

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, FEBRUARY 14, 2019.

JOURNAL OF THE SENATE

Thursday, February 14, 2019.

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

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

Pledge of Allegiance.

Communcations.

The following communication was received and placed on file:

A communication from the Honorable Karen E. Spilka, President of the Senate, announcing leadership and committee appointments that have been ratified by the Majority Party Caucus:

Leadership and Committee appointments.

- Senator Cynthia Stone Creem -- Majority Leader
Senator William N. Brownsberger -- President Pro Tempore
Senator Harriette L. Chandler -- President Emerita
Senator Joan B. Lovely -- Assistant Majority Leader
Senator Michael J. Barrett -- Assistant Majority Leader
Senator Sal N. DiDomenico -- Assistant Majority Leader
Senator Michael F. Rush -- Majority Whip
Senator Julian Cyr -- Assistant Majority Whip

Senate Standing Committees.

RULES. — Senators Lovely of Essex, Boncore of Suffolk and Middlesex, Hinds of Berkshire, Hampshire, Franklin and Hampden, Brownsberger of Suffolk and Middlesex and Friedman of Middlesex.

WAYS AND MEANS. — Senators Rodrigues of Bristol and Plymouth, Friedman of Middlesex, Lewis of Middlesex, Barrett of Middlesex, Boncore of Suffolk and Middlesex, Brady of Plymouth and Bristol, Collins of Suffolk, Finegold of Essex and Middlesex, Gobi of Worcester, Hampden, Hampshire and Middlesex, Hinds of Berkshire, Hampshire, Franklin and Hampden, Jehlen of Middlesex, Lesser of Hampden and Hampshire, Lovely of Essex, Moore of Worcester and Rush of Norfolk and Suffolk.

BONDING, CAPITAL EXPENDITURES AND STATE ASSETS. – Senators Moore of Worcester, Collins of Suffolk, Timilty of Norfolk, Bristol and Plymouth, Gobi of Worcester, Hampden, Hampshire and Middlesex and Keenan of Norfolk and Plymouth.

ETHICS. – Senators Lesser of Hampden and Hampshire, Creem of Middlesex and Norfolk, Brownsberger of Suffolk and Middlesex, Friedman of Middlesex and Barrett of Middlesex.

BILLS IN THE THIRD READING. — Senators DiDomenico of Middlesex and Suffolk, Chandler of Worcester, Brady of Plymouth and Bristol and Creem of Middlesex and Suffolk.

INTERGOVERNMENTAL AFFAIRS. — Senators Rush of Norfolk and Suffolk, DiDomenico of Middlesex and Suffolk, DiZoglio of Essex, Pacheco of Plymouth and Bristol and Montigny of Bristol and Plymouth.

GLOBAL WARMING AND CLIMATE CHANGE. — Senators Pacheco of Plymouth and Bristol, Barrett of Middlesex, Comerford of Hampshire, Franklin and Worcester, Brownsberger of Suffolk and Middlesex and Boncore of Suffolk and Middlesex.

PERSONNEL AND ADMINISTRATION. — Senators Creem of Middlesex and Norfolk, Lovely of Essex, Chandler of Worcester, Finegold of Essex and Middlesex and Crighton of Essex.

POST AUDIT AND OVERSIGHT. — Senators Keenan of Norfolk and Plymouth, Feeney of Bristol and Norfolk, Gobi of Worcester, Hampden, Hampshire and Middlesex, Eldridge of Middlesex and Worcester, Comerford of Hampshire, Franklin and Worcester and Moore of Worcester.

REDISTRICTING. — Senators Brownsberger of Suffolk and Middlesex, Hinds of Berkshire, Hampshire, Franklin and Hampden, Lewis of Middlesex, Gobi of Worcester, Hampden, Hampshire and Middlesex and Rush of Norfolk and Suffolk.

STEERING AND POLICY. — Senators Montigny of Bristol and Plymouth, Rodrigues of Bristol and Plymouth, DiDomenico of Middlesex and Suffolk and Lovely of Essex.

