
The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, APRIL 9, 2020

JOURNAL OF THE SENATE

Thursday, April 9, 2020

Met at eight 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 Massachusetts State House Press Association (pursuant to Joint Rule 32) submitting an updated list of the legislative reporters who constitute the Massachusetts State House Press Association and the State House Broadcasters Association (received April 8, 2020),-- **was placed on file.**

SHPA,--
updated membership.
SD2908

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 2628) of Bruce E. Tarr and Ann-Margaret Ferrante (with approval of the mayor and city council) for legislation to authorize the city of Gloucester to use certain lands for municipal school purposes [Local approval received];

Gloucester,--
municipal land use.

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

Sent to the House for concurrence.

By Mr. Tarr, a petition (accompanied by bill) (subject to Joint Rule 12) of Bruce E. Tarr for legislation to promote financial stability;

COVID-19,--
financial stability.
SD2909

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

Reports of Committees.

By Ms. Comerford, for the committee on Public Health, on petition, a Bill relative to the sustainability of public health dental hygienists through adequate reimbursements (Senate, No. 1211); and

Dental hygienists,--
reimbursements.

By the same Senator, for the same committee, on petition, a Bill to promote healthy communities and the environment (Senate, No. 1216);

Healthy
communities,--
promote and assess.

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

By Ms. DiZoglio, for the committee on Community Development and Small Businesses, on petition, a Bill promoting sustainable development across the Commonwealth (Senate, No. 79);

Climate risks,--
development.

By Mr. Lewis, for the committee on Education, on petition, a Bill adding a suicide prevention hotline number on student identification cards (Senate, No. 250);

Student ID cards,--
suicide prevention.

By the same Senator, for the same committee, on petition, a Bill to promote social-emotional learning (Senate, No. 258);

By Mr. Welch, for the committee on Financial Services, on petition, a Bill relative to licensure simplification (Senate, No. 554);

By Ms. Gobi, for the committee on Higher Education, on petition, a Bill investing in public higher education (Senate, No. 751);

By Ms. Jehlen, for the committee on Labor and Workforce Development, on petition, a Bill clarifying the Prevailing Wage Law (Senate, No. 1047) [Representative McKenna of Webster dissenting];

By Mr. Moore, for the committee on Public Safety and Homeland Security, on petition, a Bill relative to Executive Office of Public Safety and Security Dispatchers (Senate, No. 1406);

By the same Senator, for the same committee, on petition, a Bill to ensure pay parity for county sheriffs' correction officers and jail officers (Senate, No. 1409);

By Mr. Finegold, for the committee on Public Service, on petition, a Bill relative to local public housing authorities access to the dental and vision insurance plan managed by the group insurance commission (Senate, No. 1470);

By the same Senator, for the same committee, on petition, a Bill relative to OBRA retirement accounts (Senate, No. 1476);

By Mr. Pacheco, for the committee on State Administration and Regulatory Oversight, on petition, a Bill relative to certain easements (Senate, No. 1801); and

By the same Senator, for the same committee, on petition, a Bill limiting the impact of student loans to help staff succeed (Senate, No. 1804);

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

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 House Bill authorizing the city of Amesbury to grant four additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 4333,-- on House, No. 3639),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act authorizing the city of Amesbury to grant 4 additional licenses for the sale of alcoholic beverages to be drunk on the premises"**.

The House Bill authorizing the city of Springfield to convert the use of park land at DeBerry Park for a new DeBerry and Homer Street Elementary School and to replace it with additional park land in the city of Springfield (House, No. 4277),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act authorizing the city of Springfield to convert the use of park land at DeBerry park for a new elementary school and to replace it with additional park land in the city of Springfield"**.

PAPERS FROM THE HOUSE.

Bill authorizing the retirement board of the city of Salem to retire Brian Benson, a police officer of the city of Salem (House, No. 4621,-- on House, No. 3749),-- was read.

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

Students,-- learning strategies.

Loans,-- licensure simplification.

Higher education,-- investing.

Prevailing wage law.

EOPSS,-- dispatchers.

Correction officers,-- pay parity.

Housing authorities,-- insurance.

OBRA,-- retirement accounts.

Native American land,-- easement.

Student loans,-- repayment.

Amesbury,-- liquor license.

Springfield,-- DeBerry park.

Salem,-- Brian Benson.

the bill was read a second time and ordered to a third reading.

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

Petition (accompanied by bill, House, No. 4632) of Aaron Vega for legislation to establish a sick leave bank for Marta Romero, an employee of the Department of Disability Services; and

Marta Romero,--
sick leave.

Petition (accompanied by bill, House, No. 4631) of Tackey Chan and others relative to state employees performing core function during the Massachusetts state emergency related to COVID-19 emergency declaration.

COVID -19,-- state
employees.

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

Moment of Silence.

The Chair (Mr. Brownsberger), the members, guests and staff stood in a moment of silence and reflection to the memory of Don Kelly.

Moment of silence.

