

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**THURSDAY, APRIL 27, 2017.**

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JOURNAL OF THE SENATE.

Thursday, April 27, 2017.

Met at twenty-one minutes past eleven o'clock A.M. (Mr. Walter F. Timilty 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. Walter F. Timilty), 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. Walter F. Timilty) handed the gavel to Mr. Ross for the purpose of an introduction. Mr. Ross then introduced, to the left of the Rostrum, Ashely Dimella and Caitlin Marple of Franklin. They were visiting the State House to learn about the different aspects of state government and have a strong interest in politics and the democratic process. The Senate welcomed them with applause and they withdrew from the Chamber.

Ashely Dimella and Caitlin Marple.

Communications.

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

Communication from the Honorable Michael J. Rodrigues, Chair, Senate Committee on Ethics, announcing the designation of Senator Cynthia S. Creem (pursuant to Chapter 4 of the Resolves of 2016, as amended by Chapter 5 of the Acts of 2017) as his representative to the Task Force on Integrity in State and Local Government;

Task Force on Integrity in State and Local Government.

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 third quarter fiscal year 2017 report on "Settlements and Judgments" (received April 25, 2017); and

Comptroller,-- settlements and judgments report. SD2173

Communication from the Department of Transitional Assistance (pursuant to line item 4401-1000 of Chapter 133 of the Acts of 2016) submitting its Employment Services Program Report for fiscal year 2017 (received April 25, 2017).

DTA,-- employment services report. SD2176

Report.

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspections of the following correctional facilities:

DPH,-- facility inspections. SD2174

- Essex County Correctional Alternative Center
- Bridgewater State Hospital
- Suffolk County Jail
- Suffolk County House of Correction
- MA Treatment Center (received April 24, 2017),-- was placed on file.

*Petition.*

Mr. Tarr presented a petition (accompanied by bill) (subject to Joint Rule 12) of Bruce E. Tarr, Richard J. Ross, Donald F. Humason, Jr., Viriato M. deMacedo and other members of the General Court for legislation to ensure forensic service integrity;

Forensic service,--  
integrity.  
SD2175

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

*Reports of Committees.*

By Mr. James E. Timilty, for the committee on Public Service, on petition, a Bill authorizing the board of directors of Metacomet Emergency Communications Center to accept chapter 32B of the General Laws (Senate, No. 1453);

Metacomet  
Emergency Com-  
munications Center.

**Referred, under Joint Rule 1E, to the committee on Health Care Financing.**

By Mr. James E. Timilty, for the committee on Public Service, on petition, a Bill authorizing the town of Warren to continue the employment of Dennis Desrosiers (Senate, No. 1420) [Local approval received];

Dennis Desrosiers,--  
employment.

By the same Senator, for the same committee, on petition, a Bill authorizing the appointment of retired police officers as special police officers in the city of Taunton (Senate, No. 2034) [Local approval received]; and

Taunton,-- special  
police officers.

By the same Senator, for the same committee, on petition, a Bill relative to the appointment of special police officers in the city of Brockton (Senate, No. 2040) [Local approval received];

Brockton,-- special  
police officers.

**Severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

*Committees Discharged.*

Mr. Welch, for the committee on Health Care Financing, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 643) of Jason M. Lewis, Harriette L. Chandler, James T. Welch, Tricia Farley-Bouvier and other members of the General Court for legislation to promote public health through the prevention and wellness trust fund,-- and recommending that the same be referred to the committee on Public Health; and

Prevention and  
wellness trust fund.

Mr. Hinds, for the committee on Tourism, Arts and Cultural Development, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1898) of Kathleen O'Connor Ives, Jack Lewis, Lori A. Ehrlich, Angelo J. Puppolo, Jr. and other members of the General Court for legislation relative to the use of elephants in traveling animal acts,-- and recommending that the same be referred to the committee on Environment, Natural Resources and Agriculture;

Elephants,-- animal  
acts.

