

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, JUNE 1, 2017.

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JOURNAL OF THE SENATE.

Thursday, June 1, 2017.

Met at eight minutes past eleven o'clock A.M. (Ms. Lovely in the Chair).

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

Pledge of allegiance.

Distinguished Guests.

There being no objection, the Chair (Ms. Lovely) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced, seated in the Senate Gallery, the Gloucester High School Marine Corps JROTC Team. The team was recognized for winning the 2017 National Championship in the Unarmed Exhibition Drill, as well as third place in the Unarmed Regulation Drill at the National MCJROTC Drill Team Championship in Irving, Texas. The team, which was led by CW03 Richard Muth and Master Sergeant Carcel DuBose, includes the following members: Yerimi Batis-Martinez , Aurora Billante, Zariah Billante, George Buckley, Samuel Burke, Parker Caraway, Thiago DaSilva, Samantha Gross, Caleb Hammett, Malia Hartwell, Jack Ho, Emmanuel Ishimwe, Jonathan Kane, Crisbel Mercado, Marisa Neves, SooAe Ono, Mayra Oliveria, Tyla Ordonez, Lizbeth Pena-Ortiz, Yanna Pena-Ortiz, Jordan Perrine, Caleb Perry, Victoria Barbosa De Souza Pinto, Luis Reyes, Jaiden Rodriguez, Jacob Russell, Dolfi Santa, Evan Sawyer, Elizabeth Schuster, Arthur Vargas, Raysa Zorilla, Ruth Zorilla. The team was the guest of Senator Tarr and Representative Ferrante of Gloucester.

Gloucester High School Marine Corps JROTC Team.

Message from His Excellency the Governor.

A message from His Excellency the Governor recommending legislation relative to the modernization of the commonwealth's administration of unemployment insurance (Senate, No. 2078) (received in the office of the Clerk of the Senate on Tuesday, May 30, 2017 at twenty-five minutes past three o'clock P.M.)

Unemployment Insurance Administration,-- modernization.

The message was read; and, under Senate Rule 20, with the accompanying bill, was referred to the committee on Labor and Workforce Development.

Sent to the House for concurrence.

Report.

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

Report of The Property and Casualty Initiative, LLC (pursuant to Section 3 of Chapter 259 of the Acts of 1998) submitting its 2016 annual report (copies having been forwarded as required to the Senate Committees on Ways and Means and the Joint Committees on Financial Services and Revenue) (received May 31, 2017); and

PCI,-- 2016 annual report. SD2219

Report of the Bristol County Registry of Deeds (pursuant to Section 4 of Chapter 4 of the Acts of 2003 and Section 2KKK of Chapter 29 of the General

Bristol Registry of Deeds.

UNCORRECTED PROOF.

Laws) submitting its plan for expenditure from the County Registers Technological Fund (copies having been forwarded as required to the Senate Committees on Ways and Means and Post Audit and Oversight (received June 1, 2017).

SD2220

Petition.

Mr. Tarr presented a petition (accompanied by bill, Senate, No. 2077) of Bruce E. Tarr and Ann-Margaret Ferrante (by vote of the town) for legislation relative to the appointment of retired police officers in the town of Essex [Local approval received];

Essex,-- retired police officers.

**Referred, under Senate Rule 20, to the committee on Public Service.
Sent to the House for concurrence.**

Reports of a Committee.

By Mr. Moore, for the committee on Municipalities and Regional Government, on petition, a Bill relative to the charter of the town of Sutton (Senate, No. 1131) [Local approval received]; and

Sutton,-- town charter.

By the same Senator, for the same committee, on petition, a Bill establishing a town manager in the town of West Newbury (Senate, No. 2067) [Local approval received];

West Newbury,-- town manager.

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

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 3724) of Alice Hanlon Peisch, Cynthia Stone Creem and Richard J. Ross (by vote of the town) relative to the other post-employment benefits trust fund of the town of Wellesley,-- **was referred, in concurrence, to the committee on Public Service.**

Wellesley,-- benefits.

Bills

Designating a certain area within Toohig Park in the Dorchester section of the city of Boston in memory of Ambrose Valentino (House, No. 3686, amended,-- on House, No. 2922); and

Toohig park,-- Ambrose Valentino.

Redesignating the Pope John Paul II Park located in the Dorchester section of the city of Boston as the Saint Pope John Paul II Park (House, No. 3687,-- on House, No. 2925);

Saint Pope John Paul II Park.

