

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**THURSDAY, FEBRUARY 20, 2020.**

JOURNAL OF THE SENATE

Thursday, February 20, 2020.

Met at thirteen 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.

Communication.

Communication from the Office of the Comptroller (pursuant to Sections 1A and 1B of Chapter 154 of the Acts of 2018) submitting its report on the comparison of actual revenue collections to budget for FY2019 (received February 19, 2020),-- was placed on file.

CTR,-- FY19 revenue. SD2827

Reports of Committees.

By Ms. Jehlen, for the committee on Labor and Workforce Development, on Senate, Nos. 1056, 1058, 1059, 1061, 1069, 1070, 1073, 1079, 1080, 1083, 1085, 1091, 1098, 1101, 1104, 1108, 1111, 1112, 1115, 1117 and 1118, an Order relative to authorizing the joint committee on Labor and Workforce Development to make an investigation and study of certain current Senate documents relative to labor and workforce development laws and programs (Senate, No. 2548) [Representative Crocker of Barnstable dissenting];

Labor and Workforce Development committee,-- study.

By Mr. Cyr, for the committee on Mental Health, Substance Use and Recovery, on Senate, Nos. 923, 942, 1087, 1136, 1137, 1138, 1140, 1142, 1155, 1156, 1158, 1159, 1161, 1165, 1166, 1167 and 1168, an Order relative to authorizing the joint committee on Mental Health, Substance Use and Recovery to make an investigation and study of certain current Senate documents relative to mental health, substance use and recovery issues (Senate, No. 2550) [Representative Sullivan of Abington dissenting];

Mental Health, Substance Use and Recovery committee,-- study.

By Ms. Comerford, for the committee on Public Health, on Senate, Nos. 1206, 1207, 1214, 1218, 1228, 1229, 1231, 1240, 1243, 1244, 1245, 1246, 1249, 1252, 1253, 1254, 1256, 1257, 1258, 1260, 1271, 1272, 1273, 1281, 1286, 1292, 1296, 1299, 1300, 1302, 1303, 1305, 1318, 1320, 1321, 1322, 1324, 1325, 1331, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1346, 1348, 1349, 1351, 1352, 1353, 1356, 2196 and 2408, an Order relative to authorizing the joint committee on Public Health to make an investigation and study of certain current Senate documents relative to public health issues (Senate, No. 2547);

Public Health committee,-- study.

By Mr. Hinds for the committee on Revenue, on Senate, Nos. 1604, 1612, 1617, 1620, 1634, 1636, 1643, 1645, 1659, 1660, 1671, 1677, 1678, 1683, 1688, 1692, 1693, 1695, 1698, 1703, 1708, 1711, 1715, 1717, 1718, 1722, 1726, 1732, 1735, 1744, 1745, 1746, 1747, 1751, 1755, 1757, 1764, 1765, 1766, 1768, 1771, 1774, 1780, 1790, 1791 and 1794, an Order relative to authorizing the joint committee on Revenue, to make an investigation and study of certain current Senate documents relative to revenue issues (Senate, No. 2549);

Revenue committee,-- study.

By Ms. Barrett, for the committee on Telecommunications, Utilities and Energy, on Senate, Nos. 1928, 1931, 1932, 1933, 1934, 1936, 1938, 1939, 1941, 1944, 1946, 1947,

Telecommunications, Utilities and Energy

1948, 1949, 1951, 1953, 1954, 1955, 1956, 1960, 1961, 1962, 1964, 1965, 1968, 1970, 1972, 1973, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1984, 1985, 1987, 1990, 1991, 1992, 1993, 1994, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2010, 2014, 2015, 2016, 2017, 2018, 2019 and 2390, an Order relative to authorizing the joint committee on Telecommunications, Utilities and Energy, to make an investigation and study of certain current Senate documents relative to telecommunications, utilities & energy issues (Senate, No. 2552) [Senator Pacheco dissenting]; and

committee,-- study.

By Mr. Timilty, for the committee on Veterans and Federal Affairs, on Senate, Nos. 2152, 2155, 2156, 2157, 2161, 2162, 2165, 2169, 2170, 2173 and 2174 , an Order relative to authorizing the joint committee on Veterans and Federal Affairs to make an investigation and study of certain current Senate documents relative to veterans and federal affairs issues (Senate, No. 2551) [Senator Rausch dissents insomuch as relates to Senate, No. 2152];

Veterans and Federal Affairs committee,-- study.

**Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.**

*Committees Discharged.*

Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration

Of the Senate Order relative to authorizing the joint committee on Economic Development and Emerging Technologies to make an investigation and study of certain current Senate documents relative to economic development and emerging technologies investigation and study (Senate, No. 2537);

Economic Development and Emerging Technologies committee,-- study.  
Education committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to education issues (Senate, No. 2538);

Of the Senate Order relative to authorizing the joint committee on Environment, Natural Resources and Agriculture, to make an investigation and study of certain current Senate documents relative to environment, natural resources, and agriculture issues (Senate, No. 2540);

Environment, Natural Resources and Agriculture committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Higher Education to make an investigation and study of certain current Senate documents relative to higher education issues (Senate, No. 2541);

Higher Education committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Financial Services to make an investigation and study of certain current Senate documents relative to financial services issues (Senate, No. 2543);

Financial Services committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Election Laws to make an investigation and study of certain current Senate documents relative to election laws issues (Senate, No. 2544);

Election Laws committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Public Service to make an investigation and study of certain current Senate documents relative to public service issues (Senate, No. 2545);

Public Service committee,-- study.

And recommending that the same severally be referred to the committee on Rules;

**Under Senate Rule 36, the reports were severally considered forthwith and accepted.**

Ms. Lovely, for the committee on Rules, reported, asking to be discharged from further consideration of the Senate Bill establishing a roadmap for housing solutions (Senate, No. 780),-- and recommending that the same be referred to the committee on the Ways and Means;

Housing solutions.

**Under Senate Rule 36, the report was considered forthwith and accepted.**

PAPERS FROM THE HOUSE.

Notice was received from the House of Representatives announcing the following appointments by the Minority Leader:

Representative Norman J. Orrall of Lakeville has been appointed to serve as his designee on the special commission established (under Section 100 of Chapter 41 of the Acts of 2019) tasked with recommending new ways for the Department of Conservation and Recreation to improve the management, operations and asset condition of the natural, cultural and recreational held by the department;

DCR improvements.

Representative James M. Kelcourse of Amesbury has been appointed to serve as his designee on the Early Education and Care Advisory Council established (under Section 3A of Chapter 1D of the General Laws);

Early Education and Care Advisory Council.

Representative Angelo L. D’Emilia of Bridgewater has been appointed to continue serving as his designee on the Gaming Policy Advisory Committee established (under Section 68 of Chapter 23K of the General Laws); and

Gaming Policy Advisory Committee.

Representative Donald R. Berthiaume, Jr. of Spencer has been appointed to serve as his designee on the special commission established (under Section 22 of Chapter 132 of the Acts of 2019) tasked with making recommendations concerning the long-term fiscal health of rural school districts that are facing or may face declining enrollment.

Rural school districts,-- enrollment.

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

Petition (accompanied by bill, House, No. 4438) of Daniel J. Ryan (with the approval of the mayor and city council) relative to certain affordable housing in the Charlestown section of the city of Boston;

Charlestown,-- affordable housing.

**To the committee on Housing.**

Petition (accompanied by bill, House, No. 4439) of Paul J. Donato, Patricia D. Jehlen and Sean Garballey (with the approval of the mayor and city council) that the city of Medford be authorized to utilize funds received from the surrounding community agreement entered into between said city and Wynn MA LLC for the purposes set forth in the agreement;

Medford,-- Wynn MA LLC funds.

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

*Engrossed Bills.*

The following engrossed bills (the first of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the Acting President (Mr. Brownsberger) and laid before the Governor for his approbation, to wit:

Bills laid before the Governor.

Authorizing the Southern Worcester County Regional Vocational School District to enter into solar power generation agreements (see Senate, No. 1971, amended); and

Validating the actions of the town of East Brookfield relative to the health insurance coverage of town employees and retirees of East Brookfield (see House, No. 2167).

