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The Commonwealth of Massachusetts

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JOURNAL OF THE SENATE.



MONDAY, MAY 4, 2020

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Met at fourteen minutes past eleven o'clock A.M. (Mr. Rush in the Chair).

The Chair (Mr. Rush), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Petitions.

Petitions were severally presented and referred as follows:

By Ms. DiZoglio, a petition (accompanied by bill) (subject to Joint Rule 12) of Diana DiZoglio and Ryan C. Fattman for legislation to provide COVID-19 emergency financial relief for veterans; and

Veterans,-- COVID-19 relief. SD2925

By Mr. Pacheco, a petition (accompanied by bill) (subject to Joint Rule 12) of Marc R. Pacheco, Paul R. Feeney, Brendan P. Crighton, Diana DiZoglio and other members of the Senate for legislation relative to a COVID-19 presumption for public employees;

COVID-19,-- public employees. SD2924

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

Reports of Committees.

By Mr. Feeney, for the committee on Consumer Protection and Professional Licensure, on petition, a Bill to ensure timely physician licensure (Senate, No. 153);

Physicians,-- licensing procedures.

By Mr. Welch, for the committee on Financial Services, on petition, a Bill relative to long-term care insurance consumer protections (Senate, No. 591);

Long-term care insurance,-- protections.

By Ms. Comerford, for the committee on Public Health, on petition, a Bill relative to the sexual assault nurse examiner program (Senate, No. 1227); and

Sexual assault,-- evidence.

By the same Senator, for the same committee, on petition, a Bill to update postural screenings in schools (Senate, No. 1233);

Schools,-- postural screenings.

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

By Chang-Diaz, for the committee on Children, Families and Persons with Disabilities, on petition (accompanied by bill, Senate, No. 25), a Bill establishing a special commission to study women and homelessness (Senate No. 2674);

Homeless women,-- commission.

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

By Mr. Feeney, for the committee on Consumer Protection and Professional Licensure, a Bill relative to applied behavior analysts (Senate, No. 134);

Behavior analysts.

By the same Senator, for the same committee, a Bill enhancing the podiatric profession's registration and oversight (Senate, No. 146);

Podiatrists,-- registration and oversight. Interior design,-- board of registration.

By the same Senator, for the same committee, on petition, a Bill relative to advancing the profession of interior design (Senate, No. 165);

By Mr. Welch, for the committee on Financial Services, on petition, a Bill relative to the remediation of home heating oil releases (Senate, No. 594);

Home heating,-- remediation.

**UNCORRECTED PROOF.**

By Ms. Jehlen, for the committee on Labor and Workforce Development, on petition, a Bill relative to fair hiring practices (Senate, No. 1097);

By the same Senator, for the same committee, on petition, a Bill expanding whistleblower protections (Senate, No. 1100);

By Ms. Comerford, for the committee on Public Health, on petition, a Bill relative to restroom accommodations in family restaurants (Senate, No. 1232);

By Mr. Moore, for the committee on Public Safety and Homeland Security, on petition (accompanied by bill, Senate, No. 1374), a Bill relative to community corrections (Senate No. 2675) [Senator Tran dissenting];

By the same Senator, for the same committee, on Senate, Nos. 1359 and 1441, a Bill relative to the Architectural Access Board (Senate, No. 2676);

By the same Senator, for the same committee, on Senate, Nos. 1465 and 1466, a Bill creating the public safety building authority (Senate, No. 2677);

By Mr. Finegold, for the committee on Public Service, on petition, a Bill relative to the retroactive application of veterans creditable service (Senate, No. 1504);

By the same Senator, for the same committee, on petition, a Bill relative to further defining employees classified in Group 4 (Senate, No. 1526);

By the same Senator, for the same committee, on petition, a Bill relative to the annual allowance for certain survivors of public retirees and employees (Senate, No. 1536);

By the same Senator, for the same committee, on petition, a Bill relative to the retirement of MassPort officers (Senate, No. 1562);

By the same Senator, for the same committee, on petition, a Bill allowing Joseph Barbati, a retired member of the Massachusetts Trial Court, an accidental disability retirement option (Senate, No. 1567);

By Mr. Hinds, for the committee on Revenue, on petition (accompanied by bill, Senate, No. 1374), a Bill relative to the Massachusetts fund for vulnerable countries most affected by climate change (Senate No. 2678);

By Mr. Pacheco, for the committee on State Administration and Regulatory Oversight, on petition, a Bill relative to government efficiency (Senate, No. 1828);

By the same Senator, for the same committee, on petition, a Bill relative to the Massachusetts State Exposition Building Maintenance Fund (Senate No. 1856);

By Mr. Boncore, for the committee on Transportation, on petition, a Bill relative to life cycle costs for long term pavement solutions (Senate, No. 2122); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 2085), a Bill relative to school bus driver licensing (Senate No. 2679);

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

By Ms. Jehlen, for the committee on Labor and Workforce Development, on petition, a Bill allowing 12 and 13 year old youth to be employed as soccer referees (Senate, No. 1103) [Representative Crocker of Barnstable dissenting]; and

By Ms. Comerford, for the committee on Public Health, on petition, a Bill to improve food allergy awareness (Senate, No. 1226);

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

*Committee Discharged.*

Mr. Rodrigues, for the committee on Ways and Means, asking to be discharged from further consideration of the House Bill relative to certain affordable housing in the city of Chelsea (House, No. 4368),-- and recommending that the same be referred to the committee on Rules.

