

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, JANUARY 24, 2019.

JOURNAL OF THE SENATE

Thursday, January 24, 2019.

Met at eight 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.

Reports.

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

Report of the Office of the Comptroller (pursuant to Section 12(c) of Chapter 7A of the General Laws) submitting its Comprehensive Annual Financial Report for the fiscal year ended June 30, 2018 (received January 18, 2019);

Comptroller, --
CAFR.
SD226

Report of the Department of Public Health (pursuant to line item 4513-1020 of Chapter 47 of the Acts of 2017) submitting its report titled "Early Intervention Program Service Units and Expenditures Report for Q4 of FY18" (received January 22, 2019);

DPH, -- FY18 Q4
program service
report.
SD227

Report of the Department of Public Health (pursuant to line item 4513-1020 of Chapter 154 of the Acts of 2018) submitting its Early Intervention program report with updates from the first quarter of FY19 (received January 22, 2019);

Early Intervention, --
1st quarter FY19
report.
SD239

Report of the Division of Local Services' Bureau of Local Assessment (under the provisions of Section 10C of Chapter 58 of the General Laws) submitting its final 2018 Biennial Report of Equalization and Apportionment (received January 22, 2019);

DLS, -- 2018 biennial
report.
SD567

Report of the Department of Labor Relations (pursuant to Section 9U of Chapter 23 of the General Laws) submitting its FY2017 Annual Report (received January 17, 2019); and

DLR, -- annual
report.
SD679

Report of the Personal Care Attendant Quality Home Care Workforce Council (pursuant to Section 75(a) of Chapter 118E of the General Laws) submitting its 2017-2018 bi-annual performance review report (received January 18, 2019).

Home Care
Workforce Council, -
- PCA report.
SD1661

Petitions.

Petitions were severally presented and referred, as follows:

By Mr. Brady, a petition (accompanied by bill) (subject to Joint Rule 12) of Michael D. Brady for legislation relative to motorcycle helmets;

Motorcycle,-- safety.
SD2237

By Mr. Collins, a petition (accompanied by bill) (subject to Joint Rule 12) of Nick Collins for legislation relative to the SMART Plan;

SMART plan.
SD2238

By Mr. Collins, a petition (accompanied by bill) (subject to Joint Rule 12) of Nick Collins for legislation relative to the 401(k) CORE program; and

Deferred
compensation,--
programs. SD2239
School,-- grants.
SD2240

By Mr. Collins, a petition (accompanied by bill) (subject to Joint Rule 12) of Nick Collins for legislation to invest in the Commonwealth's schools;

By Mr. DiDomenico, a petition (accompanied by bill) (subject to Joint Rule 12) of Sal N. DiDomenico for legislation to further rate equity, access, and affordability in community hospitals;

Community
hospitals,-- access
and affordability.
SD2233

By Mr. Tarr, a petition (accompanied by bill) (subject to Joint Rule 12) of Bruce E. Tarr for legislation relative to fetal opioid drug exposure;

Drug exposure,--
fetal. SD2232

By Mr. Tarr, a petition (accompanied by bill) (subject to Joint Rule 12) of Bruce E. Tarr for legislation relative to childhood lead poisoning prevention;

Lead poisoning,--
prevention. SD2236

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

PAPERS FROM THE HOUSE

Messages were referred, in concurrence, as follows:

A message from His Excellency the Governor recommending legislation relative to expanding sports wagering in the Commonwealth (House, No. 68);

Sports wagering.

To the committee on Economic Development and Emerging Technologies.

A message from His Excellency the Governor recommending legislation relative to financing improvements to municipal roads and bridges (House, No. 69);

Roads and bridges.

To the committee on Transportation.

Notice was received from the House of Representatives announcing the following appointment by the Minority Leader:

Dr. Danna Mauch, President and CEO of the Massachusetts Association for Mental Health (under Section 1 of Chapter 208 of the Acts of 2018) to serve as his designee on the Community Behavioral Health Promotion and Prevention Commission.

Behavioral Health
Promotion and
Prevention
Commission.

Resolutions.

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

Resolutions (filed by Mr. Fattman) “commending Timothy Bent, Sr. on the occasion of his retirement as Chief of Police of the town of Webster”;

Timothy Bent, Sr.

Resolutions (filed by Mr. Pacheco) “congratulating the Cranberry Country Chamber of Commerce on its fortieth anniversary”;

Cranberry Country
Chamber of
Commerce.
Joseph William
Morrissey.

Resolutions (filed by Ms. Spilka) “congratulating Joseph William Morrissey on his elevation to the rank of Eagle Scout”; and

Resolutions (filed by Ms. Spilka) “congratulating Cameron Daley Thebaud on his elevation to the rank of Eagle Scout.”

Cameron Daley
Thebaud.

Messages from His Excellency the Governor.

A message from His Excellency the Governor recommending legislation relative to improving safety on the roads of the Commonwealth (Senate, No. 7) (received in the office of the Clerk of the Senate on Tuesday, January 22, 2019 at twenty-five minutes before five o'clock P.M.);

Road safety.