Joint Standing Committees.

CHILDREN, FAMILIES AND PERSONS WITH DISABILITIES. — Senators Chang-Diaz of Suffolk, DiZoglio of Essex, Eldridge of Middlesex and Worcester, Rausch of Norfolk, Bristol and Middlesex and Crighton of Essex.

COMMUNITY DEVELOPMENT AND SMALL BUSINESS. — Senators DiZoglio of Essex, Kennedy of Middlesex, Jehlen of Middlesex, Lewis of Middlesex and Eldridge of Middlesex and Worcester.

CONSUMER PROTECTION AND PROFESSIONAL LICENSURE. — Senators Feeney of Bristol and Norfolk, Welch of Hampden, DiZoglio of Essex, Finegold of Essex and Middlesex and Boncore of Suffolk and Middlesex.

ECONOMIC DEVELOPMENT AND EMERGING TECHNOLOGIES. — Senators Lesser of Hampden and Hampshire, Crighton of Essex, Feeney of Bristol and Norfolk, Timilty of Norfolk, Bristol and Plymouth, Creem of Middlesex and Norfolk and Gobi of Worcester, Hampden, Hampshire and Middlesex.

EDUCATION. — Senators Lewis of Middlesex, Lovely of Essex, DiDomenico of Middlesex and Suffolk, Hinds of Berkshire, Hampshire, Franklin and Hampden and Cyr of Cape and Islands.

ELDER AFFAIRS. — Senators Jehlen of Middlesex, Rausch of Norfolk, Bristol and Middlesex, Feeney of Bristol and Norfolk, Kennedy of Middlesex and Pacheco of Plymouth and Bristol.

ELECTION LAWS. — Senators Finegold of Essex and Middlesex, Eldridge of Middlesex and Worcester, Chang-Diaz of Suffolk, Crighton of Essex and Kennedy of Middlesex.

ENVIRONMENT, NATURAL RESOURCES AND AGRICULTURE. — Senators Gobi of Worcester, Hampden, Hampshire and Middlesex, Timilty of Norfolk, Bristol and Plymouth, Rush of Norfolk and Suffolk, Kennedy of Middlesex and Eldridge of Middlesex and Worcester.

EXPORT DEVELOPMENT. — Senators Collins of Suffolk, Montigny of Bristol and Plymouth, Finegold of Essex and Middlesex, Lesser of Hampden and Hampshire and Feeney of Bristol and Norfolk.

FINANCIAL SERVICES. — Senators Welch of Hampden, Moore of Worcester, Lesser of Hampden and Hampshire, DiZoglio of Essex and Chang-Diaz of Suffolk.

HEALTH CARE FINANCING. — Senators Friedman of Middlesex, Chandler of Worcester, Hinds of Berkshire, Hampshire, Franklin and Hampden, Cyr of Cape and

Islands, Montigny of Bristol and Plymouth and Boncore of Suffolk and Middlesex.

HIGHER EDUCATION. — Senators Gobi of Worcester, Hampden, Hampshire and Middlesex, Comerford of Hampshire, Franklin and Worcester, Pacheco of Plymouth and Bristol, Kennedy of Middlesex and Rush of Norfolk and Suffolk.

HOUSING. — Senators Crighton of Essex, Cyr of Cape and Islands, Boncore of Suffolk and Middlesex, Chandler of Worcester and Keenan of Norfolk and Plymouth.

THE JUDICIARY. — Senators Eldridge of Middlesex and Worcester, Chang-Diaz of Suffolk, Brownsberger of Suffolk and Middlesex, Creem of Middlesex and Norfolk and Lesser of Hampden and Hampshire.

LABOR AND WORKFORCE DEVELOPMENT. — Senators Jehlen of Middlesex, Lewis of Middlesex, DiDomenico of Middlesex and Suffolk, Moore of Worcester and Keenan of Norfolk and Plymouth.

