

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, MARCH 9, 2020.

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Monday, March 9, 2020.

Met at fourteen minutes past eleven o'clock A.M. (Ms. Jehlen 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 (Ms. Jehlen), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Communications.

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

Communication from the Office of the Comptroller (pursuant to Sections 1A and 1B of Chapter 41 of the Acts of 2019) submitting its report on the comparison of Actual Revenue Collections to Budget for the 1st and 2nd quarters of FY2020 (received March 5, 2020);

Comptroller,-- non-tax revenue. SD2855

Communication from the Office of the Comptroller (pursuant to Section 35T(b) of Chapter 10 of the General Laws) submitting its March 2020 certification of MBTA sales tax revenues for fiscal year 2021 (received March 6, 2020); and

Comptroller,-- MBTA sales tax revenue. SD2857

Communications from the Department of Public Health relative to plans of correction for the following correctional facilities::

DPH,-- plan of correction. SD2860

- Pondville Correctional Center - Norfolk on January 22, 2020
• Bridgewater State Hospital on December 16 & 17, 2019
• MCI Norfolk on November 14, 18, 20, 21, & 22, 2019
• Old Colony Correctional Center - Bridgewater on December 13 & 14, 2019
• Western MA Women's Correctional Center - Chicopee on January 17, 2020
• Boston Pre-Release Center - Roslindale on January 29, 2020
• Bridgewater State Hospital on February 6, 2020
• NCCI Gardner on February 11, 12 & 18, 2020 (received February 3 and 6 and March 3 and 9, 2020).

Reports.

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

Report of the Executive Office of Health and Human Services (pursuant to Chapter 118I, Section 15 of the Massachusetts General Laws) submitting the Health Information Technology Council Report (received March 6, 2020);

EOHHS,-- 2019 SD2858

Report of the Department of Unemployment Assistance (pursuant to Section 14F of Chapter 151A of the General Laws) submitting the February 2020 Unemployment Insurance Trust Fund report (received March 6, 2020); and

DUA,-- February 2020. SD2859

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: Boston Pre-Release Center on January 29, 2020; Hampden County Jail and House of Correction - Ludlow on February 4, 5 &6, 2020; MCI Framingham on January 30 & 31, 2020; NCCI Gardner on February 11, 12 & 18, 2020; Essex County Women in Transition - Salisbury on February 21, 2020; and Massachusetts Treatment Center -

DPH,-- correctional inspections. SD2861

Bridgewater on February 26 & 27, 2020 (received March 9, 2020).

Order.

Mr. Barrett presented an Order relative to granting the committee on Telecommunications, Utilities and Energy until June 4, 2020, within which time to make its final report on current Senate document numbered 2514, relative to gas safety (Senate, No. 2591);

Telecommunications,
Utilities and Energy,-
- Extension Order.

Referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently.

Reports of Committees.

By Ms. Chang-Diaz, for the committee on Children, Families and Persons with Disabilities, on petition, a Bill relative to applied behavior analysis services (Senate, No. 55, changed in line 1 by inserting after the figure "118E," the following:- "of the General Laws, as so appearing in the 2018 Official Edition,");

Behavior analysis,--
services.

By the same Senator, for the same committee, on Senate, Nos. 52 and 61, a Bill relative to persons with developmental disabilities (Senate, No. 61);

Developmental
disabilities.

By Mr. Welch, for the committee on Financial Services, on petition, a Bill relative to insurance coverage for mammograms and breast cancer screening (Senate, No. 616); and

Mammograms,--
insurance coverage.

By the same Senator, for the same committee, on petition, a Bill providing health insurance coverage for scalp and facial hair prosthesis (Senate, No. 617);

Health insurance,--
hair prosthesis.

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Crighton, for the committee on Housing, on petition, a Resolve establishing a task force to study racial disparities in home ownership and reducing the wealth gap (Senate, No. 800);

Racial disparities,--
home ownership.

