

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, MARCH 25, 2019.

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Monday, March 25, 2019.

Met at ten minute past eleven o'clock A.M.

The President, members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of Allegiance.

Communication.

Communication from the Per- and Polyfluoroalkyl Substances Caucus relative to the creation of said caucus (received March 21, 2019),-- was placed on file.

PFAS Caucus,-- creation. SD2363

Reports.

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

Report of the Department of Unemployment Assistance (pursuant to Section 14F of Chapter 151A of the General Laws) submitting the March 2019 Unemployment Insurance Trust Fund report (received March 21, 2019); and

DUA,-- March 2019 report. SD2362

Report of the Massachusetts Bay Transportation Authority (pursuant to subsection 11 of Section 151 of Chapter 127 of the Acts of 1999) submitting its net operating investment per passenger mile ratio for fiscal years 2017 through 2021(received March 21, 2019).

MBTA,-- passenger mile ratio report. SD2364

PAPER FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation relative to enabling the establishment of innovation partnership zones (House, No. 3632),-- was referred, in concurrence, to the committee on Education.

Innovation partnership zones.

Reports

Of the committee on Public Service, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 2363) of Daniel J. Ryan and others relative to collective bargaining representation for public employees; and

Public employees,-- collective bargaining.

Of the petition (accompanied by bill, House, No. 2385) of Bud L. Williams and others relative to public employee collective bargaining;

Id.

And recommending that the same be severally referred to the committee on Labor and Workforce Development.

Of the committee on the Judiciary, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No.1492) of Jack Patrick Lewis and other relative to expanding access to adoption; and

Adoption,-- expanding access.

Of the petition (accompanied by bill, House, No. 3468) of RoseLee Vincent relative to written consent by biological parents for certain adoptions;

Biological parents,-- adoption consent.

And recommending that the same be severally referred to the committee on Children, Families and Persons with Disabilities.

Of the petition (accompanied by bill, House, No. 1443) of Kevin G. Honan and others for legislation to prevent and respond to bullying of elderly and disabled residents;

Elderly and disabled,-- bullying.

UNCORRECTED PROOF.

And recommending that the same be referred to the committee on Housing.

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.

Swearing in of Senate Counsel.

The President announced that she has appointed Jennifer L. Miller of Ipswich as Senate Counsel. Ms. Miller took and subscribed the oaths of office required by the Constitution and a law of the United States to qualify her for the discharge of her duties as Senate Counsel.

Senate Counsel
appointment.

Resolutions.

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

Resolution (filed by Mr. Crighton) “congratulating Patty Foley on the occasion of her retirement from Save the Harbor/Save the Bay.”

Patty Foley,--
retirement.

PAPERS FROM THE HOUSE.

A Bill establishing a sick leave bank for Brian S. Bibeau, an employee of the Department of Correction (House, No. 2376, amended,-- on petition),-- was read.

Brian S. Bibeau,--
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.

A Bill establishing a sick leave bank for Patty Woods, an employee of the Massachusetts Commission Against Discrimination (House, No. 3508,-- on petition),-- was read.

Patty Woods,-- 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.

Report of a Committee.

By Mr. Rodrigues, for the committee on Senate Ways and Means, that the House Bill to lift the cap on kids (House, No. 3594) (also based on Senate, No. 37),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2186.

Cap on children,--
assistance.

Order Adopted.

Mr. Rodrigues offered the following order, to wit:

Procedural order.

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill to lift the cap on kids (House, No. 3594) (also based on Senate, No. 37) (the committee on Ways and Means having recommended that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2186) shall be placed in the Orders of the Day for a second reading on Thursday, March 28, 2019.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Tuesday, March 26, 2019. All such amendments shall be second-reading amendments to the Senate Ways and Means new text (Senate, No. 2186), but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a

third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

Under the rules, referred to the committee on Rules.

Subsequently, Ms. Lovely, for the said committee, reported, recommending that the order ought to be adopted.

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

The bill will be placed in the Orders of the Day for Thursday, March 28, 2019, for a second reading with the amendment pending.

Report of a Committee.

Ms. Lovely, for the committee on Rules, reported that the following matter be placed in the Orders of the Day.

The House Bill relative to abusive practices to change sexual orientation and gender identity in minors (House, No. 140) (also based on Senate, No. 70) (the committee on Rules recommending that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2187).

Minors,-- gender identity.

Order Adopted

Mr. Rodrigues offered the following order, to wit:

Procedural order.

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill relative to abusive practices to change sexual orientation and gender identity in minors (House, No. 140) (also based on Senate, No. 70) (the committee on Rules having recommended that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2187) shall be placed in the Orders of the Day for a second reading on Thursday, March 28, 2019.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Tuesday, March 26, 2019. All such amendments shall be second-reading amendments to the Rules new text (Senate, No. 2187), but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

Under the rules, referred to the committee on Rules.

Subsequently, Ms. Lovely, for the said committee, reported, recommending that the order ought to be adopted.

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

The bill will be placed in the Orders of the Day for Thursday, March 28, 2019, for a second reading with the amendment pending.

Order Adopted.

On motion of Mr. deMacedo--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday next at twelve o'clock noon, in a full formal session with a calendar.

Time of meeting.

Adjourn In Memory of Paula Sharaga

The Senator from Middlesex and Suffolk, Mr. DiDomenico and the Senator from Middlesex and Norfolk, Ms. Creem, presented a request that when the Senate adjourns today, it adjourn in memory of Paula Sharaga.

Paula Sharaga, age 69, was killed in a tragic car accident while riding her bicycle in Boston on Friday, February 15, 2019.

Born in Plainview, New York, Paula moved to Massachusetts and became an active resident of Cambridge. She worked in libraries in Holliston and as a nursery school teacher and then as the children's librarian at the Coolidge Corner branch of the Brookline Public library for 16 years. Paula was a vital member of the Brookline community. She was a favorite of the children who came to the library and participated in a program or listened to her play guitar and sing. Many of these children continued to stay in touch with Paula even after they had aged out of children's programs. Numerous Boston residents can attest to Paula's ability to connect with children and some shared testimonies that their children always chose the Coolidge Corner branch of the Brookline Public Library just so that they could see Paula.

A lifelong environmentalist, Paula rode her bike everywhere in an effort to be as green as possible. She was a political activist and worked with Massachusetts Peace Action in Cambridge for 30 years, focusing much of her effort on environmental protections, closing the Pilgrim Nuclear Power Center and raising money for Massachusetts Peace Action's education fund.

A Ghost Bike Ceremony was held near the scene of the crash on February 24, 2019 for Paula and a "Celebration of Life" was held at the Coolidge Corner library. A white bicycle was placed in her memory at the Northwest corner of the Brookline Avenue and Park Drive intersection.

Paula is survived by her husband of 25 years, Eric Zinman, as well as her close friends, her fellow activists and librarians, and the innumerable children whose lives she touched through her dedication to the Coolidge Corner library. She will be missed by family, friends, the larger Brookline and Cambridge communities and all those who came in contact with her.

Accordingly, as a mark of respect in memory of Paula Sharaga, at twenty-two minutes past eleven o'clock A.M., on motion of Mr. deMacedo, the Senate adjourned to meet again on Thursday next at twelve o'clock noon.