

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, MAY 13, 2019.

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Monday, May 13, 2019.

Met according to adjournment eleven o'clock A.M. (Mr. Collins in the Chair).

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

Pledge of Allegiance.

Distinguished Guest.

There being no objection, the Chair (Mr. Collins) handed the gavel to Mr. Humason for the purpose of an introduction. Mr. Humason then introduced, in the rear of the Chamber, Kelly Pease, a new staff member in his office. The Senate welcomed him with applause and he withdrew from the Chamber.

Kelly Pease.

Reports of a Committee.

By Ms. Jehlen, for the committee on Elder Affairs, on Senate, No. 357 and House, No. 607, a Bill increasing the personal needs allowance for residents of long term care facilities (Senate, No. 357);

Long-term care facilities.

By the same Senator, for the same committee, on Senate, No. 360 and House, No. 606, a Resolve to examine cost trends and financial performance among nursing facilities (Senate, No. 360);

Nursing facilities,-- financial performance.

By the same Senator, for the same committee, on petition, a Bill relative to rest homes (Senate, No. 362);

Rest homes,-- regulations.

By the same Senator, for the same committee, on petition, a Bill relative to reserving beds in nursing homes during certain leaves of absence (Senate, No. 372); and

Nursing homes,-- resident beds.

By the same Senator, for the same committee, on petition, a Bill to prevent patient abuse and death in nursing homes (Senate, No. 373);

Nursing homes,-- abuse prevention.

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

PAPERS FROM THE HOUSE.

The following petitions, having been timely filed prior to 5 o'clock P.M. on January 18, 2019, were referred in concurrence as follows:

Petition (accompanied by bill, House, No. 3751) of Chynah Tyler and others relative to workplace drug testing for marijuana;

Marijuana,-- drug testing.

To the committee on Cannabis Policy.

Petition (accompanied by bill, House, No. 3752) of Tram T. Nguyen and others relative to employment for persons with intellectual disabilities and autism spectrum disorders;

Employment,-- disabilities.

To the committee on Children, Families and Persons with Disabilities.

Petition (accompanied by bill, House, No. 3753) of John Barrett, III and others for legislation to limit consumer exposure to deceptive calling practice; and

Deceptive calling.

Petition (accompanied by bill, House, No. 3754) of David F. DeCoste and Patrick Joseph Kearney relative to certain professional licensure training requirements;

Licensing.

Severally to the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 3755) of Alan Silvia and others for legislation to establish the Abigail Adams center for women in STEM to provide opportunities for women in the workforce in science, technology, engineering and mathematics professions;

Adams Center.

To the committee on Economic Development and Emerging Technologies.

Petition (accompanied by bill, House, No. 3756) of Paul Brodeur, Jason M. Lewis and others relative to career technical education schools and programs;

Career technical education.

Petition (accompanied by bill, House, No. 3757) of Denise C. Garlick, Michael F. Rush and Rebecca L. Rausch relative to school operational efficiency;

Schools,-- operations.

Petition (accompanied by bill, House, No. 3758) of Emily LaMarca relative to monitoring and documentation of school discipline;

Schools,-- discipline.

Petition (accompanied by bill, House, No. 3759) of John H. Rogers and Jason M. Lewis relative to the targeted local contribution of the foundation budget under the chapter 70 funding formula, so called;

School aid,-- local contribution.

Petition (accompanied by bill, House, No. 3760) of Alan Silvia and others that the board and commissioner of Elementary and Secondary Education establish an early education foreign language program in public schools; and

Schools,-- language instruction.

Petition (accompanied by bill, House, No. 3761) of Alan Silvia and others relative to universal pre-kindergarten education in gateway municipalities;

Gateway cities,-- early education.

Severally to the committee on Education.

Petition (accompanied by bill, House, No. 3762) of Richard M. Haggerty and Peter Capano relative to the prescription monitoring program;

Prescription monitoring.

To the committee on Elder Affairs.

Petition (accompanied by bill, House, No. 3763) of Andres X. Vargas, Harriette L. Chandler and others for legislation to establish a pilot program and for an investigation and study by a special commission (including members of the General Court) to provide for convenient voting for military personnel, their families and civilians stationed or working abroad;

Voting,-- abroad.

To the committee on Election Laws.

Petition (accompanied by bill, House, No. 3764) of William J. Driscoll, Jr., and others relative to non-lethal animal population control; and

Animals,-- population control.

Petition (accompanied by bill, House, No. 3765) of Dylan A. Fernandes and others relative to single use plastics;

Single use plastics.

Severally to the committee on Environment, Natural Resources and Agriculture.