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

Sent to the House for concurrence.

A message from His Excellency the Governor recommending legislation providing for climate change adaptation infrastructure investments in the Commonwealth (Senate, No. 10) (received in the office of the Clerk of the Senate on Wednesday, January 23, 2019 at seventeen minutes before five o'clock P.M.);

Climate change,--
funding.

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

Sent to the House for concurrence.

Recess.

There being no objection, at a quarter past eleven o'clock A.M., the Chair (Mr. Rodrigues) declared a recess, subject to the call of the Chair; and at eleven minutes past one o'clock P.M., the Senate reassembled, Mr. Rodrigues in the Chair

Recess.

Order Adopted.

Ms. Comerford and Mr. Tarr offered the following order, to wit:

Ordered, That, notwithstanding any rule to the contrary, there shall be a Special Senate working group to assess the ongoing impacts of the federal shutdown and develop recommendations to mitigate impacts on Massachusetts residents. The committee shall consist of 7 members of the Senate, 2 of whom shall be appointed by the minority leader. The Senate President shall designate 1 appointee as the chair of the committee. The working group shall dissolve not later than 30 days after the lapse in federal appropriation ends or upon a vote of the committee, whichever comes first. The committee may hold hearings and file a report of its findings and recommendations with the clerk of the senate. The clerk shall make any report publicly available on the legislature's website (Senate, No. 11).

Special Senate working group,-- federal shutdown.

Under the rules, referred to the temporary committee on Rules.

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

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the order (Senate, No. 11) was considered forthwith and, after remarks was adopted.

Report of a Committee.

By Mr. DiDomenico, for the temporary committee on Rules, a Report recommending proposed Senate Rules to be adopted as the permanent rules of the Senate for 2019-2020 (Senate, No. 8).

Senate Rules.

Order Adopted.

Mr. DiDomenico offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Report of the Temporary Committee on Rules relative to the Rules of the Senate for 2019-2020 (Senate, No. 8), shall be placed in the Orders of the Day on Thursday, January 31, 2019. The question will be on acceptance of the report. All amendments shall be filed electronically in the office of the Clerk of the Senate by 12:00 noon, on Monday, January 28, 2019. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

Procedural order,-- Senate Rules.

Under the rules, referred to the temporary committee on Rules.

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

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

The report (Senate, No. 8) was placed in the Orders of the Day for Thursday, January 31.

Communications.

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

A communication was received from the Honorable Karen E. Spilka, President of the Senate, announcing the appointment of Jason M. Lewis, chair, Michael D. Brady, Joanne M. Comerford, Patricia D. Jehlen and Michael O. Moore to the special Senate working group to assess the ongoing impacts of the federal shutdown (Senate, No. 11) (received Thursday, January 24, 2019); and

Special Senate
working group,--
federal shutdown.

A communication was received from the Honorable Bruce E. Tarr, Minority Leader, announcing the appointment of Vinny M. deMacedo and Donald F. Humason, Jr. to the special Senate working group to assess the ongoing impacts of the federal shutdown (Senate, No. 11) (received Thursday, January 24, 2019).

Id.

Report of a Committee.

By Mr. DiDomenico, for the temporary committee on Rules, a Report recommending proposed Joint Rules to be adopted as the permanent Joint Rules of the Senate and House of Representatives for 2019-2020 (Senate, No. 9).

Joint Rules.

Order Adopted.

Mr. DiDomenico offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Report of the Temporary Committee on Rules recommending proposed Joint Rules to be adopted as permanent rules of the Senate and House of Representatives for 2019-2020 (Senate, No. 9), shall be placed in the Orders of the Day on Thursday, January 31, 2019. The question will be on acceptance of the report. All amendments shall be filed electronically in the office of the Clerk of the Senate by 12:00 noon, on Monday, January 28, 2019. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

Procedural order,--
Joint Rules.

Under the rules, referred to the temporary committee on Rules.

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

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

The report (Senate, No. 9) was placed in the Orders of the Day for Thursday, January 31.

Moment of Silence.

At the request of the Chair (Mr. Rodrigues), the members, guests and staff stood in a moment of silence and reflection to the memory of International Holocaust Remembrance Day.

Moment of silence.

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.

Time of meeting.

*Adjourn In Honor of International Holocaust Remembrance Day
and
In Memory of the Liberation of Auschwitz-Birkenau*

The Senator from Middlesex and Norfolk, Ms. Creem, moved that when the Senate adjourns today it adjourn in honor of International Holocaust Remembrance Day and in memory of the January 27, 1945 liberation of Auschwitz-Birkenau, the largest Nazi death camp.

In 2005, the United Nations General Assembly designated January 27 as International Holocaust Remembrance Day (IHRD), an annual day of commemoration to honor the victims of the Nazi era.

The U.N.'s International Holocaust Remembrance Day resolution rejects denial of the Holocaust, and condemns discrimination and violence based on religion or ethnicity.

Accordingly, as a mark of respect in honor of International Holocaust Remembrance Day and in memory of the Liberation of Auschwitz-Birkenau, at fourteen minutes past two o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.