Fair hiring practices.

Whistleblower protections.

Family restaurants,-- restrooms.

Community corrections,-- access.

Architectural Access Board.

Police stations,-- building assistance.

Veterans,-- creditable service.

Group 4 employees,-- classification.

Public retirees,-- annual allowance.

MassPort officers,-- retirement.

Joseph Barbati,-- retirement.

Climate change,-- fund.

Government efficiency.

State Expo Building Maintenance Fund.

Pavement solutions,-- costs.

School bus driver,-- licensing.

Youth soccer referees.

Food allergy,-- awareness.

Chelsea,-- affordable housing.

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

*Reports of Committees.*

By Mr. Rodrigues, for the committee on Ways and Means, on House, No. 4398, in part, reported a “Bill relative to municipal governance during the COVID-19 emergency” (Senate, No. 2673).

Municipal  
governance,--  
Covid-19

The bill was read. There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time.

Pending the question on ordering the bill to a third reading, Mr. Rodrigues moved that the bill be amended in section 2, by striking out, in line 35, the words “and (iii)” and inserting in place thereof the following words:- “(iii) confirmation that the moderator has consulted with the local disability commission or coordinator for Americans with Disabilities Act compliance; and (iv)”;

In said section 2, by inserting after the word “that”, in line 48, the following words:- “, to the extent technologically feasible,”;

In section 5, in paragraph (2) of subsection (a), by striking out the last sentence and inserting in place thereof the following 2 sentences:- “The sworn statement shall include an attestation of compliance with section 6A. The payment to the service contractor shall not exceed the amount to which the service contractor was eligible under the service contract and shall be consistent with said section 6A.”;

In section 6, in paragraph (2) of subsection (a), by striking out the last sentence and inserting in place thereof the following 2 sentences:- “The sworn statement shall include an attestation of compliance with section 6A. The payment to the service contractor shall not exceed the amount to which the service contractor was eligible under the service contract and shall be consistent with said section 6A.”; and

By inserting after section 6 the following section:-

“SECTION 6A. Payments made to service contractors under sections 5 and 6 shall not exceed the amount to which the service contractor was eligible under the service contracts through which payments are made less the amount the service contractor received in grants, discounted loans or other financial support that the service contractor has received or expects to receive from a state, federal or local government as a result of the COVID-19 outbreak.”

**The amendment was adopted.**

**The bill (Senate, No, 2673, amended) was then ordered to a third reading, read a third time and, after remarks, passed to be engrossed [For text of Senate Bill printed as amended, see Senate, No. 2680].**

**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 Angelica Rodriguez, an employee of Department of Children and Families (Senate, No. 2672).

Angelica Rodriguez,-  
- sick leave.

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

Ms. Lovely, for the committee on Rules, reported that the following matters be placed in the Orders of the Day for the next session:

The House Bill designating a certain playground in the city of Chelsea as the Jack W. Fraser Memorial Playground (House, No. 4015).

Chelsea,-- Jack W.  
Fraser Memorial  
Playground.

**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.

The House Bill designating a foot bridge in Lynn Heritage State Park, in the city of Lynn as the Gold Star Families Bridge (House, No. 4478).

Lynn,-- Gold Star Families Bridge.

**There being no objection, the rules were suspended, on motion of Mr. Rodrigues, and the bill 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 designating a foot bridge in Lynn Heritage State Park in the city of Lynn as the Gold Star Families Bridge".**

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended of the Senate petition of Walter F. Timilty and William C. Galvin for legislation relative to retirement benefits for Demetrios Promousas.

Demetrios Promousas,-- retirement. SD2756

**Senate Rule 36 was suspended, on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service.**

**Sent to the House for concurrence.**

*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 authorizing David Mottor to purchase creditable service from the contributory retirement board of the city of Easthampton (House, No. 4205) (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.**

David Mottor,-- retirement.

*Order Adopted.*

On motion of Mr. Rodrigues,--

*Ordered,* That when the Senate adjourns today, it adjourn to meet again on Thursday 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 Mr. Tarr, at twenty-six minutes before twelve o'clock noon, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.