

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, MARCH 18, 2019.

[25]

JOURNAL OF THE SENATE

Monday, March 18, 2019.

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

The Chair (Mr. Boncore), 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:

Communication from the Department of Transitional Assistance (pursuant to Section 2(B)(s) of Chapter 18 of the General Laws) submitting its report on the number of recipients exempt from having a photo on their Electronic Benefit Transfer card (received March 15, 2019);

DTA,-- photo EBT report. SD2337

Communication from the Office of the Comptroller (pursuant to Section 35T of Chapter 10 of the General Laws) submitting its March 2019 certification of MBTA dedicated sales tax revenues for fiscal year 2020 (received March 15, 2019);

Comptroller,-- MBTA sales tax revenue. SD2338

Communication from the Joint Committee on Children, Families and Persons with Disabilities (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2019-2020 legislative session (received Thursday, March 14, 2019);

Children, Families and Persons with Disabilities.

Communication from the Joint Committee on Community Development and Small Businesses (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2019-2020 legislative session (received Thursday, March 14, 2019);

Community Development and Small Businesses.

Communication from the Joint Committee on Education (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2019-2020 legislative session (received Thursday, March 14, 2019);

Education.

Communication from the Joint Committee on Elder Affairs (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2019-2020 legislative session (received Thursday, March 14, 2019);

Elder Affairs.

Communication from the Joint Committee on Environment, Natural Resources and Agriculture (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2019-2020 legislative session (received Thursday, March 14, 2019);

Environment, Natural Resources and Agriculture.

Communication from the Joint Committee on Health Care Financing (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2019-2020 legislative session (received Thursday, March 14, 2019);

Health Care Financing.

Communication from the Joint Committee on Public Health (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2019-2020 legislative session (received Thursday, March 14, 2019);

Public Health.

Communication from the Joint Committee on Revenue (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2019-2020 legislative session (received Thursday, March 14, 2019);

Revenue.

Communication from the Joint State Administration and Regulatory Oversight (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2019-2020 legislative session (received Thursday, March 14, 2019);

State Administration and Regulatory Oversight.

Communication from the Joint Committee on Telecommunications, Utilities and

Telecommunications,

UNCORRECTED PROOF.

Energy (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2019-2020 legislative session (received Thursday, March 14, 2019);

Utilities and Energy.

Communication from the Joint Committee on Veterans and Federal Affairs (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2019-2020 legislative session (received Thursday, March 14, 2019);

Veterans and Federal Affairs.

Communication from the Joint Committee on Election Laws (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2019-2020 legislative session (received Friday, March 15, 2019);

Election Laws.

Communication from the Joint Committee on Export Development (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2019-2020 legislative session (received Friday, March 15, 2019);

Export Development.

Communication from the Joint Committee on Financial Services (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2019-2020 legislative session (received Friday, March 15, 2019);

Financial Services.

Communication from the Joint Committee on Labor and Workforce Development (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2019-2020 legislative session (received Friday, March 15, 2019); and

Labor and Workforce Development.

Communication from the Joint Committee on Municipalities and Regional Government (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2019-2020 legislative session (received Friday, March 15, 2019).

Municipalities and Regional Government.

Reports.

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

Report of the Department of Transitional Assistance (pursuant to Section 2(B)(g) of Section 18 and Section 2 of Chapter 118 of the General Laws) submitting its Fiscal Budgets of Assistance for Transitional Aid to Families with Dependent Children Report (received March 15, 2019);

DTA,-- TAFDC 2019 report. SD2335

Report of the Department of Transitional Assistance (pursuant to Section 2(B)(r) of Chapter 18 of the General Laws) submitting its annual report detailing eligible noncitizens receiving Transitional Aid to Families with Dependent Children (TAFDC) (received March 15, 2019); and

DTA,-- noncitizen report. SD2336

Report of the Massachusetts District Attorneys Association (pursuant to line item 0340-2100 of Chapter 154 of the Acts of 2018) submitting its FY2018 Disabled Persons Protection Commission case referrals to the district attorneys (received March 15, 2019).

MDAA,-- DPPC case referrals report. SD2339

Petition.