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

By Ms. Chang-Diaz, for the committee on Children, Families and Persons with Disabilities, on petition (accompanied by bill, Senate, No. 64), a Bill relative to supported decision-making agreements for certain adults with disabilities (Senate, No. 2490);

Supported decision-
making,-- adult with
disabilities.

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 68), a Bill relative to supporting families dealing with sudden infant death syndrome (Senate, No. 2590);

SIDS.

By Ms. Gobi, for the committee on Environment, Natural Resources and Agriculture, on Senate, No. 500 and House, No. 774, a Bill ensuring safe drinking water in schools (Senate, No. 2503);

Schools,-- safe
drinking water.

By Ms. Gobi, for the committee on Higher Education, on petition, a Bill establishing a community college campus hunger pilot program (Senate, No. 757); and

Community
colleges,-- hunger
pilot program.
Regional tourism
councils,-- grants.

By Mr. Kennedy, for the committee on Tourism, Arts and Cultural Development, on petition, a Bill relative to regional tourism councils (Senate, No. 2025);

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

By Ms. Chang-Diaz, for the committee on Children, Families and Persons with Disabilities, on petition (accompanied by bill, Senate, No. 51), a Bill relative to individuals with intellectual or developmental disabilities (Senate, No. 2489);

Intellectually or
developmentally
disabled.

By Ms. Rausch, for the committee on Municipalities and Regional Government, on

Zero parking

petition, a Bill relative to zero parking development (Senate, No. 1170);

By Mr. Boncore, for the committee on Transportation, on petition, a Bill relative to year of manufacture registration plates (Senate, No. 2093); and

By the same Senator, for the same committee, on petition, a Bill directing the Massachusetts Department of Transportation to provide for a study of noise impacts from the confluence of Interstate 495 and Route 28 for a study of noise impacts from the confluence of Interstate 495 and Route 28 (Senate, No. 2432);

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

Placed on File.

Mr. Feeney, for the committee on Consumer Protection and Professional Licensure, on the communication from the Massachusetts Gaming Commission (pursuant to Section 9B of Chapter 128A of the General Laws) submitting proposed amendments to regulations for 205 CMR 6.35: Pick (n) Pools (Senate, No. 2321);

Mr. Finegold, for the committee on Consumer Protection and Professional Licensure, on the communication from the Human Resources Division of the Executive Office for Administration and Finance (under the provisions of Section 61A of Chapter 31 and Section 5(3)(e) of Chapter 32 of the General Laws) submitting revisions to regulations for initial hire medical and physical fitness standards tests of municipal public safety personnel (Senate, No. 2379); and

By the same Senator, for the same committee, on the communication from the Human Resources Division of the Executive Office for Administration and Finance (under the provisions of Section 61A of Chapter 31 and Section 5(3)(e) of Chapter 32 of the General Laws) submitting revisions to regulations for initial hire medical and physical fitness standards tests of municipal public safety personnel (Senate, No. 2485);

Reported that the regulations and conditions are consistent with the statutory provisions under which they were promulgated and further recommended that the same be placed on file.

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

Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation relative to enabling partnerships for growth (House, No. 4529),-- **was referred, in concurrence, to the committee on Economic Development and Emerging Technologies.**

A petition (accompanied by bill, House, No. 4542) of Andres X. Vargas (with the approval of the mayor and city council) that Nikos Sofronas be authorized to take the civil service examination for the position of firefighter in the city of Haverhill, notwithstanding the maximum age requirement,-- **was referred, in concurrence, to the committee on Public Service.**

A Bill authorizing and accelerating transportation investment (House, No. 4547,-- on House Bill printed in House, No. 4326), -- **was read and, under Senate Rule 26C, referred to the committee on Bonding, Capital Expenditures and State Assets.**

A Bill relative to transportation finance (House, No. 4530,-- on House, No. 4285), -- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

development.
Registration plates.

Noise impacts,--
study.

MGC,-- 205 CMR
6.35 amendments.

Public safety
personnel,-- fitness
standards.