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

The House Bill 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, amended),— came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate, No. 2076, and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representative Dempsey of Haverhill, Kulik of Worthington and Smola of Warren have been appointed the committee on the part of the House.

General appropriation bill.

On motion of Mr. Tarr the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators

**Spilka, DiDomenico and deMacedo were appointed on the part of the Senate.
The bill was returned to the House endorsed accordingly.**

Report of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill making appropriations for the fiscal year 2017 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3718),-- ought to pass, with amendment in section 1, by striking out the last sentence;

FY17 Supplemental appropriations bill.

In section 2, by inserting before item 1599-6903 the following item:-

“1599-3384. \$2,000,000”;

In said section 2, in item 1599-6903, by striking out the figure “\$14,962,481” and inserting in place thereof the following figure:- “\$10,689,520”; and

By adding the following section:-

“SECTION 7. The commissioner of correction, in coordination with the secretary of public safety and security, shall issue a report on fiscal year prison data relative to inmate population, costs per inmate, expenses on payroll, including payroll spending on care and custody personnel, and expenses on programming for recidivism reduction, including case management, reentry support, behavioral health counseling and education. The report shall include data for the previous 5 fiscal years and projected data for fiscal year 2018 and fiscal year 2019. The report shall include recommendations to increase the percentage of spending on evidence-based recidivism reduction programming and shall be provided to the chairs of the joint committee on the judiciary and the chairs of the senate and house committees on ways and means not later than January 1, 2018”.

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 Ways and Means.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

Resolutions.

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

Resolutions (filed by Mr. Brady) “congratulating Samuel J. Andruk of the town of Hanson on his elevation to the rank of Eagle Scout”;

Samuel J. Andruk

Resolutions (filed by Messrs. Lesser and Welch) “commending the Springfield Museums Corporation for its opening of the Amazing World of Dr. Seuss Museum”;

Springfield Museums Corporation.

Resolutions (filed by Mr. Ross) “congratulating James John Manchuso of the town of Wrentham on his elevation to the rank of Eagle Scout”; and

James John Manchuso.

Resolutions (filed by Mr. Tarr) “celebrating the National Amateur Radio Field Day of American Radio Relay League.”

National Amateur Radio Field Day.

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 Jennifer L. Flanagan for legislation relative to donations for municipal events.

Municipal events,-- donations. SD2213

The rules were suspended, on motion of Mr. Tarr, and the report was

considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Consumer Protection and Professional Licensure.

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 Jennifer L. Flanagan and Michael O. Moore for legislation to create a marijuana social host law.

Marijuana,-- social
host law.
SSD2211

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

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 Anne M. Gobi and Donald R. Berthiaume, Jr. for legislation to establish a sick leave bank for Jason Wendover, an employee of the Department of Correction.

Jason Wendover,--
sick leave.
SD2178

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

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 Anne M. Gobi and Donald R. Berthiaume, Jr. for legislation to establish a sick leave bank for Laurie Wendover, an employee of the Department of Correction.

Laurie Wendover,--
sick leave.
SD2179

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

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 Anne M. Gobi and Jonathan D. Zlotnik for legislation to establish a sick leave bank for Sarah Chaplin, an employee of the Department of Correction.

Sarah Chaplin,-- sick
leave.
SD2212

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

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 Jennifer L. Flanagan for legislation relative to Chapter 30B procurement.

Chapter 30B,--
procurement.
SD2214

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

Severally sent to the House for concurrence.

Reports of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Angeline Lee, an employee of the Department of Children and Families (House, No. 3456),-- ought to pass.

Angeline Lee,--
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, in concurrence.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill to establish a sick leave bank for Donald Stuart, an employee of the Department of

Donald Stuart,--
sick leave.

UNCORRECTED PROOF.

Correction (House, No. 3647),-- ought to pass.

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.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 3728) Joseph D. McKenna relative to the classification and tiering of disproportionate share and geographically isolated hospitals;

Hospitals,-- tiering.

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

Petition (accompanied by bill, House, No. 3729) of James M. Cantwell relative to the child custody jurisdiction and enforcement;

Child custody.

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

Recess.

There being no objection, at fourteen minutes before twelve o'clock noon, the Chair (Ms. Lovely) declared a recess subject to the call of the Chair; and, at twenty-eight minutes before two o'clock P.M., the Senate reassembled, Ms. Lovely in the Chair.

Recess.

Order Adopted.

On motion of Mr. Tarr,--

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

Time of meeting.

On motion of the same Senator, at twenty-seven minutes before two o'clock P.M., the Senate adjourned to meet again on Monday next at eleven o'clock A.M.