MARIJUANA POLICY. — Senators Chang-Diaz of Suffolk, Jehlen of Middlesex, Lewis of Middlesex, Welch of Hampden and Comerford of Hampshire, Franklin and Worcester.

MENTAL HEALTH, SUBSTANCE USE AND RECOVERY. — Senators Cyr of Cape and Islands, Keenan of Norfolk and Plymouth, Friedman of Middlesex, Timilty of Norfolk, Bristol and Plymouth, Crighton of Essex and Comerford of Hampshire, Franklin and Worcester.

MUNICIPALITIES AND REGIONAL GOVERNMENT. — Senators Rausch of Norfolk, Bristol and Middlesex, DiZoglio of Essex, Cyr of Cape and Islands, Kennedy of Middlesex and Welch of Hampden.

PUBLIC HEALTH. — Senators Comerford of Hampshire, Franklin and Worcester, Collins of Suffolk, Rausch of Norfolk, Bristol and Middlesex, Crighton of Essex and Cyr of Cape and Islands.

PUBLIC SAFETY AND HOMELAND SECURITY. — Senators Moore of Worcester, Feeney of Bristol and Norfolk, Chang-Diaz of Suffolk, Barrett of Middlesex, Montigny of Bristol and Plymouth and Lovely of Essex.

PUBLIC SERVICE. — Senators Brady of Plymouth and Bristol, Gobi of Worcester, Hampden, Hampshire and Middlesex, Timilty of Norfolk, Bristol and Plymouth, Keenan of Norfolk and Plymouth and Rausch of Norfolk, Bristol and Middlesex.

REVENUE. — Senators Hinds of Berkshire, Hampshire, Franklin and Hampden, Brownsberger of Suffolk and Middlesex, Brady of Plymouth and Bristol, Comerford of Hampshire, Franklin and Worcester and Jehlen of Middlesex.

STATE ADMINISTRATION AND REGULATORY OVERSIGHT. — Senators Pacheco of Plymouth and Bristol, Finegold of Essex and Middlesex, Feeney of Bristol and Norfolk, Rausch of Norfolk, Bristol and Middlesex and Collins of Suffolk.

TELECOMMUNICATIONS, UTILITIES AND ENERGY. — Senators Barrett of Middlesex, Pacheco of Plymouth and Bristol, Finegold of Essex and Middlesex, Creem of Middlesex and Norfolk and Welch of Hampden.

TOURISM, ARTS AND CULTURAL DEVELOPMENT. — Senators Kennedy of Middlesex, Brady of Plymouth and Bristol, Hinds of Berkshire, Hampshire, Franklin and Hampden, DiZoglio of Essex and Collins of Suffolk.

TRANSPORTATION. — Senators Boncore of Suffolk and Middlesex, Lesser of Hampden and Hampshire, Chandler of Worcester, DiZoglio of Essex, Brownsberger of Suffolk and Middlesex and Friedman of Middlesex.

VETERANS AND FEDERAL AFFAIRS. — Senators Timilty of Norfolk, Bristol and Plymouth, Rush of Norfolk and Suffolk, Rausch of Norfolk, Bristol and Middlesex, Brady of Plymouth and Bristol and Collins of Suffolk.

Communication from the Honorable Bruce E. Tarr, Senate Minority Leader, announcing the following senate and joint committee appointments:

Minority Committee appointments.

Senate Standing Committees.

ETHICS. – Senators Humason of Hampden and Hampshire and Tarr of Essex and Middlesex.

RULES. – Senators Fattman of Worcester and Norfolk and Tarr of Essex and Middlesex.

WAYS AND MEANS. – Senators deMacedo of Plymouth and Barnstable, Humason of Hampden and Hampshire and Fattman of Worcester and Norfolk.

BILLS IN THE THIRD READING. – Senator Tarr of Essex and Middlesex.

POST AUDIT AND OVERSIGHT. – Senators Fattman of Worcester and Norfolk and Humason of Hampden and Hampshire.

BONDING, CAPITAL EXPENDITURES AND STATE ASSETS. – Senators Humason of Hampden and Hampshire and deMacedo of Plymouth and Barnstable.