Petition (accompanied by bill, House, No. 3766) of Thomas A. Golden, Jr., and others relative to the cost of cancer screenings or evaluations by health insurers;

Insurance,-- cancer screenings.

To the committee on Financial Services.

Petition (accompanied by bill, House, No. 3767) of David Henry Argosky LeBoeuf, Nika C. Elugardo and José F. Tosado for an investigation and study by a panel (including members of the General Court) relative to improving quality and coverage standards of health insurers;

Health insurers,-- standards.

To the committee on Health Care Financing.

Petition (accompanied by bill, House, No. 3768) of David F. DeCoste and John J. Lawn, Jr., relative to rent escrow;

Rent escrow.

Petition (accompanied by bill, House, No. 3769) of Shawn Dooley and others relative to instituting the death penalty for the murder of law enforcement officers;

Death penalty.

Petition (accompanied by bill, House, No. 3770) of Carole A. Fiola and others for legislation to require criminal record checks for officials, referees or umpires officiating at certain athletic events;

School athletics,-- record checks.

Petition (accompanied by bill, House, No. 3771) of Louis L. Kafka and others relative

Criminal

to criminal offender record information checks;

record checks.

Petition (accompanied by bill, House, No. 3772) of Tram T. Nguyen and others relative to penalties for cruelty to animals;

Animals,--
cruelty.

Petition (accompanied by bill, House, No. 3773) of Shaunna L. O'Connell, David F. DeCoste and others relative to capital punishment for the murder of law enforcement officers; and

Death penalty.

Petition (accompanied by bill, House, No. 3774) of Paul F. Tucker for an investigation by a special commission (including members of the General Court) relative to attorney-client fee disputes;

Attorneys,--
fee disputes.

Severally to the committee on the Judiciary.

Petition (accompanied by bill, House, No. 3775) of RoseLee Vincent and others relative to use of employee earned sick time for school closings;

Employees,--
sick time use.

To the committee on Labor and Workforce Development.

Petition (accompanied by bill, House, No. 3776) of Kay Khan and others for legislation to establish a substance abuse protection fund;

Substance use,--
fund.

To the committee on Mental Health, Substance Use and Recovery.

Petition (accompanied by bill, House, No. 3777) of John J. Lawn, Jr., and others relative to establishing veterans' housing preferences;

Housing,--
veterans' preference.

To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 3778) of David M. Nangle relative to the sale of flavored vaping products; and

Vaping products.

Petition (accompanied by bill, House, No. 3779) of Alan Silvia and others relative to informed consent for opioid treatment for pain;

Opioids,-- consent.

Severally to the committee on Public Health.

Petition (accompanied by bill, House, No. 3780) of Chynah Tyler and others relative to the purchase of firearms;

Firearms,--
purchase.

Petition (accompanied by bill, House, No. 3781) of Chynah Tyler and others relative to the sale of firearms;

Firearms,-- sale.

Petition (accompanied by bill, House, No. 3782) of Chynah Tyler and others relative to reporting procedures for firearms; and

Firearms,-- reporting.

Petition (accompanied by bill, House, No. 3783) of Chynah Tyler and others relative to firearms licensing;

Firearms,-- licensing.

Severally to the committee on Public Safety and Homeland Security.

Petition (accompanied by bill, House, No. 3784) of David Henry Argosky LeBoeuf and others relative to health insurance benefits for certain state employees; and

State employees,--
health insurance.

Petition (accompanied by bill, House, No. 3785) of Joseph W. McGonagle, Jr., and others relative to disability or death caused by post-traumatic stress disorder for certain members of state retirement systems;

State retirement,--
PTSD.

Severally to the committee on Public Service.

Petition (accompanied by bill, House, No. 3786) of Paul Brodeur and Jason M. Lewis relative to municipal snow and ice removal budgets;

Municipalities,--
snow and ice.

Petition (accompanied by bill, House, No. 3787) of Josh S. Cutler and others relative to tax havens and complete reporting by certain combined groups;

Tax havens.

Petition (accompanied by bill, House, No. 3788) of Josh S. Cutler and others relative to the taxation of certain businesses;

Businesses,--
taxes.

Petition (accompanied by bill, House, No. 3789) of Edward Sonn and Paul F. Tucker relative to mandating e-filing of tax returns; and

Taxes,-- filing.

Petition (accompanied by bill, House, No. 3790) of Brian W. Murray and others relative to a certain property tax exemption for the elderly;

Elderly,--property tax
exemption.

Severally to the committee on Revenue.

UNCORRECTED PROOF.

Petition (accompanied by bill, House, No. 3791) of Maria Duaine Robinson and others for legislation to establish a natural gas demand response pilot program within the Department of Public Utilities;

Natural gas,--
demand response
program.

To the committee on Telecommunications, Utilities and Energy.

