

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, MAY 16, 2019.

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JOURNAL OF THE SENATE

Thursday, May 16, 2019.

Met at three minutes past eleven o'clock A.M. (Mr. Brownsberger 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. Brownsberger), 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. Brownsberger) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced, in the Senate Gallery, the 8th grade class from the O'Malley School in Gloucester. The students are currently taking a civics class and learning about the different aspects of local, state and federal government. They were led by teacher Jennifer McKay. The Senate welcomed them with applause and they withdrew from the Gallery.

O'Malley School,-- 8th grade class.

Report.

Report of the Department of Elementary and Secondary Education (pursuant to Section 89(kk) of Chapter 71 of the General Laws) submitting its Charter School Data Annual Report for 2018-2019 (received May 15, 2019),-- was placed on file.

DESE,-- charter school data report. SD2432

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Collins, a petition (accompanied by bill) (subject to Joint Rule 12) of Nick Collins, Daniel R. Cullinane and Russell E. Holmes for legislation relative to the Boston Residents Job Policy;

Boston Residents Jobs Policy. SD2431

By Mr. Cyr, a petition (accompanied by bill) (subject to Joint Rule 12) of Julian Cyr, Joanne M. Comerford, Kate Hogan, Sal N. DiDomenico and other members of the General Court for legislation to establish an interagency PFAS task force; and

PFAS task force. SD2429

By Ms. DiZoglio, a petition (accompanied by bill) (subject to Joint Rule 12) of Diana DiZoglio for legislation to require the inclusion of certain civil rights offense information in the statewide domestic violence record keeping system;

DV records,-- civil rights. SD2430

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

Reports of a Committee.

By Mr. Brady, for the committee on Public Service, on petition, a Bill relative to Brockton school police (Senate, No. 1473); and

Brockton,-- school police.

By the same Senator, for the same committee, on petition, a Bill relative to the collective bargaining rights for employees of the committee for public counsel services (Senate, No. 1555);

CPCS,-- collective bargaining rights.

Severally read and, under Senate Rule 27, referred to the committee on Ways

and Means.

PAPERS FROM THE HOUSE.

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

That Representatives Campbell of Methuen and Velis of Westfield (under the provisions of Section 44 of Chapter 218 of the Acts of 2018) to the special commission established to study the cost and feasibility of exempting veterans of the Commonwealth from tuition, fees and associated costs of attending public colleges and universities in the Commonwealth, due to recent changes in federal veteran services and benefits related to higher education.

Veterans Commission.

Petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No. 3747) of Stephan Hay and Dean A. Tran (with the approval of the mayor and city council) that the city of Fitchburg be authorized to grant one additional license for the sale of all alcoholic beverages not to be drunk on the premises;

Fitchburg,-- liquor license.

To the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 3748) of Daniel J. Hunt (with the approval of the mayor and city council) for legislation to provide for residency preference for appointment at the police and fire departments of the city of Boston; and

Boston,-- police and fire departments.

Petition (accompanied by bill, House, No. 3749) of Paul F. Tucker and Joan B. Lovely (with the approval of the mayor and the city council) that the retirement board of the city of Salem be authorized to retire Brian Benson, a police officer of said city;

Brian Benson,-- retirement.

Severally to the committee on Public Service.

Resolutions.

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

Resolutions (filed by Mr. Lewis) "commending Chief Richard Smith on the occasion of his retirement from the Wakefield Police Department"; and

Chief Richard Smith.

Resolutions (filed by Mr. Tarr) "commending the town of Essex on its celebration of its Bicentennial Anniversary."

Town of Essex.

Emergency Preamble.

An engrossed Bill establishing a sick leave bank for Daniel Ajoue, an employee of the Department of Correction (see Senate, No. 2208, 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.

Daniel Ajoue,-- sick leave.

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

Reports of Committees.

By Mr. Brady, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for Ryan Russell, an employee of the Department of Correction (Senate, No. 2218).

Ryan Russell,-- sick leave.

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

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 to update the Massachusetts rideshare program.

Rideshare program.
SD2426

The rules were suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture.

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 commission a study on small manufacturing businesses in Massachusetts.

