

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, JUNE 13, 2019.

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JOURNAL OF THE SENATE

Thursday, June 13, 2019.

Met at a two minutes past eleven o'clock A.M. (Mr. Collins 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. Collins), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of Allegiance.

Distinguished Guests.

There being no objection, the Chair (Mr. Collins) handed the gavel to Mr. Timilty for the purpose of an introduction. Mr. Timilty then introduced, in the rear of the Chamber, the 5th grade class from the Tucker Elementary School in Milton. The students were on a field trip to the State House learning about the different aspects of state government and were accompanied by their teachers. The Senate welcomed them with applause, wished them well on their upcoming graduation and they withdrew from the Chamber.

Tucker Elementary School.

There being no objection, the Chair (Mr. Collins) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced, in the rear of the Chamber, the Wilmington High School Girls Soccer Team. The team was recognized for being the recipient of the 2019 Eastern Massachusetts Girls Soccer Coaches Association Program of Excellence Award. Among the group were players: Thea Alberti, Hailey Collins, Cassidy Collins, Gina Mastrorilli, Olivia Rourke, Tori Sheehan, Jessie Wargo, Aly Colantuoni, Madison Grace, Jessie McCullough, Alyssa Morrison, Annie Wingate, Amber Flynn, Tori Gemellaro, Samantha Papastathis, Jenna Sweeney, Kali Almeida, Amanda Broussard, Audrey Curdo, Alyssa Granara, Kaitlyn Maguire, Kayla Bourrell and Joycelyn Palmer. They were accompanied by Coaches Susan Hendee, Shane Kligerman, Erin Cowden and Andrea McCullough. This particular team was recognized for competing extra hard on the soccer field, and did so with the highest level of sportsmanship, serving as an inspiration and positive role models to their peers. The Senate applauded their accomplishments and they withdrew from the Chamber.

Wilmington High School Girls Soccer Team.

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Rodrigues, a petition (accompanied by bill, Senate, No. 2257) of Michael J. Rodrigues, Alan Silvia, Paul A. Schmid, III and Carole A. Fiola (with the approval of the mayor and city council) for legislation to authorize employees of the city of Fall River the ability to apply with the Fall River Retirement Board to purchase credible service for military service [Local approval received];

Fall River,-- credible service.

Under Senate Rule 20, to the committee on Public Service. Sent to the House for concurrence.

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

Dry needling. SD2463

Under Senate Rule 20, to the committees on Rules of the two branches, acting

concurrently.

Reports of a Committee.

By Ms. Gobi, for the committee on Environment, Natural Resources and Agriculture, on petition, a Bill to create a Merrimack River District Commission (Senate, No. 457);

Merrimack River District Commission.

By the same Senator, for the same committee, on petition, a Bill relative to the Douglas State Forest Maintenance Trust Fund (Senate, No. 465); and

Douglas State Forest Trust Fund.

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 484), a Bill establishing the Office of Outdoor Recreation (Senate, No. 2254);

Office of Outdoor Rec.-- establish.

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

By Ms. Gobi, for the committee on Environment, Natural Resources and Agriculture, on petition (accompanied by bill, Senate, No. 478), a Bill relative to the Ware river watershed advisory committee (Senate, No. 2253);

Ware River watershed advisory committee.

Read and, under Senate Rule 26, referred to the committee on Rules.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 3871) of James Arciero and others relative to the use of temporary door locking devices in public schools; and

Public schools,-- door locks.

Petition (accompanied by bill, House, No. 3872) of Shaunna L. O'Connell and others relative to seizure management plans in public schools;

Schools,-- seizure management.

Severally to the committee on Education.

Petition (accompanied by bill, House, No. 3873) of David F. DeCoste and others for legislation to establish the board of registration of hazardous waste site cleanup professionals;

Waste clean up,-- board of registration.

To the committee on Environment, Natural Resources and Agriculture.

Petition (accompanied by bill, House, No. 3874) of Nika C. Elugardo and others for an investigation and study by a special commission (including members of the General Court) relative to health insurance coverage for medically necessary treatment in public schools;

Health insurance,-- study.

Petition (accompanied by bill, House, No. 3875) of David Henry Argosky LeBoeuf and others relative to insurance coverage of medicinal cannabis;

Insurance,--medicinal cannabis.

Petition (accompanied by bill, House, No. 3876) of David Henry Argosky LeBoeuf and others for legislation to establish a low income checking account access program; and

Low income checking account.

Petition (accompanied by bill, House, No. 3877) of David Henry Argosky LeBoeuf and others relative to the cost of certain life saving prescription drugs, so-called;

Prescription drugs.

Severally to the committee on Financial Services.