**Severally, under Senate Rule 36, the reports were considered forthwith and accepted.**

**Severally sent to the House for concurrence in the discharge of the joint committee.**

PAPERS FROM THE HOUSE

A message from His Excellency the Governor recommending legislation relative to financing the production and preservation of housing for low and moderate income residents (House, No. 3653),-- **was referred, in concurrence, to the committee on Housing.**

Housing,-- low and moderate income.

Reports

Of the committee on Consumer Protection and Professional Licensure, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2820) of Peter V. Kocot and others relative to the certification of public health dental practitioners,-- and recommending that the same be referred to the committee on Public Health;

Dental practitioners,-  
- certification.

Of the committee on Elder Affairs asking to be discharged from further consideration of petition (accompanied by bill, House, No. 2074) of Kate Hogan and others relative to the disposal of resources for determining eligibility for Medicaid,-- and recommending that the same be referred to the committee on Health Care Financing;

Medicaid,--  
eligibility.

**Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

*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 Troy Josti of the town of Norwell on his elevation to the rank of Eagle Scout";

Troy Josti.

Resolutions (filed by Mr. Ross) "congratulating Benjamin Chipman of the town of Norfolk on his elevation to the rank of Eagle Scout";

Benjamin Chipman.

Resolutions (filed by Mr. Ross) "congratulating Will Cardi Kadison of the town of Sherborn on his elevation to the rank of Eagle Scout"; and

Will Cardi Kadison.

Resolutions (filed by Mr. Ross) "congratulating Justin Michael Sullivan of the town of Sherborn on his elevation to the rank of Eagle Scout."

Justin Michael  
Sullivan.

PAPER FROM THE HOUSE

*Emergency Preamble Adopted*

An engrossed Bill establishing a sick leave bank for Paula Daggett, an employee of the Department of Correction (see Senate, No. 2038), 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.

Paula Daggett,--  
sick leave.

**The bill was signed by the Acting President (Mr. Walter F. Timilty) and sent to the House for enactment.**

*Matter Taken Out of the Orders of the Day.*

There being no objection, the following matter was taken out of the Orders of

the Day and considered as follows:

The Senate Bill authorizing the town of Milton to establish a special purpose stabilization fund (Senate, No. 24),-- **was read a third time and passed to be engrossed.**

Milton,-- stabilization fund.

**Sent to the House for concurrence.**

*Reports of Committees.*

By Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Cynthia S. Creem for legislation relative to internet service providers.

Internet service providers. SD2165

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

By Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Kristin Beatty for legislation to reduce non-ionizing radiation exposure in schools.

Non-ionizing radiation exposure in schools. SD2156

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

By Mr. Montigny, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Kristin Beatty for legislation to increase medical awareness and insurance coverage of non-ionizing radiation injury and reliance upon credible independent medical research.

Non-ionizing radiation injury,-- coverage. SD2155

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

**Severally sent to the House for concurrence.**

By Ms. Spilka, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Ramona Foster, an employee of the Department of Elementary and Secondary Education (Senate, No. 2042),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2054).

Ramona Foster,-- sick leave.

**There being no objection, the rules were suspended, on motion of Mr. Ross, and the bill was read a second time and amended, as recommended by the committee on Ways and Means.**

**The bill (Senate, No. 2054) was then ordered to a third reading, read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

PAPER FROM THE HOUSE

A petition (accompanied by bill, House, No. 3654) of David M. Nangle and others (with the approval of the mayor and city council) that the city of Lowell be authorized to use a certain parcel of land in the city of Lowell and the town of Tewksbury for the construction of a public high school and other school related purposes,-- **was referred in concurrence, under suspension of Joint Rule 12, to**

Lowell and Tewksbury,-- land.

**the committee on Municipalities and Regional Government.**

*Order Adopted.*

On motion of Mr. Ross,--

*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.

On motion of the same Senator, at twenty-eight minutes past eleven o'clock A.M., the Senate adjourned to meet again on Monday next at eleven o'clock A.M.