
The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, MAY 7, 2020

JOURNAL OF THE SENATE

Thursday, May 7, 2020

Met at nineteen 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. Gobi, a petition (accompanied by bill, Senate, No. 2681) of Anne M. Gobi and Jonathan D. Zlotnik (by vote of the town) for legislation relative to supplemental reserves in the town of Winchendon;

Winchendon,-- reserves.

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

Sent to the House for concurrence.

Mr. Feeney presented a petition (accompanied by bill) (subject to Joint Rule 12) of Paul R. Feeney for legislation relative to manufacturing and factory worker protection from COVID-19; and

Factory workers,-- COVID-19.

Ms. Gobi presented a petition (accompanied by bill) (subject to Joint Rule 12) of Anne M. Gobi, Maria Duaine Robinson, Mindy Domb, Patricia D. Jehlen and other members of the General Court for legislation relative to protecting our public higher education system during the COVID-19 pandemic;

COVID-19,-- higher education. SD2931

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

Reports of Committees.

By Mr. Welch, for the committee on Financial Services, on petition, a Bill relative to insurance coverage for PANDAS/PANS (Senate, No. 613);

Insurance,-- PANDAS/PANS.

By the same Senator, for the same committee, on petition, a Bill to help patients and reduce healthcare costs by ensuring patient adherence to medications (Senate, No. 614);

Health insurance,-- medication synchronization.

By the same Senator, for the same committee, on petition, a Bill providing protections to victims of domestic violence in connection with property insurance claims (Senate, No. 619); and

Domestic violence,-- victim protection.

By the same Senator, for the same committee, on petition, a Bill providing protections to victims of domestic violence in connection with property insurance claims (Senate, No. 633);

Donor milk,-- coverage.

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

By Ms. Chang-Diaz, for the committee on Children, Families and Persons with Disabilities, on Senate, Nos. 349 and 366, an Order relative to authorizing the joint committee on Children, Families and Persons with Disabilities to make an investigation and study of certain current Senate documents relative to establish a newborn health and

Children, Families and Persons with Disabilities committee,-- study.

safe sleep pilot program (Senate, No. 2686) [Senator DiZoglio dissenting];

By Ms. Jehlen, for the committee on Elder Affairs, on Senate, Nos. 349 and 366, an Order relative to authorizing the joint committee on Elder Affairs to make an investigation and study of certain current Senate documents relative to support affordable senior housing and services (Senate, No. 2684);

Elder Affairs
committee,-- study.

By Ms. Rausch, for the committee on Municipalities and Regional Government, on Senate, No. 2601, an Order relative to authorizing the joint committee on Municipalities and Regional Government to make an investigation and study of certain current Senate document relative to rabies and other vaccination requirements and licensing (Senate, No. 2685);

Municipalities and
Regional
Government
committee,-- study.

By Ms. Comerford, for the committee on Public Health, on Senate, No. 103, an Order relative to authorizing the joint committee on Public Health to make an investigation and study of certain current Senate document relative to nurse licensure compacts (Senate, No. 2682);

Public Health
committee,-- study.

By the same Senator, for the same committee, on Senate, Nos. 492, 1241, 1255, 1277, 1323 and 1345, an Order relative to authorizing the joint committee on Public Health to make an investigation and study of certain current Senate document relative to establish a commission on quality patient outcomes and nurse staffing (Senate, No. 2683);

Id.

By Mr. Moore, for the committee on Public Safety and Homeland Security, on Senate, No. 2413, an Order relative to authorizing the joint committee on Public Safety and Homeland Security to make an investigation and study of a certain current Senate document relative to provide criminal justice reform protections to all prisoners in segregated confinement (Senate, No. 2687); and

Public Safety and
Homeland Security
committee,-- study.

By the same Senator, for the same committee, on Senate, No. 1401, an Order relative to authorizing the joint committee on Public Safety and Homeland Security to make an investigation and study of a certain current Senate document relative to public safety (Senate, No. 2689).

Id.

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, on petition, a Bill to promote economic development and market access for emerging businesses (Senate, No. 178);

Economic
development,--
breweries.

By the same Senator, for the same committee, on petition, a Bill relative to enhancing Alcoholic Beverages Control Commission background checks (Senate, No. 190);

ABCC,--
background checks.

By the same Senator, for the same committee, on petition, a Bill protecting consumers of sign language and oral interpretation and transliteration (Senate, No. 197);

Sign language,--
consumers.

By Mr. Lesser, for the committee on Economic Development and Emerging Technologies, on petition, a Bill to establish the Massachusetts Open Data Standard (Senate, No. 212);

MA Open Data
Standard.

By the same Senator, for the same committee, on Senate, No. 213 and House, No. 367, a Bill establishing the MassMade Program (Senate, No. 213);

MassMade program.