Petition (accompanied by bill, House, No. 3878) of Mike Connolly and others relative to municipal financing of the production and preservation of housing for low and moderate income persons;

Housing,-- low and moderate income.

Petition (accompanied by bill, House, No. 3879) of David F. DeCoste and others relative to expanding the definition of affordable housing to include manufactured homes;

Affordable housing.

Petition (accompanied by bill, House, No. 3880) of David Henry Argosky LeBoeuf and others for legislation to establish a registry of properties and property owners with multiple violations of health and safety codes; and

Health and safety code,-- registry.

Petition (accompanied by bill, House, No. 3881) of David Henry Argosky LeBoeuf and others for legislation to establish a registry of properties and property owners with

Rental assistance program.

multiple violations of health and safety codes;

Severally to the committee on Housing.

Petition (accompanied by bill, House, No. 3882) of David F. DeCoste, Colleen M. Garry and others relative to victims of rape and children conceived during the commission of said offense;

Victims of rape.

To the committee on the Judiciary.

Petition (accompanied by bill, House, No. 3883) of Mike Connolly and others relative to local zoning ordinances or by-laws;

Local zoning ordinances.

To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 3884) of David Henry Argosky LeBoeuf and others relative to informed consent of opioid-based prescriptions;

Opioid prescriptions.

To the committee on Public Health.

Petition (accompanied by bill, House, No. 3885) of William L. Crocker, Jr. and others for an investigation and study by a special commission (including members of the General Court) relative to police career pay incentives;

Police pay,-- study.

To the committee on Public Safety and Homeland Security.

Petition (accompanied by bill, House, No. 3886) of James Arciero and Anthony Vacca relative to the exemption of the sales or use tax for leased motor vehicles;

Leased motor vehicles,-- tax.

Petition (accompanied by bill, House, No. 3887) of Mike Connolly and others for legislation to establish a homelessness prevention and reduction fund to be funded by taxes on gross receipts of business entities;

Homelessness fund.

Petition (accompanied by bill, House, No. 3888) of Mike Connolly and others relative to taxation;

Taxation.

Petition (accompanied by bill, House, No. 3889) of Mike Connolly and others that cities and towns be authorized to establish an excise tax on vacant units in large residential buildings;

Vacant unit,-- excise tax.

Petition (accompanied by bill, House, No. 3890) of William L. Crocker, Jr. and others for legislation to authorize cities and towns to freeze the property taxes of senior citizens;

Seniors,-- property tax.

Petition (accompanied by bill, House, No. 3891) of Nika C. Elugardo and others for legislation to establish a permanent advisory commission (including members of the General Court) to investigate and study the maximizing of the commonwealth's return on investment for tax expenditures and to provide assessment, evaluation and measurement tools for tax expenditures; and

Tax expenditures,-- study.

Petition (accompanied by bill, House, No. 3892) of Kay Khan and others for legislation to establish a realistic advertising tax credit;

Advertising tax credit.

Severally to the committee on Revenue.

Petition (accompanied by bill, House, No. 3893) of Mike Connolly and others for an investigation and study by a task force (including members of the General Court) relative to public ownership of public utilities; and

Public utilities ownership,-- study.

Petition (accompanied by bill, House, No. 3894) of Tram T. Nguyen and others relative to property damages caused by public utility companies;

Utility companies,-- property damage.

Severally to the committee on Telecommunications, Utilities and Energy.

Petition (accompanied by bill, House, No. 3895) of John Barrett, III and others relative to regional transit authority funding; and

Transit authority funding.

Petition (accompanied by bill, House, No. 3896) of Shawn Dooley and Michael J. Soter relative to financial assistance to the Massachusetts Bay Transportation Authority from cities and towns;

MBTA,-- financial assistance.

Severally to the committee on Transportation.

Petition (accompanied by bill, House, No. 3897) of James Arciero and others that the University of Massachusetts medical school develop a continuing education program for

UMASS,-- post-traumatic stress program.

counselors at public institutions of higher education regarding post traumatic stress disorder and other service member and veteran related issues;

To the committee on Veterans and Federal Affairs.

Resolutions.

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

Resolutions (filed by Mr. Lesser) “commending the town of East Longmeadow on the celebration of its one hundred twenty-fifth anniversary of incorporation”;

East Longmeadow,--
anniversary.

Resolutions (filed by Mr. O’Connor) “congratulating Denis Johnson on his elevation to the rank of Eagle Scout”;

Denis Johnson.

Resolutions (filed by Mr. O’Connor) “congratulating Daniel Pierce on his elevation to the rank of Eagle Scout”;

Daniel Pierce.

Resolutions (filed by Mr. Pacheco) “congratulating Colby S. Boyer on his elevation to the rank of Eagle Scout”;

Colby S. Boyer.