STEERING AND POLICY. – Senator Tarr of Essex and Middlesex.

GLOBAL WARMING AND CLIMATE CHANGE. – Senator O’Connor of Plymouth and Norfolk.

INTERGOVERNMENTAL AFFAIRS. – Senator Tran of Worcester and Middlesex.

REDISTRICTING. – Senator Tarr of Essex and Middlesex.

PERSONNEL AND ADMINISTRATION. – Senators O’Connor of Plymouth and Norfolk and deMacedo of Plymouth and Barnstable.

Joint Standing Committees.

CHILDREN, FAMILIES AND PERSONS WITH DISABILITIES. — Senator Humason of Hampden and Hampshire.

COMMUNITY DEVELOPMENT AND SMALL BUSINESS. — Senator deMacedo of Plymouth and Barnstable.

CONSUMER PROTECTION AND PROFESSIONAL LICENSURE. — Senator Fattman of Worcester and Norfolk.

ECONOMIC DEVELOPMENT AND EMERGING TECHNOLOGIES. — Senator O’Connor of Plymouth and Norfolk.

EDUCATION. — Senator O’Connor of Plymouth and Norfolk.

ELDER AFFAIRS. — Senator Fattman of Worcester and Norfolk.

ELECTION LAWS. — Senator Fattman of Worcester and Norfolk.

ENVIRONMENT, NATURAL RESOURCES AND AGRICULTURE. — Senator Fattman of Worcester and Norfolk.

EXPORT DEVELOPMENT. — Senator Tarr of Essex and Middlesex.

FINANCIAL SERVICES. — Senator deMacedo of Plymouth and Barnstable.

HEALTH CARE FINANCING. — Senator deMacedo of Plymouth and Barnstable.

HIGHER EDUCATION. — Senator Tran of Worcester and Middlesex.

HOUSING. — Senator O’Connor of Plymouth and Norfolk.

THE JUDICIARY. — Senator O’Connor of Plymouth and Norfolk.

LABOR AND WORKFORCE DEVELOPMENT. — Senator O’Connor of Plymouth and Norfolk.

MARIJUANA POLICY. — Senator Tran of Worcester and Middlesex.

MENTAL HEALTH, SUBSTANCE USE AND RECOVERY. — Senator O’Connor of Plymouth and Norfolk.

MUNICIPALITIES AND REGIONAL GOVERNMENT. — Senator Tran of Worcester and Middlesex.

PUBLIC HEALTH. — Senator Humason of Hampden and Hampshire.

PUBLIC SAFETY AND HOMELAND SECURITY. — Senator Tran of Worcester and Middlesex.

PUBLIC SERVICE. — Senator Humason of Hampden and Hampshire.

REVENUE. — Senator Fattman of Worcester and Norfolk.

STATE ADMINISTRATION AND REGULATORY OVERSIGHT. — Senator Tran of Worcester and Middlesex.

TELECOMMUNICATIONS, UTILITIES AND ENERGY. — Senator Tarr of Essex and Middlesex.

TOURISM, ARTS AND CULTURAL DEVELOPMENT. — Senator deMacedo of Plymouth and Barnstable.

TRANSPORTATION. — Senator Tran of Worcester and Middlesex.

VETERANS AND FEDERAL AFFAIRS. — Senator Humason of Hampden and Hampshire.

Report.

Report of the Norfolk 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 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 February 11, 2019),-- **was placed on file.**

Norfolk,-- ROD.
SD2291

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Hinds, a petition (accompanied by bill) (subject to Joint Rule 12) of Adam G. Hinds, Donald F. Humason, Jr., Smitty Pignatelli, Susannah M. Whipps and other members of the General Court for legislation to ensure fair funding for rural schools; and

Rural schools,--
funding.
SD2292

By Mr. Rush, a petition (accompanied by proposal) (subject to Joint Rule 12) of Michael F. Rush for legislation to designate a certain bridge in the town of Norwood as the Thomas J. Kewriga Memorial Bridge;

Norwood,-- bridge.
SD2293

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

PAPER FROM THE HOUSE

A message from His Excellency the Governor recommending legislation relative to the harmful distribution of sexually explicit visual materials (printed in House, No. 76,-- being a message from His Excellency the Governor),-- **was referred, in concurrence, to the committee on the Judiciary.**

Sexually explicit
visual materials.