By the same Senator, for the same committee, on Senate, Nos. 225 and 227, a Bill creating a creative economy master plan (Senate, No. 225);

Creative economy,--
master plan.

By Mr. Lewis, for the committee on Education on petition (accompanied by bill, Senate, No. 318), a Bill to improve augmentative and alternative communication opportunities for children with disabilities (Senate No. 2690);

Disabled children,--
communication
training

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 347), a Bill relative to the certification of interpreters in educational settings (Senate No. 2691);

Interpreter
certification,--
schools.

By Mr. Welch, for the committee on Financial Services, on petition, a Bill relative to

Insurance

executive compensation for mutual companies (Senate, No. 621) [Representative Barrows of Mansfield dissenting];

companies,-- compensation.

By the same Senator, for the same committee, on petition, a Bill to eliminate penalty charges when cancelling auto insurance policies (Senate, No. 632) [Representative Barrows of Mansfield dissenting];

Auto insurance,-- cancellation charges.

By the same Senator, for the same committee, on petition, a Bill relative to the supplemental application requirement for dwelling fire insurance policies (Senate, No. 639);

Fire insurance,-- duplicate applications.

By the same Senator, for the same committee, on petition, a Bill relative to credit and debit cards (Senate, No. 642); and

Credit and debit cards,-- financial institutions. Appraisers,-- safety notices.

By the same Senator, for the same committee, on petition, a Bill requiring licensed auto insurance damage appraisers to provide safety notices to the owners of damaged motor vehicles (Senate, No. 645);

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

By Mr. Feeney, for the committee on Consumer Protection and Professional Licensure, on petition, a Bill relative to mobile wireless contracts and agreements (Senate, No. 185);

Wireless carrier,-- contracts.

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

PAPER FROM THE HOUSE.

A Bill to facilitate the delay of the income tax filing deadline (printed in House, No. 4677,-- on House, No. 4593,-- being a message from his Excellency the Governor),-- was read.

Income tax,-- filing deadline.

There being no objection, the rules were suspended, on motion of Ms. Lovely, and the bill was read a second time, ordered to a third reading, and after remarks, read a third time and passed to be engrossed, in concurrence.

Report of a Committee.

Ms. Lovely, for the committee on Rules, reported (pursuant to Senate Rule 63) recommending remote voting procedures to be followed when the Senate considers the House Bill to facilitate the delay of the income tax filing deadline (House, No. 4677),-- (Senate, No. 2688).

Remote voting procedures.

The rules were suspended, on motion of Mr. Tarr, and the report was considered forthwith.

Pending the question on acceptance of the report, Ms. Lovely moved that the report be amended by striking out section 1 and inserting in place thereof the following section:-

“Section 1. (a) Notwithstanding Senate Rule 55, Senate Rule 57 or any other rule to the contrary, a member may authorize the presiding officer to announce the member’s vote or record the member’s presence in the Senate.

(b) A member may authorize the presiding officer by submitting a letter to the Clerk that specifies the member’s exact instruction to the presiding officer on how to answer the question of enactment of H.4677 and states that the presiding officer is authorized to announce the member’s vote or record the member’s presence; provided, however, that a member may alter or revoke this authorization by submitting a letter to the Clerk; provided further, that if a member who has so authorized the presiding officer casts the member’s own vote or records the member’s own presence, the member shall be considered to have revoked the authorization to announce the member’s vote or record the member’s presence in the Senate.

Upon receipt of a member’s letter authorizing the presiding officer or altering or revoking the authorization of the presiding officer, the Clerk shall notify the President and the minority leader of the authorization, alteration or revocation. The Clerk shall maintain an updated list of the authorizations, alterations and revocations submitted or in effect under this order and shall make the list publicly available in electronic form and available during any vote subject to this order.

(c) The presiding officer shall answer the roll call on behalf of each member who has authorized the presiding officer to announce the vote or record the presence of the member; provided, however, that the presiding officer shall announce the vote or record the presence in accordance with the member’s exact instruction.

(d) A letter under this section may be submitted to the Clerk electronically.”; and

In section 3, by striking out, in line 38, the words “cast or whose presence is recorded by a proxy” and inserting in place thereof the following words:- “announced or whose presence is recorded by the presiding officer”.

The amendment was adopted.

The report (Senate, No. 2688, amended) was the accepted, as amended.

Resolutions.

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

Resolutions (filed by Messrs. Timilty, Barrett and Brady, Ms. Chandler, Messrs. Crighton and DiDomenico, Ms. DiZoglio, Mr. Eldridge, Ms. Jehlen, Mr. Keenan, Ms. Lovely and Messrs. Montigny, Moore, Pacheco and Welch) “celebrating North American Occupational Safety and Health Week and Occupational Safety and Health Professional Day.”