Resolutions (filed by Mr. Pacheco) “congratulating Shadan J. Patricio on his elevation to the rank of Eagle Scout”;

Shadan J. Patricio.

Resolutions (filed by Mr. Pacheco) “congratulating Justin Charles Schluter on his elevation to the rank of Eagle Scout”;

Justin Charles
Schluter.

Resolutions (filed by Messrs. Tarr and Lewis) “commemorating the Reading-North Reading Chamber of Commerce on the thirtieth anniversary of its establishment”;

Reading-North
Reading Chamber of
Commerce.

Resolutions (filed by Messrs. Timilty and Keenan) “commemorating the one hundredth anniversary of the establishment of American Legion Post No. 86 in the town of Braintree”; and

Braintree,--
American Legion
Post No. 86.

Resolutions (filed by Mr. Timilty) “congratulating the Stoughton High School Music Program on performing the farewell concert in the Christianson Performing Arts Center at Stoughton High School”.

Stoughton High
School.

Reports of Committees.

By Ms. Lovely, for the committee of Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Patrick M. O'Connor for legislation to prevent domestic violence.

Domestic violence,--
prevent.
SD2417

The rules were suspended on motion of Mr. Timilty, 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 of Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Patrick M. O'Connor for legislation relative to uniform HIPAA standards.

HIPAA standards.
SD2413

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

By Ms. Lovely, for the committee of Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Brendan P. Crighton and Daniel Cahill for legislation to establish a sick leave bank for Marilyn O’Neil, an employee of the Executive Office of Public Safety and Security.

Marilyn O’Neil,--
sick leave.
SD2456

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

Severally sent to the House for concurrence.

Matters Taken Out of the Orders of the Day.

There being no objection, the following matters were taken out of the Orders of the Day and considered as follows:

The Senate Bill establishing a selectmen-administrator form of government for the town of Newbury (Senate, No. 1201),-- was read a second time.

Newbury,-- town government.

Pending the question on ordering the bill to a third reading, Mr. Tarr presented an amendment substituting a new draft entitled “An Act modifying certain titles and providing for the appointment of certain positions by the town administrator of the town of Newbury” (Senate, No. 2252).

The amendment was adopted.

The bill (Senate, No. 2252) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

The House Bill establishing a sick leave bank for Renee Bennett, an employee of the Sex Offender Registry Board (House, No. 3797),-- **was read a third time and passed to be engrossed, in concurrence.**

Renee Bennett,-- sick leave.

Moment of Silence.

At the request of the Chair (Mr. Collins), the members, guests and staff stood in a moment of silence and reflection to the memory of William J. Skudris, Jr.

Moment of silence.

Recess.

There being no objection, at twenty-eight minutes before twelve o’clock noon, the Chair (Mr. Collins) declared a recess, subject to the call of the Chair; and, at twelve minutes before four o’clock P.M., the Senate reassembled, Mr. Collins in the Chair.

Recess.

PAPER FROM THE HOUSE.

Emergency Preamble Adopted; Engrossed Bill Enacted.

An engrossed Bill making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (see Senate, No. 2255), 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.

Supplemental appropriations.

The bill was signed by the Acting President, (Mr. Collins) 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. Collins) and laid before the Governor for his approbation.

Resolutions.

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

Sales tax holiday 2019.

Resolutions (filed by Mr. Lesser) “designating August 17th and 18th, 2019 as the Sales Tax Holiday”.

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.

Adjournment in Memory of William J. Skudris, Jr.

The Senator from Suffolk, Mr. Collins, moved that when the Senate adjourns today, it do so in memory of William J. Skudris Jr.

William J. Skudris Jr. of South Boston, formerly of Quincy, died on June 3, 2019. The beloved husband of the late Louise (Zaidan) Skudris. Father of Marianne Flynn and her husband Bob of Falmouth and Paul Skudris and his spouse Colleen Campbell of Quincy. Son of the late William J. and Anna (Galanis) Skudris. Brother of Marie Kleponis of Reading and his twin sister the late Winifred Reardon. Grandfather of Matthew and Bridget Flynn and Eileen and Mary Louise Skudris.

Bill proudly served his country in the United States AirForce during the Korean Conflict. He worked for many years as a sheet metal worker. With a strong work ethic, he also worked at the Galley Diner in South Boston, alongside his son Paul for many years. An avid golfer, Bill was a member of the Furnace Brook Golf Club in Quincy. He also enjoyed gardening at the family homestead in Southie. He will be remembered as an outgoing, fun loving man with a great sense of humor. He will be sadly missed.

Accordingly, as a mark of respect in memory of William J. Skudris, Jr., at three minutes past four o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.