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill designating a certain bridge in the city of Woburn as the Angelo Piazza Bridge (House, No. 4207) (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. Brownsberger) and laid before the Governor for his approbation.**

Bill laid before the
Governor.

Message from His Excellency the Governor.

Message from His Excellency the Governor recommending legislation to provide liability protections for health care workers and facilities during the COVID-19 Pandemic (Senate, No. 2630) (received in the office of the Clerk of the Senate on Wednesday, April 8, 2020, at nineteen minutes before twelve o'clock noon);

COVID-19,--
liability protections.

The message was read; and, under Senate Rule 20, with the accompanying bill, was referred to the committee on Financial Services.

Sent to the House for concurrence.

Report of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill to further address challenges faced by municipalities, school districts and state authorities resulting from COVID-19 (House, No. 4616),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2629.

COVID-19,--
Municipal
governance.

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

The bill, as amended, was then ordered to a third reading, and after remarks, was read a third time and passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

Recess.

There being no objection, at sixteen minutes past twelve o'clock noon, the Chair (Mr. Brownsberger) declared a recess, subject to the call of the Chair; and at four minutes past two o'clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

Recess.

Report of a Committee

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill providing for a moratorium on evictions and foreclosures during the COVID-19 Emergency (House, No. 4615),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2631 (also based on S2621).

COVID-19,--
foreclosures.

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

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

Recess.

There being no objection, at eighteen minutes two o'clock P.M., the Chair (Mr. Brownsberger) declared a recess, subject to the call of the Chair; and at eighteen minutes past five o'clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

Recess.

PAPERS FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill to further address challenges faced by municipalities, school districts and state authorities resulting from COVID-19 (see House, No. 4616, 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.

COVID-19,--
municipalities.

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

Engrossed Bill.

An engrossed Bill authorizing the appointment of special police officers in the town of West Bridgewater(see Senate, No. 2361, amended) (which originated in the Senate), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted and signed by the Acting President (Mr. Brownsberger) and again laid before the Governor for his approbation.**

Bill again laid before
the Governor.

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 establishing a sick leave bank for Racquel Jean-Louis, an employee of the Suffolk sheriff's department (House, No. 4585) (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.**

Racquel Jean-Louis,-
- sick leave.

PAPERS FROM THE HOUSE.

Engrossed Bills.

The following engrossed bills (the first 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:

Authorizing the town of Halifax to continue the employment of Robert G. Gaynor (see Senate, No. 2393);

Establishing a charter for the town of Medway (see House, No. 3969, amended); and

To further address challenges faced by municipalities, school districts and state authorities resulting from COVID-19 (see House, No. 4616, amended).

Bills laid before the Governor.

The House Bill providing for a moratorium on evictions and foreclosures during the COVID-19 Emergency (House, No. 4615, amended) — came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate, No. 2631, and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representative Michlewitz of Boston, Honan of Boston and Durant of Spencer have been appointed to the committee on the part of the House.

COVID-19,--
foreclosures.

On motion of Mr. Tarr the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Crighton, Rodrigues and Tarr 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 Monday next at eleven o'clock A.M., and the Clerk be directed to dispense with the printing of a calendar.

Time of meeting.

Adjournment in Memory of Don Kelley.

The Senator from Essex, Ms. Lovely, moved that when the Senate adjourns today, it do so in memory of Don Kelley.

Don Kelley was a husband, father, friend, community leader, performer, master of ceremonies, and philanthropist on the North Shore of Boston. He passed away on March 29, 2020, following a hard-fought battle with the COVID-19 virus.

Don was a longtime member and former president of Rotary International Beverly chapter, president of Wayside Trailers in Peabody, a tenured, well-regarded member of New England Truck & Trailer Association, and a proud board member of Harborlight Community Partners, among so many other charitable endeavors.

Altruism was always at the forefront of his world. So were people. Don was an enthusiastic ringleader of gatherings large and small, official and impromptu. He had a gift for stirring a crowd to action, be it for a sing-a-long at a local pub on St. Patrick's Day, or a charitable auction for the Red Cross. His positive attitude was infectious; there was no challenge so great that it couldn't be met head on by a group of committed friends.

And Don had friends beyond counting. To meet him for the first time was to gain an immediate and ardent supporter, staunch ally and willing co-conspirator. His long, loud rounds of golf with friends on summer afternoons were the stuff of legend; so too were the moments when his quiet, personal gestures of generosity made a world of difference for a

family dealing with hard times, or a student struggling to afford college.

Don and his wife of 35 years, Meg Kelley, together positively impacted the lives of so many. He leaves Meg and his three daughters, Sophia Kelley, Molly Merluzzi and Vanessa Kelley; and his only grandchild, Louis 'Louie' Merluzzi.

Those who had the pleasure of knowing Don can affirm how important life was to him. He lived it to the fullest and brought everyone along with him. We ask for your commitment to staying home and helping to flatten the curve together in Don's memory.

Accordingly, as a mark of respect in memory of Don Kelley, at twenty-six minutes before six o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.