Mr. Lewis (by request) presented a petition (accompanied by bill) (subject to Joint Rule 12) of Giovanni Luciani for legislation relative to firefighter protection;

Firefighter protection. SD2334

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

PAPERS FROM THE HOUSE.

A Bill to lift the cap on kids (House, No. 3594,-- on House, No. 104),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Cap on kids.

A Bill relative to abusive practices to change sexual orientation and gender identity in minors (House, No. 140,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Sexual orientation,-- minors.

A report of the committee on Environment, Natural Resources and Agriculture, asking

Septic system

to be discharged from further consideration of the petition (accompanied by bill, House, No. 805) of Steven S. Howitt and others relative to septic system inspections, and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

inspections.

Resolutions.

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

Resolutions (filed by Ms. Gobi) “commemorating the one hundredth anniversary of Merrill L. Simonds American Legion Post #130.”

Merrill L. Simonds
American Legion
Post #130.

Report of Committees.

By Ms. Lovely, for the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Sal N. DiDomenico for legislation to further rate equity, access, and affordability in community hospitals.

Community
hospitals.
SD2233

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

PAPERS FROM THE HOUSE

A Bill establishing a sick leave bank for Joseph Klimkofski, Jr., an employee of Department of Public Health (House, No. 3509,-- on petition),-- was read.

Joseph Klimkofski,
Jr.,-- sick leave.

There being no objection, the rules were suspended, on motion of Mr. deMacedo, 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. 3630) of Dylan A. Fernandes that the county of Dukes County be authorized to borrow funds to pay costs of making various capital improvements and acquiring items of capital equipment at the Martha’s Vineyard airport;

Martha’s Vineyard
airport,--
improvements.

Petition (accompanied by bill, House, No. 3631) of Smitty Pignatelli and Adam G. Hinds relative to certain compensation for municipal employees in the towns of Richmond and West Stockbridge;

Richmond and W.
Stockbridge,--
municipal employees.

Severally, under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.

Order Adopted.

On motion of Mr. deMacedo--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Wednesday next at one o’clock P.M. in a full formal session without a calendar.

Time of meeting.

Moment of Silence.

At the request of the Chair (Mr. Boncore), the members, guests and staff stood in a moment of silence and reflection to the memory of Nancy J. Fitzgerald.

Moment of silence.

Adjourn in Memory of Nancy J. Fitzgerald.

The Senator from Essex, Ms. Lovely, presented a request that when the Senate adjourns today it do so in memory of Nancy J. Fitzgerald.

Nancy J. Fitzgerald died peacefully Friday, January 4, 2019, at her home surrounded by her loving family at the age of 84. She was the wife of Leo J. Fitzgerald, with whom she shared 61 years of marriage.

Born in Pennsylvania on Sept. 29, 1934, Nancy was the daughter of the late Louis and Katherine (Fisher) Baum. She was raised and educated in Alexandria, Va., and had been a Danvers resident and communicant at Saint Mary of the Annunciation Church for more than 50 years.

As a young woman, Nancy had a successful career as a model. As her children grew, she returned to the workforce, first, at Danvers High School where she was a beloved and dedicated administrative secretary, and then at Goldberg Properties in Beverly, where she retired as a bookkeeper.

Nancy was very artistic. She enjoyed painting, teaching ceramics, and cake decorating, gardening and creating beautiful jewelry. Her greatest joys were spending time with her family, especially her grandchildren, and her Chihuahuas.

In addition to her husband, Nancy leaves her children, Jeanne Clawson and her husband Brian of Ipswich, Nancy Fitzgerald Doherty and her husband James of Beverly, Susan Fitzgerald of Marblehead, and John Fitzgerald of Danvers; four grandchildren, Erin, Sean, Connor, and Kara Doherty, all of Beverly; and several nieces and nephews. She was predeceased by her infant son, Sean Fitzgerald.

Accordingly, as a mark of respect in memory of Nancy J. Fitzgerald, at twenty minutes past eleven o'clock A.M., on motion of Mr. deMacedo, the Senate adjourned to meet again on Wednesday next at one o'clock P.M.