Id.

Partnerships for
growth.

Nikos Sofronas,--
civil service exam.

Transportation
investment.

Transportation
finance.

Bills

Authorizing the town of Leyden to continue the employment of Gilda Galvis (House, No. 4544,-- on House, No. 3986) [Local approval received on House, No. 3986]; and

Gilda Galvis,--
sick leave.

To dissolve the Newburyport Redevelopment Authority and transfer its lands to the city of Newburyport (House, No. 4545,-- on House, No. 3698 and Senate, No. 2202) [Local approval received on House, No. 3698 and Senate, No. 2202];

Newburyport,--
land.

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

Resolutions.

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

Resolutions (filed by Mr. Lewis) “commending Doctor Margaret L. Bauman for over 35 years of continuing efforts in caring for those with autism spectrum disorder and other developmental disorders”;

Dr. Margaret L.
Bauman.

Resolutions (filed by Mr. Pacheco) “congratulating J. Michael Hickey on his retirement from the Division of Marine Fisheries after over 50 years of service”; and

J. Michael Hickey.

Resolutions (filed by Messrs. Timilty and Brady) “congratulating Chief Scott C. Allen on the occasion of his retirement from the East Bridgewater Police Department.”

Chief Scott C. Allen.

Reports of Committees.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that the Senate Order, granting the committee on Election Laws until April 30, 2020, within which time to make its final report on current Senate document numbered 389, relative to eligible lists of voters (Senate, No. 2582),-- ought to be adopted.

Election Laws,--
Extension Order.

The rules were suspended, on motion of Mr. Fattman, and the order was considered forthwith and adopted.

Sent to the House for concurrence.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that the Senate Order, granting the committee on Election Laws until June 1, 2020, within which time to make its final report on current Senate document numbered 408, relative to supporting parents running for public office (Senate, No. 2583),-- ought to be adopted.

Id.

The rules were suspended, on motion of Mr. Fattman, and the order was considered forthwith and adopted.

Sent to the House for concurrence.

By Mr. Finegold, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for Michelle Ceurvels, an employee of the Massachusetts Bay Transportation Authority (Senate, No. 2521).

Michelle Ceurvels,--
sick leave.

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

By Mr. Finegold, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for Marie Romelus, an employee of the Center for Health Information and Analysis (Senate, No. 2522).

Marie Romelus,--
sick leave.

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

By Mr. Finegold, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for Richard G. Perry, an employee of the Department of Conservation and Recreation (Senate, No. 2523).

Richard G. Perry,--
sick leave.

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

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 funding the town of Hanover's Other Post-Employment Benefits Liability Trust Fund (House, No. 4061) (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.**

Hanover's Other
Post-Employment
Benefits Liability
Trust Fund.

PAPERS FROM THE HOUSE.

A Bill establishing a sick leave bank for Jessica Renehan, an employee of the Department of Conservation and Recreation (House, No. 4410,-- on petition),-- was read.

Jessica Renehan,--
sick leave.

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

A petition (accompanied by bill, House, No. 4548) of Chynah Tyler for legislation to establish a sick leave bank for Jose Lopez, an employee of the Massachusetts Department of Transportation,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

Jose Lopez,-- sick
leave.

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Susan Edwards, an employee of the department of developmental services (see House, No. 4315, 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.

Susan Edwards,--
sick leave.

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

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 (Ms. Jehlen) and laid before the Governor for his approbation, to wit:

Exempting all positions in the police department of the town of Rockport from the civil service law (see Senate, No. 2360);

Bills laid before the
Governor.

Providing for the charter of the town of Plymouth (see House, No. 1811); and

Establishing a sick leave bank for Susan Edwards, an employee of the department of developmental services (see House, No. 4315, amended).

Order Adopted.

On motion of Mr. Fattman,--

UNCORRECTED PROOF.

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday 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-eight minutes past eleven o'clock A.M., the Senate adjourned to meet again on Thursday at eleven o'clock A.M.