Resolutions.

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

Resolutions (filed by Ms. Spilka) “congratulating Jack Brennan on his elevation to the rank of Eagle Scout”;

Jack Brennan.

Resolutions (filed by Ms. Spilka) “congratulating Ian Davis on his elevation to the rank of Eagle Scout”;

Ian Davis.

Resolutions (filed by Ms. Spilka) “congratulating Michael Quinlan O’Sullivan on his elevation to the rank of Eagle Scout”

Michael Quinlan
O’Sullivan.

Resolutions (filed by Ms. Spilka) “congratulating Alexander Walters on his elevation to the rank of Eagle Scout”;

Alexander Walters

Resolutions (filed by Mr. Tarr) “commending the town of Essex on its celebration of its Bicentennial Anniversary”; and

Town of Essex.

Resolutions (filed by Mr. Tarr) “commending the town of West Newbury on its celebration of the Bicentennial Anniversary of the founding of the town of West Newbury.”

Town of West
Newbury.

Order Adopted.

On motion of Mr. O’Connor--

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

Time of meeting.

Moment of Silence.

At the request of the Chair (Ms. Jehlen), the members, guests and staff stood in a moment of silence and reflection to the memory of Lance Douglas May.

Moment of silence.

Adjournment in Memory of Lance Douglas May.

The Senator from Worcester and Middlesex, Mr. Tran, moved that when the Senate adjourns today, it adjourn in memory of Lance Douglas May of Lunenburg, Massachusetts.

Lance Douglas May, 69, passed away peacefully at home on Thursday, December 20, 2018 after a short illness. He was under the loving care of his wife Donna and his family.

Lance was born in Fitchburg on April 28, 1949, a son of the late Clarence “Shifty” May Jr. and Elvira (Zink) “May” Kennedy. He graduated from Lunenburg High School in 1968 and from Mount Wachusett Community College in 1971. He also attended Holy Cross College and Fitchburg State University. Lance served for the Commonwealth of Massachusetts in the Department of Revenue and the Department of Conservation and Recreation. He had a sharp, active mind and was constantly finding projects to work on. Throughout his life, he was the chair of several Lunenburg Committees, such as Park Commissioner, Lunenburg Housing Authority, Lunenburg Board of Selectman, Lunenburg Cable Advisory Committee, Lunenburg Cemetery Commission, Athletic Hall of Fame Committee and the LHS Alumni Association. He coached soccer teams and little league baseball in town. He was a former member of the Board of Trustees for Mount Wachusett Community College. He was a member of the Aurora Lodge of Masons in Fitchburg, and he was a member of the Shriners. Lance served as a former State Committeeman and Chairman of the Lunenburg Massachusetts Republican Party and worked on several campaigns.

He was predeceased by his brother Blair D. May. He leaves his wife Donna

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(Testagrossa) May; one son Matthew C. May and his wife Veronica of Lunenburg; his three granddaughters, Magdalena, Clarissa and Elise May; one daughter, Heidi E. May and her boyfriend, Saoud Al-Tukhaim and his daughter Lexi of Townsend; one brother, Randall D. May and his wife Deborah of Ashby; one uncle, Norman W. May and his wife Lois of TX; several in-laws, cousins, nieces and nephews, as well as Nora (Muldoon) the dog.

Lance is sincerely missed by his loving family and the community of the Worcester and Middlesex District.

Accordingly, as a mark of respect in memory of Lance Douglas May, at ten minutes past eleven o'clock P.M., on motion of Mr. Timilty, the Senate adjourned to meet again on Tuesday next at eleven o'clock A.M.