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 town of Sharon to grant 4 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4402) (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.**

Sharon,-- liquor license.

The Senate Bill authorizing the city of Fitchburg to change the use of a certain parcel of land acquired for park purposes (Senate, No. 2419) (its title having been changed by the committee on Bills in the Third Reading),-- was read a third time.

Fitchburg,-- parkland.

Pending the question on passing the bill to be engrossed, Mr. Tran presented an amendment substituting a new draft with the same title (Senate, No. 2693).

The amendment was adopted.

The bill (Senate, No. 2693) was then passed to be engrossed.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4696) of Josh S. Cutler and others relative to school trip refunds during a declared state of emergency;

School trip refunds,-- state of emergency.

Under suspension of Joint Rule 12, to the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 4697) of Nika C. Elugardo, Ruth B. Balsler

Cash assistance,--

and others for legislation to provide cash assistance to certain persons 65 years of age or older who stopped working due to COVID-19;

COVID-19.

Under suspension of Joint Rule 12, to the committee on Elder Affairs.

Petition (accompanied by bill, House, No. 4698) of Josh S. Cutler relative to notification of changing polling locations during a state of emergency;

Polling locations,-- state of emergency.

Petition (accompanied by bill, House, No. 4699) of Jeffrey N. Roy and Adam G. Hinds for legislation to protect elections;

Protect elections.

Severally, under suspension of Joint Rule 12, to the committee on Election Laws.

Petition (accompanied by bill, House, No. 4700) of Paul J. Donato, Sean Garballey and others relative to emergency paid sick time;

Emergency paid sick time.

Under suspension of Joint Rule 12, to the committee on Labor and Workforce Development.

Petition (accompanied by bill, House, No. 4701) of Mindy Domb for legislation to establish a fund to provide financial assistance to regional transportation authorities in certain areas affected by COVID-19;

Transportation authorities,-- assistance.

Under suspension of Joint Rule 12, to the committee on Transportation.

Reports of Committees.

By Ms. Lovely, for the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Jason M. Lewis, Nika C. Elugardo and Tram T. Nguyen for legislation relative to emergency paid sick time.

Sick time,-- emergency. SD2918

Senate Rule 36 was suspended, on motion of Mr. Timilty, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Labor and Workforce Development.

By Ms. Lovely, for the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Paul R. Feeney for legislation to provide liability protections for contractors, sub-contractors and unions during the COVID-19 Pandemic.

COVID-19,-- contractor protection. SD2921

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

By Ms. Lovely, for the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Diana DiZoglio and Ryan C. Fattman for legislation to provide COVID-19 emergency financial relief for veterans.

Veterans,-- COVID-19 relief. SD2925

Senate Rule 36 was suspended, on motion of Mr. Timilty, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Veterans and Federal Affairs.

Severally sent to the House for concurrence.

Resolutions.

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

Resolutions (filed by Messrs. Tarr, Boncore and Brady, Ms. Chandler, Ms. Chang-Díaz, Ms. Comerford, Ms. Creem, Messrs. Crighton, Cyr and DiDomenico, Ms. DiZoglio, Messrs. Eldridge, Fattman, Feeney and Finegold, Ms. Gobi, Messrs. Keenan, Kennedy, Lesser and Lewis, Ms. Lovely, Messrs. Montigny, O'Connor and Pacheco, Ms. Rausch and Messrs. Rodrigues, Rush, Timilty, Tran and Welch) "congratulating the Massachusetts Nurses Association and the Massachusetts Organization of Nurse Leaders for their observance of National Nurses Week and National Nurses Day."

National Nurses Day.

UNCORRECTED PROOF.

Moment of Silence.

At the request of the Chair (Mr. Rush), the members, guests and staff stood in a moment of silence and reflection to the memory of Robert “Bob” Trojano.

Moment of silence.

Order Adopted.

On motion of Ms. Lovely,--

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 Robert Trojano.

The Senator from Suffolk, Mr. Collins, moved that when the Senate adjourns today, it do so in memory of Robert “Bob” Trojano.

Robert “Bob” Trojano, of Dorchester, passed away Wednesday, April 29th, 2020. Born and raised in Fields Corner, Bob later moved to Savin Hill where he lived for most of his adult life. He worked for more than 20 years as a heavy equipment operator for the Boston Transportation Department (BTD) before retiring in July 2019. He passed away at home surrounded by his family at the age of 62.

Accordingly, as a mark of respect in memory of Robert “Bob” Trajano, at two minutes past 12 o’clock noon, on motion of Ms. Lovely, the Senate adjourned to meet again on Monday next at eleven o’clock A.M.