

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, AUGUST 3, 2017.

[76]

JOURNAL OF THE SENATE.

Thursday, August 3, 2017.

Met at fourteen minutes past eleven o'clock A.M. (Mr. Boncore 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. Boncore), 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. Timilty) introduced, in the rear of the Chamber, a group of his summer interns. Among the group were Stephen Ng, Jonathan Flyer and Angela Arcieri. The Senate welcomed them with applause and they withdrew from the Chamber.

Stephen Ng, Jonathan Flyer and Angela Arcieri.

Communications.

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

Communication from the Office of the Comptroller (pursuant to Section 5H of Chapter 29 of the General Laws) submitting its fiscal year 2017 Stabilization Fund transfers of the growth in the abandoned property receipts (received July 31, 2017);

Comptroller,-- stabilization fund transfers. SD2278

Communication from the Office of the Comptroller (pursuant to line item 1599-3384 of Section 2 of Chapter 133 of the Acts of 2016) submitting its fourth quarter fiscal year 2017 report on "Settlements and Judgments (received July 31, 2017); and

Comptroller,-- settlements and judgments report. SD2279

Communication from the Office of the Comptroller (pursuant to Section 2E of Chapter 47 of the Acts of 2017) submitting the Fiscal Year 2017 transfer schedules for the following accounts: 1595-6368, 1595-6369, 1595-6370, 1595-6379, 1595-1067, 1595-1068 and 1595-1069 (received July 31, 2017);

Comptroller,-- transfer schedules. SD2281

Reports.

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

Report of the Special Commission relative to Online Gaming (pursuant to Section 137 of Chapter 219 of the Acts of 2016) submitting its comprehensive study on the regulation of online gaming, fantasy sports gaming and daily fantasy sports (received July 31, 2017);

Online Gaming Special Commission,-- report. SD2280

Report of the Department of Public Utilities and Registry of Motor Vehicles (pursuant to Section 14 of Chapter 187 of the Acts of 2016) submitting this joint feasibility report regarding statewide criminal offender record checks and notification system of ride for hire motor vehicle operators (received August 1, 2017);

DPU and RMV,-- feasibility report. SD2282

UNCORRECTED PROOF.

Report of the Department of Higher Education (under the provisions of Section 218(d) of Chapter 6 of the General Laws) submitting its STEM Starter Academy year 3 annual evaluation report (received August 1, 2017); and

DHE,-- SSA annual report.
SD2283

Report of the Executive Office of Energy and Environmental Affairs (pursuant to Section 3(H) of Chapter 21I of the General Laws) submitting its fiscal year 2016 Progress Report on Toxics Use Reduction in Massachusetts (received July 31, 2017).

EOEEA,-- toxics use reduction.
SD2284

Petition.

Petitions were severally presented and referred as follows:

By Ms. Lovely, a petition (accompanied by bill, Senate, No. 2140) of Joan B. Lovely and Paul Tucker (with approval of the mayor and city council) for legislation to authorize the city of Salem to grant 1 additional liquor license for the sale of wine and malt beverages not to be drunk on the premises [Local approval received];

Salem,-- liquor license.

By the same Senator, a petition (accompanied by bill, Senate, No. 2141) of Joan B. Lovely and Paul Tucker (with approval of the mayor and city council) for legislation to authorize the city of Salem to convert a liquor license for the sale of wine and malt beverages not to be drunk on the premises to a liquor license for the sale of all alcoholic beverages not to be drunk on the premises [Local approval received];

Id.

By the same Senator, a petition (accompanied by bill, Senate, No. 2142) of Joan B. Lovely and Paul Tucker (with approval of the mayor and city council) for legislation to authorize the city of Salem to grant 1 additional liquor license for the sale of wine and malt beverages to be drunk on the premises [Local approval received]; and

Id.

By the same Senator, a petition (accompanied by bill, Senate, No. 2143) of Joan B. Lovely and Paul Tucker (with approval of the mayor and city council) for legislation to authorize the city of Salem to convert 2 seasonal liquor licenses to annual licenses for the sale of all alcoholic beverages to be drunk on the premises [Local approval received];

Id.