Manufacturing
businesses,-- study.
SD2427

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

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 promote Massachusetts furniture manufacturers.

Furniture
manufacturers.
SD2428

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

Sent to the House for concurrence.

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 establishing a sick leave bank for James Lovett, an employee of the Department of Conservation and Recreation (Senate, No. 2209),-- was read a third time.

James Lovett,-- sick
leave.

Pending the question on passing on passing the bill to be engrossed, Mr. Timilty presented an amendment by striking out, in line 1, the word "The" and inserting in place thereof the following words:- "Notwithstanding any general or special law to the contrary, the".

The amendment was adopted.

The bill (Senate, No. 2209, amended) was then passed to be engrossed.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A Bill designating a bridge in the town of Dalton as the Specialist Mitchell K. Daehling memorial bridge (House, No. 3077,-- on petition) [Local approval received],-- was read.

Specialist Mitchell K.
Daehling memorial
bridge,-- Dalton.

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time

Pending the question on ordering the bill to a third reading, the Mr. Hinds presented an amendment inserting before the enacting clause the following emergency preamble:-

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to designate forthwith a certain bridge in the town of Dalton, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendment was adopted.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

UNCORRECTED PROOF.

A petition (accompanied by bill, House, No. 3796) of David K. Muradian, Jr., and Michael O. Moore for legislation to designate a certain bridge in the town of Grafton as the veterans memorial bridge,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Transportation.**

Veterans memorial bridge,-- Grafton.

Engrossed Bill.

An engrossed Bill establishing a sick leave bank for Daniel Ajoue, an employee of the Department of Correction (see Senate, No. 2208, amended) (which originated in the Senate), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the Acting President (Mr. Brownsberger) and laid before the Governor for his approbation.**

Bill laid before the Governor.

Order Adopted.

On motion of Mr. Tarr--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday 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. Brownsberger), the members, guests and staff stood in a moment of silence and reflection to the memory of Roger Kineavy.

Moment of silence.

Adjournment in Memory of Roger J. Kineavy

The Senator from Suffolk, Mr. Collins, and the Senator from Norfolk and Plymouth, Mr. Keenan, presented a request that when the Senate adjourns today, it do so in memory of Roger J. Kineavy.

Roger J. Kineavy of Quincy, passed away peacefully, surrounded by his family Saturday afternoon, May 11, 2019, he was 84. Born and raised in South Boston, he was a son of the late Michael J. and Mary (Melvin) Kineavy from Galway, Ireland. Roger was educated in Boston schools, and later earned his Bachelor's degree from U Mass Boston. He served in the United States Navy during the Korean War. Roger was a member of the Knights of Columbus and the V.F.W. for 50 years. Roger started his career as a Longshoreman, and later became the 9th Congressional District Director for Congressman John J. "Joe" Moakley. Roger was proud of his work in public service, which allowed him to support the people of the district. Of importance to Roger was his faith, family and humanitarian work, he used to say, "I am doing God's work" and he instilled the importance of that work to his family. With his brother Michael "Oscar," Roger started "the supper club" which provided hot meals for the homeless at Long Island Shelter, he was humbled by the many people he served over the years, often bringing people home to "break bread" with his family. He was given many awards over the years, the one he was most proud of was, the dedication of the kitchen at Long Island Shelter in his honor, as the "Kineavy Kitchen."

Roger was the beloved husband of 63 years of Janet M. (Foley) Kineavy. He was the devoted father of Roger Kineavy Jr. and his wife Cynthia, John Kineavy and his wife Kathleen, Janet Gorman and her husband Edward, Honora Matthews and her husband William, Mary Kineavy, Michael Kineavy, Jacqueline Kineavy-Bowes and her husband

UNCORRECTED PROOF.

Richard, and the late Elizabeth Kineavy. He was the proud "Gramps" of 22 grandchildren, and one great-grandchild, with two more on the way. He was the brother of Patricia Ferrara, and the late Mary Fitch, Margaret Polk, Thomas P. Kineavy, Michael M. Kineavy, and his sisters that passed in childhood, Helen, Theresa and Honora.

Accordingly, as a mark of respect in memory of Roger J. Kineavy, at seventeen minutes past eleven o'clock A.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.