

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, APRIL 11, 2019.

JOURNAL OF THE SENATE

Thursday, April 11, 2019.

Met at twelve minutes past eleven o'clock A.M. (Mr. Crighton in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

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

Pledge of Allegiance.

Communication.

Communication from the Legislative Oral Health Caucus relative to the creation of said caucus (received April 9, 2019),-- **was placed on file.**

Oral Health Caucus,-
- creation.
SD2386

Reports.

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

Report of the Massachusetts Gaming Commission (pursuant to Section 65 of Chapter 23K of the General Laws) submitting its 2018 Annual Gaming Audit (copies having been forwarded as required to the Senate Committee on Ways and Means) (received April 8, 2019);

MGC,-- gaming
audit.
SD2384

Report of the Task Force on Regional Transit Authority Performance and Funding (pursuant to Section 72 of Chapter 154 of the Acts of 2018) submitting its final report and recommendations (received April 8, 2019); and

RTA,-- task force
report.
SD2385

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 second quarter of FY19 (received April 10, 2019).

Early Intervention,--
2nd quarter FY19
report.
SD2391

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Humason, a petition (accompanied by bill, Senate, No. 2197) of Donald F. Humason, Jr. and John C. Velis (with approval of the mayor and city council) for legislation to allow the city of Westfield to set the salary of the city clerk as the clerk of the city council through local process [Local approval received];

Westfield,-- city
clerk.

Under Senate Rule 20, to the committee on Municipalities and Regional Government.

Sent to the House for concurrence.

By Ms. Friedman, a petition (accompanied by bill) (subject to Joint Rule 12) of Cindy F. Friedman for legislation to preserve the practice of including annual payments in lieu of vacation as regular compensation for current retirees and active retirement system members where such benefit existed as of May 2018;

Retirees,--
compensation.
SD2388

By Mr. Humason, a petition (accompanied by bill) (subject to Joint Rule 12) of Donald F. Humason, Jr. for legislation relative to genderless civil service positions;

Civil service,--
positions. SD2392

By Mr. Moore, a petition (accompanied by bill) (subject to Joint Rule 12) of Michael

Marijuana operators,-

O. Moore and Hannah Kane for legislation to enhance enforcement against unlicensed marijuana operators; and

- enforcement.
SD2387

By Mr. Timilty, a petition (accompanied by bill) (subject to Joint Rule 12) of Walter F. Timilty for legislation to establish a sick leave bank for James Lovett, an employee of the Department of Conservation and Recreation;

James Lovett,-- sick leave.
SD2389

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

Report of a Committee.

By Mr. Boncore, for the committee on Transportation, on Senate, Nos. 2057 and 2120, a Bill relative to hands free cell phone devices (Senate, No. 2198) [Representative DeCoste of Norwell dissenting];

Hands free devices.

Read and, under Senate Rule 27, referred to the committee on Ways and Means.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 3685) of Lyndsay N. Sabadosa (with the approval of the mayor and city council) relative to the membership of the Northampton Housing Authority,-- **was referred, in concurrence, to the committee on Housing.**

Northampton Housing Authority,-- membership.

Notice was received from the House of Representatives announcing the following appointments by the Speaker:

Representative Ferrante of Gloucester (under Section 16G(l) of Chapter 6A of the General Laws) to the Economic Development Planning Council; and

Economic Dev. Planning Council.

Representative Ferrante of Gloucester (under Section 7 of Chapter 23H of the General Laws) to the State Workforce Investment Board.

State Workforce Investment Board.

Resolutions.

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

Resolutions (filed by Mr. O'Connor) "congratulating Paul K. Healey on the occasion of his retirement from public service in the town of Hingham";

Paul K. Healey.

Resolutions (filed by Ms. Spilka) "congratulating Amanda Fawell of the City of Framingham on receiving the Gold Award of the Girl Scouts of America";

Amanda Fawell.

Resolutions (filed by Ms. Spilka) "congratulating Melissa Miles Hayes of the Town of Hopkinton on receiving the Gold Award of the Girl Scouts of America";

Melissa Miles Hayes.

Resolutions (filed by Ms. Spilka) "congratulating Mallory Celine Peishoff of the Town of Hopkinton on receiving the Gold Award of the Girl Scouts of America"; and

Mallory Celine Peishoff.

Resolutions (filed by Ms. Spilka) "congratulating Vineetha Yadlapalli of the city known as the Town of Franklin on receiving the Gold Award of the Girl Scouts of America."

Vineetha Yadlapalli.

Reports 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 Joan B. Lovely and James J. O'Day for legislation relative to the well-being of new mothers and infants.

Mothers and infants, - well-being.
SD2381

The rules were suspended, at the request of Mr. Fattman, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on The Judiciary.

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 Diana DiZoglio for legislation

Farm work,-- overtime pay.

relative to overtime pay for agricultural and farm work.

SD2383

The rules were suspended, at the request of Mr. Fattman, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Labor and Workforce Development.

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 Bruce E. Tarr, Ann-Margaret Ferrante and Donald F. Humason, Jr. for legislation relative to fetal opioid drug exposure.

Drug exposure,-- fetal.
SD2232

The rules were suspended, at the request of Mr. Fattman, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Mental Health, Substance Use and Recovery.

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 Dean A. Tran for legislation to establish a sick leave bank for Ryan Russell, an employee of the Department of Correction.

Ryan Russell,-- sick leave.
SD2374

The rules were suspended, at the request of Mr. Fattman, 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.

Severally sent to the House for concurrence.

By Mr. Feeney, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for Chung Tam, an employee of the Massachusetts Department of Transportation (Senate, No. 2194).

Chung Tam,-- sick leave.

The bill was read. There being no objection, the rules were suspended, on motion of Mr. Fattman, and the bill was read a second time and ordered to a third reading.

Order Adopted.

On motion of Mr. Fattman --

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

Time of meeting.

Moment of Silence.

At the request of the Chair (Mr. Crighton), the members, guests and staff stood in a moment of silence and reflection to the memory of Jody F. Luongo.

Moment of Silence.

PAPERS FROM THE HOUSE.

Emergency Preamble Adopted; Engrossed Bill Enacted.

An engrossed Bill establishing a sick leave bank for Anna-Paula Ferreira, an employee of the Department of Transitional Assistance (see House, No. 77, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted, in concurrence, by a vote of 2 to 0.

Anna-Paula Ferreira,-
- sick leave.

The bill was signed by the Acting President, (Mr. Crighton) and sent to the House for enactment.

Subsequently, the bill, which originated in the House, came from the House with the endorsement that it had been enacted in that branch.

The Senate then passed the bill to be enacted; and it was signed by the Acting President (Mr. Crighton) and laid before the Governor for his approbation.

Adjournment in Memory of Jody F. Luongo

The Senator from Suffolk, Mr. Collins, presented a request that when the Senate adjourns today it do so in memory of Jody F. Luongo.

Jody F. Luongo, of South Boston, passed away Saturday, March 9, 2019. Beloved husband of Joanne (Klimas) Luongo. Devoted father of Malena King and her husband Tony of Milton and Vanessa Ray and her husband Andrew of Braintree. Brother of Bradley of FL, Corey of Pembroke, and the late Ronald Luongo. Grandfather of Anthony King, Jr. and Drew Ray. Uncle of Ronda Hill, Donna, and Ronald Luongo. Son of the late Francis and Josephine (DiManno) Luongo.

Accordingly, as a mark of respect in memory of Jody F. Luongo, at eighteen minutes before twelve o'clock noon, on motion of Mr. Fattman, the Senate adjourned to meet again on Tuesday next at eleven o'clock A.M.