Severally, under Senate Rule 20, to the committee on Consumer Protection and Professional Licensure.

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 2144) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation relative to the town charter of Wareham [Local approval received]; and

Wareham,-- town charter.

By the same Senator, a petition (accompanied by bill, Senate, No. 2145) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation relative to a Wareham Redevelopment Authority [Local approval received];

Wareham,-- redevelopment authority.

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

Severally sent to the House for concurrence.

By Ms. Forry, a petition (accompanied by bill) (subject to Joint Rule 12) of Linda Dorcena Forry for legislation relative to life insurance; and

Life insurance.
SD2292

By Ms. Lovely (by request), a petition (accompanied by bill) (subject to Joint Rule 12) of Leslie Salter for legislation to advocate literacy in schools;

Schools,-- literacy.
SD2291

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

Reports of Committees.

By Mr. McGee, for the committee on Transportation, on petition, a Bill relative to a clean fuel standard (Senate, No. 1974);

Clean fuel,--
standard.

Read and, under Senate Rule 26D, referred to the committee on Global Warming and Climate Change.

By Ms. L'Italien, for the committee on Consumer Protection and Professional Licensure, on petition, a Bill relative to the guaranty fund for home improvement contractors (Senate, No. 101);

Home improvement
contractors,--
guaranty fund.

By the same Senator, for the same committee, on petition, a Bill providing consumers with equal protection for all real estate appraisals (Senate, No. 104);

Real estate
appraisals,--
protection.
Petroleum products.

By the same Senator, for the same committee, on petition, a Bill relative to adjustments to certain petroleum products (Senate, No. 131);

By the same Senator, for the same committee, on petition, a Bill relative to unsolicited loans (Senate, No. 143);

Unsolicited loans.

By the Mr. McGee, for the committee on Transportation, on petition (accompanied by bill, Senate, No. 1911), a Bill relative to the licensure of motor vehicle inspection stations (Senate, No. 2139);

Motor vehicle
inspection stations,--
license.

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

By Ms. L'Italien, for the committee on Consumer Protection and Professional Licensure, on petition, a Bill to protect the privacy of lottery winners (Senate, No. 139);

Lottery winners,--
privacy.

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

PAPERS FROM THE HOUSE.

A Bill authorizing the city of Boston to grant 15 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3757, amended,-- on House, No. 3542) [Local approval received on House, No, 3542],--
was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Boston,-- liquor
license.

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 3861) of Susannah M. Whipps (by vote of the town) that the town of Wendell be authorized to allows persons sixteen years of age or older to vote in town elections in said town;

Wendell,-- voting
age.

To the committee on Election Laws.

Petition (accompanied by bill, House, No. 3862) of Byron Rushing (with the approval of the mayor and city council) that the city of Boston be authorized to further regulate the appointment of trustees of the public library of said city; and

Boston,-- library
trustees.

Petition (accompanied by bill, House, No. 3863) of Susannah M. Whipps and Anne M. Gobi (by vote of the town) that the town of Athol be authorized to establish a special fund for the purpose renovations, additions or building improvements of the library in said town;

Athol,-- library
improvements.

Severally, to the committee on Municipalities and Regional Government.

UNCORRECTED PROOF.

Petition (accompanied by bill, House, No. 3864) of Shawn Dooley (by vote of the town) that the town of Plainville be authorized to exempt all positions in the fire department of said town from the civil service law; and

Plainville,-- civil service.

Petition (accompanied by bill, House, No. 3865) of Sarah K. Peake and Julian Cyr (by vote of the town) that the town of Provincetown be authorized to continue the employment of Michael Trovato, a member of the fire department of said town;

Provincetown,--
Michael Trovato.

Severally, to the committee on Public Service.

PAPERS FROM THE HOUSE

Emergency Preamble Adopted

An engrossed Bill establishing a sick leave bank for David Senatillaka, an employee of the Department of Correction (see House, No. 3734, 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.

David Senatillaka,-
sick leave.

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

Resolutions.

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

Resolutions (filed by Mr. Barrett) “congratulating Congregation Shalom on its fiftieth anniversary”;

Congregation
Shalom.