A petition (accompanied by bill, House, No. 4442) of William C. Galvin and Walter F. Timilty (by vote of the town) that the town of Canton be authorized to establish the Revere & Son Heritage Trust, Inc. and to acquire land for the creation and operation of the Paul Revere Museum of Discovery and Innovation and Paul Revere Heritage Site in said town,-- **was referred, in concurrence, under suspension of Joint Rule 9, to the committee on Municipalities and Regional Government.**

Canton,-- Revere & Son Heritage Trust, Inc.

*Resolutions.*

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

Resolutions (filed by Ms. Gobi) “congratulating Susan Gregory on the occasion of her retirement as the Executive Director of Hitchcock Free Academy in the town of Brimfield”;

Susan Gregory.

Resolutions (filed by Mr. Tran) “congratulating Ethan Chandler on becoming a distinguished finalist and receiving the Bronze Medallion from the Prudential Spirit of Community Awards”; and

Ethan Chandler.

Resolutions (filed by Mr. Tran) “congratulating Kylee McCumber on becoming a state honoree and receiving the Silver Medallion from the Prudential Spirit of Community Awards.”

Kylee McCumber.

*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 House bill further regulating sewers in the town of Auburn (House, No. 4047) (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.**

Auburn,--  
sewers.

*Report of a Committee.*

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill to provide identification to homeless youth and families (Senate, No. 2043),--ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2555).

Homeless youth,--  
identification.

*Order.*

Mr. Rodrigues offered the following order, to wit:

Procedural order.

*Ordered,* That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill to provide identification to homeless youth and families (Senate, No. 2043) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft with the same title, Senate, No. 2555) shall be placed in the Orders of the Day for a second reading on Thursday, February 27, 2020.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 2:00 P.M., on Monday, February 24, 2020. All such amendments shall be second reading-amendments to the Senate Ways and Means new draft (Senate, No. 2555), but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

**Under the Rules, referred to the committee on Rules.**

**Subsequently, Ms. Lovely, for said committee, reported, recommending that the order ought to be adopted.**

**The rules were suspended, on motion of Mr. O’Connor, and the order was considered forthwith and adopted.**

**The bill will be placed in the Orders of the Day for Thursday, February 27, 2020, for a second reading with the amendment pending.**

*Report of a Committee.*

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill updating terminology and investigative practices related to the protection of persons with disabilities (Senate, No. 2427),--ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2554).

Persons with disabilities,-- updating terminology.

*Order.*

Mr. Rodrigues offered the following order, to wit:

Procedural order.

*Ordered,* That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill updating terminology and investigative practices related to the protection of persons with disabilities (Senate, No. 2427) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft with the same title, Senate, No. 2554) shall be placed in the Orders of the Day for a second reading on Thursday, February 27, 2020.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 2:00 P.M., on Monday, February 24, 2020. All such amendments shall be second reading-amendments to the Senate Ways and Means new draft (Senate, No. 2554), but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

**Under the Rules, referred to the committee on Rules.**

**Subsequently, Ms. Lovely, for said committee, reported, recommending that the order ought to be adopted.**

**The rules were suspended, on motion of Mr. O'Connor, and the order was considered forthwith and adopted.**

**The bill will be placed in the Orders of the Day for Thursday, February 27, 2020, for a second reading with the amendment pending.**

*Report of a Committee.*

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill relative to automated enforcement (Senate, No. 1376),--ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2553).

Automated enforcement,-- road safety.

*Order.*

Mr. Rodrigues offered the following order, to wit:

Procedural order.

*Ordered,* That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill relative to automated enforcement (Senate, No. 1376) (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft with the same title, Senate, No. 2553) shall be placed in the Orders of the Day for a second reading on Thursday, February 27, 2020.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 2:00 P.M., on Monday, February 24, 2020. All such amendments shall be second reading-amendments to the Senate Ways and Means new draft (Senate, No. 2553), but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with

this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

**Under the Rules, referred to the committee on Rules.**

**Subsequently, Ms. Lovely, for said committee, reported, recommending that the order ought to be adopted.**

**The rules were suspended, on motion of Mr. O'Connor, and the order was considered forthwith and adopted.**

**The bill will be placed in the Orders of the Day for Thursday, February 27, 2020, for a second reading with the amendment pending.**

*Order Adopted.*

On motion of Mr. O'Connor,--

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

Time of meeting.

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