Petition (accompanied by bill, House, No. 3792) of David F. DeCoste, Patrick Joseph Kearney and Mathew J. Muratore relative to employment preference for veterans at the Massachusetts Port Authority;

MassPort,-- veterans
preference.

To the committee on Veterans and Federal Affairs.

A petition (accompanied by bill, House, No. 3742) of Mathew J. Muratore, Viriato M. deMacedo and others (by vote of the town) that the town of Plymouth be authorized to continue employment of G. Edward Bradley, a member of the fire department of said town,-- **was referred, in concurrence, to the committee on Public Service.**

G. Edward Bradley,--
employment.

A Bill financing improvements to municipal roads and bridges (House, No. 69,-- on petition),-- **was read and, under Senate Rule 26C, referred to the committee on Bonding, Capital Expenditures and State Assets.**

Roads and bridges.

Resolutions.

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

Resolutions (filed by Messrs. Crighton, Barrett, Boncore, Brady and Brownsberger, Ms. Chandler, Ms. Chang-Díaz, Mr. Collins, Ms. Comerford, Ms. Creem, , Messrs. Cyr, deMacedo and DiDomenico, Ms. DiZoglio, Messrs. Eldridge, Fattman, Feeney and Finegold, Ms. Friedman, Ms. Gobi, Messrs. Hinds and Humason, Ms. Jehlen, Messrs. Keenan, Kennedy, Lesser and Lewis, Ms. Lovely, Messrs. Montigny, Moore and O'Connor, Ms. Rausch and Messrs. Rodrigues, Rush, Tarr, Timilty, Tran, and Welch) “commending the National Brain Tumor Society on its recognition of May 2019 as Brain Tumor Awareness Month”;

The National Brain
Tumor Society.

Resolutions (filed by Mr. Humason) “congratulating the city of Westfield on the celebration of its three hundred and fiftieth anniversary of incorporation into the Commonwealth”;

City of Westfield.

Resolutions (filed by Ms. Lovely) “commending the Arbella Drum and Bugle Corps on the fortieth anniversary of winning the Drum Corp International All Girl Championship”; and

Arbella Drum and
Bugle Corps.

Resolutions (filed by Mr. Pacheco) “congratulating Gladys Beals on her one hundredth birthday.”

Gladys Beals.

Matter Taken Out of the Orders of the Day.

There being no objection, the following matter was taken out of the Orders of the Days and considered as follows:

The Senate Bill relative to a perpetual conservation restriction in the town of Middleborough (Senate, No. 1198),-- **was read a second time and ordered to a third reading.**

Middleborough,--
conservation
restrictions.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 3750) of David M. Nangle and others (with the approval of the city council) that the city of Lowell be authorized to transfer and have air rights over certain parcels of park and state land,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on State Administration and**

Lowell,-- state land.

Regulatory Oversight.

A Bill establishing a sick leave bank for Denise Santos, an employee of the Department of Correction (House, No. 3697,-- on petition),-- was read.

Denise Santos,--
sick leave.

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

Order Adopted.

On motion of Mr. Humason--

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

Time of meeting.

Adjournment in Memory of Lester G. Strangman.

The Senator from First Essex and Middlesex, Mr. Tarr, presented a request that when the Senate adjourns today, it do so in memory of Lester G. Strangman, who passed peacefully at the age of 92 on April 6, 2019, at the Kaplan Family Hospice House.

After graduating from Gloucester High School, he attended the United States Merchant Marine Academy, from where he then went on to serve a distinguished career in the United States Navy, being later discharged honorably.

Lester Strangman began his involvement in the local community at a young age, starting a publication known as the Magnolia Surf News at the age of 14, which specialized as a local gossip and informational newsletter. After his discharge from the Navy, Lester continued to be actively involved in his community. He was a Charter member of the Magnolia Historical Society, a Town gold member for over 50 years, and past president of the Magnolia Lions Club. He likewise served as President and Chair of the Board of Directors of the Manchester Lodge Building Association, overseeing the construction of Manchester Masonic, where he then served as master of the Manchester Lodge AF & AM.

Lester was very active in his parish community as well, having served many roles over the years. He was Clerk of the First Parish Church, Trustee of the Church, a Sunday school teacher, founder and first President of the Christian Men's Club of First Parish Church, and creator and publisher of the First Parish Church Bell newsletter.

In addition to his wife, he is survived by his son, Richard Strangman, two daughters Nancy Gonthier and her husband Claude Gonthier, Diane Collens, a brother Robert Strangman, and many grandchildren and great grandchildren.

Accordingly, as a mark of respect in memory of Lester G. Strangman, at six minutes past eleven o'clock A.M., on motion of Mr. Humason, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.