Resolutions (filed by Ms. L’Italien) “commending the Massachusetts Falls Prevention Coalition on its celebration of Falls Prevention Awareness Day”;

MA Falls Prevention
Coalition.

Resolutions (filed by Ms. Gobi) “congratulating Chief Paul H. Foster on his retirement from the Holland Fire Department”; and

Chief Paul H. Foster.

Resolutions (filed by Mr. Ross) “congratulating Jay Evan Abdella of the town of Wayland on his elevation to the rank of Eagle Scout”.

Jay Evan Abdella.

Reports of Committee.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Richard Capone, an employee of the Massachusetts Department of Transportation (House, No. 3722, amended),-- ought to pass;

Richard Capone,--
sick leave.

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

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Linda Boudria, an employee of the Department of Mental Health (House, No. 3795),-- ought to pass;

Linda Boudria,-- sick
leave.

There being no objection, the rules were suspended, on motion of Mr.

Tarr, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Edward Gates, an employee of the Department of Environmental Protection (House, No. 3796, amended),-- ought to pass;

Edward Gates,-- sick leave.

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in 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 authorizing the town of Wrentham to grant 9 additional licenses for the sale of alcoholic beverages to be drunk on the premises (Senate, No. 23),-- **was read a third time and passed to be engrossed.**

Wrentham,-- liquor license.

Sent to the House for concurrence.

The Senate Bill authorizing the town of Palmer to issue 1 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 2051) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Palmer,-- liquor license.

Sent to the House for concurrence.

The Senate Bill relative to the appointment of special police officers in the city of Brockton (Senate, No. 2040),-- was read a third time.

Brockton,-- special police officers.

Pending the question on passing the bill to be engrossed, Mr. Brady moved that the bill be amended by substituting a new draft entitled "An Act to further define the appointment of special police officers in the city of Brockton" (Senate, No. 2138).

The amendment was adopted.

The bill (Senate, No. 2138) was then passed to be engrossed.

Sent to the House for concurrence.

The House Bill authorizing the town of Westborough to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (House, No. 3758) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Westborough,-- liquor license.

Report of a Committee.

Mr. Montigny, for the committee on Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The House Bill designating a certain park in the town of Hingham as the Eugene F. Creedon Memorial Park (House, No. 3708, amended).

Hingham,-- Creedon Park.

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

PAPERS FROM THE HOUSE

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

Petition (accompanied by bill, House, No. 3868) of Paul J. Donato, Paul Brodeur and Steve Ultrino for legislation to establish a sick leave bank for Mary Goddard, an employee of the Department of Correction;

Mary Goddard,-- sick leave.

Under suspension of Joint Rule 12, to the committee on Public Service.

Petition (accompanied by bill, House, No. 3867) of Jonathan D. Zlotnik and Jennifer L. Flanagan for legislation to authorize the Division of Capital Asset Management and Maintenance to exchange a certain parcel of land in the city of Gardner for another parcel of land in said city;

Gardner,-- land.

Under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Engrossed Bill.

An engrossed Bill establishing a sick leave bank for David Senatillaka, an employee of the Department of Correction (see House, No. 3734, amended) (which originated in the House), **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. Boncore) and laid before the Governor for his approbation.**

Bill laid before the Governor.

There being no objection, at twelve minutes before twelve o'clock noon, the Chair (Mr. Boncore) declared a recess subject to the call of the Chair; and, at twenty-six minutes before one o'clock P.M., the Senate reassembled, Mr. Timilty in the Chair.

Recess.

PAPER FROM THE HOUSE

The House Bill relative to language opportunity for our kids (House, No. 3740, amended),— came from the House with the endorsement that the House had NON-concurred in the further Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate, No. 2134), and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representative Peisch of Wellesley, Moran of Lawrence and Ferguson of Holden have been appointed the committee on the part of the House.

Language opportunity.

On motion of Mr. Tarr, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Chang-Diaz, DiDomenico and O'Connor were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

Order Adopted.

On motion of Mr. Tarr,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on

Time of meeting.

UNCORRECTED PROOF.

Monday at ten o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

On motion of the same Senator, at twenty-three minutes before one o'clock, P.M., the Senate adjourned to meet again on Monday next at ten o'clock A.M.