November 29, 1921 to Constantine and Jennie Taliadoros, Christine was a joyous presence among her six brothers and sisters.

Growing up on the family farm, Christine developed a love for animals that became an integral part of her life. The Gloucester community could always count on Christine's caring heart whenever an animal needed a new home; she never turned away an animal that needed sheltering resulting in a farm filled with cats, goats, horses, and miniature ponies. Despite tending to the farm most days, Christine found time to establish her own professional career, working for more than 15 years at the pelage's glue factory in Gloucester and at Jordan Marsh in Peabody where she loved interacting with customers.

In 1950, Christine married Edward "Murph" Tarr with whom she had three sons: Brian, Brent, and Bruce. Their family settled on the farm where Christine had grown up and she took every opportunity to impart upon her sons all that the farm had taught her over the years. She instilled in each of her children a strong spirit, a

caring nature, and a sense of duty to their community. Each son found a different way to echo these fundamental principles in their everyday lives. All would agree that they are a testament to Christine's incredible legacy.

Christine was always full of adventure which she loved to share with her granddaughters, Elizabeth and Emily. She loved to take them to performances at the north shore music theater and cherished long summer days spent swimming with them at the family pool. As her granddaughters grew up, she shared her love of the farm and it is no surprise that both Elizabeth and Emily are steadfast animal lovers. Christine also had a passion for gardening and knitting, hobbies she shared with her family. She loved knitting her sons and granddaughters sweaters to keep them warm throughout the winter and she often spent mild spring days in her garden with her sister-in-law, Dorothy.

Christine was never just one thing in her life. She was a mother, a grandmother, and a friend. She was a gardener, a knitter, and a swimmer. She lived her life to the fullest in every possible way and she is remembered as a strong, hardworking role model by her family and friends. Christine is survived by her sons, Brian and Bruce of Gloucester; Brent and wife, Cathy of Gloucester; granddaughter, Emily and partner, James of Gloucester; granddaughter Elizabeth Lung and her husband, Michael of Millstone, New Jersey; her brother Anthony Taliadoros and wife Arlene of Essex; and her sister-in-law, Dorothy Taliadoros of Gloucester.

Accordingly, as a mark of respect in memory of Christine Tarr, at four minutes before two o'clock P.M., on motion of Ms. Chandler, the Senate adjourned to meet again tomorrow at eleven o'clock A.M.