

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, MAY 18, 2020

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Met at twenty-four minutes past eleven o'clock A.M. (Mr. Rush 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. Rush), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Petition.

Mr. Montigny presented a petition (accompanied by bill) (subject to Joint Rule 12) of Mark C. Montigny, Lori A. Ehrlich, Smitty Pignatelli, Dean A. Tran and other members of the General Court for legislation to prevent COVID-19 deaths in senior living facilities;
Referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Senior living facilities,-- deaths. SD2949

Order.

Mr. Cyr presented an Order relative to granting the committee on Mental Health, Substance Use and Recovery until July 15, 2020, within which time to make its final report on certain current Senate documents numbered 1144, 1145, 1152, 1153, 1154 and 1160, relative to Mental Health, Substance Use and Recovery matters (Senate, No. 2707).

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

Mental Health, Substance Use and Recovery,-- extension order.

Reports of Committees.

By Mr. Cyr, for the committee on Mental Health, Substance Use and Recovery, on Senate, No. 1163 and House, No. 1719, a Bill relative to creating intensive stabilization and treatment units within the Department of Mental Health (Senate, No. 1163);

Department of Mental Health,-- treatment units.

By the same Senator, for the same committee, on Senate, No. 1164 and House, No. 1720, a Bill relative to creating a pilot program to transfer high acuity behavioral health and dual diagnosis patients away from overcrowded emergency departments (Senate, No. 1164);

Behavioral health,-- pilot program.

By the same Senator, for the same committee, on petition, a Bill relative to benzodiazepines and non-benzodiazepine hypnotics (Senate, No. 2247); and

Hypnotics,-- benzodiazepines.

By the same Senator, for the same committee, on petition, a Bill relative to fetal opioid drug exposure (Senate, No. 2297);

Drug exposure,-- fetal.

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

By Mr. Pacheco, for the committee on State Administration and Regulatory Oversight, on petition, a Resolve establishing a PILOT reimbursement commission (Senate, No. 1861);

Municipalities,-- reimbursement commission.

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

By Mr. Cyr, for the committee on Mental Health, Substance Use and Recovery, on petition, a Bill to increase substance use prevention and awareness and reduce overdose abandonment (Senate, No. 1162);

Public schools,--
overdose education.

By Ms. Comerford, for the committee on Public Health, on petition, a Bill to restrict the use of polystyrene (Senate, No. 1205);

Polystyrene,-- use.

By Mr. Moore, for the committee on Public Safety and Homeland Security, on petition, a Bill relative to public safety on private college and university campuses (Senate, No. 763);

Campuses,-- public
safety.

By the same Senator, for the same committee, on petition, a Bill protecting inmate safety and the expenditure of state funds (Senate, No. 1357);

Inmates,--
transportation.

By the same Senator, for the same committee, on petition, a Bill relative to the possession of dangerous open flame devices (Senate, No. 1365);

Open flame devices,-
- possession.

By the same Senator, for the same committee, on petition, a Bill protecting individuals in law enforcement custody (Senate, No. 1367);

Sexual misconduct,--
police officers.

By Mr. Hinds, for the committee on Revenue, on petition, a Bill establishing the Snowmobile Trail Maintenance Fund (Senate, No. 1670);

Snowmobile Trail
Maintenance Fund.

By Mr. Pacheco, for the committee on State Administration and Regulatory Oversight, on Senate, No. 1863 and House, No. 2031, a Bill relative to tiny homes (Senate, No. 1863);

Tiny homes,--
requirements.

By the same Senator, for the same committee, on petition, a Bill authorizing the division of capital asset management and maintenance to dispose of certain parcels of land in the city of Brockton (Senate, No. 2352);

Brockton,-- land.

By Mr. Boncore, for the committee on Transportation, on petition, a Bill relative to a motorcycle safety fund (Senate, No. 2094); and

Motorcycles,-- safety
fund.

By the same Senator, for the same committee, on petition, a Bill relative to increasing the civil fines and financial responsibilities and criminal penalties of motorists who violate the right of way of other motorists, motorcyclists, bicyclists and/or pedestrians, resulting in serious bodily injury and/or death (Senate, No. 2139);

Motorists,-- right of
way.

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

By Mr. Hinds, for the committee on Revenue, on petition, a Bill providing volunteer firefighters and emergency medical technicians with a local option real estate tax exemption (Senate, No. 1666);

Firefighters,--
tax exemption.

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

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4714) of Daniel R. Carey and Joanne M. Comerford (by vote of the town) that the town of Hadley be authorized to convey a conservation restriction on certain parcels of land in said town to Kestrel Land Trust;

Hadley,--
conservation
restriction.

To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 4715) of Harold P. Naughton, Jr., (by vote of the town) that the town of Boylston be authorized to continue the employment of police chief Anthony Sahagian, notwithstanding the maximum age requirement;

Anthony Sahagian,--
Boylston police
chief.

To the committee on Public Service.

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Jessica Zamansky, an employee of the department of transitional assistance (see Senate, No. 2603), 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 3 to 0.

Jessica Zamansky,--
sick leave.

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

Resolutions.

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

Resolutions (filed by Mr. Montigny) “commending Face Equality International and Burn Survivors of New England, Inc. on their recognition of International Face Equality Week and Face Equality Day.”

Face Equality
International and
Burn Survivors of
New England, Inc.

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 relative to the charter of the town of Westwood (House, No. 4166),-- **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 as follows:- “An Act amending the charter of the town of Westwood.”**

Westwood,--
charter.

PAPER FROM THE HOUSE.

The House Bill addressing COVID-19 data collection and disparities in treatment (House, No. 4672, amended),-- came from the House with the endorsement that the House had concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2703, *with a further amendment* striking all after the enacting clause and inserting in place thereof the text of House document numbered 4710.

COVID-19,--
data collection.

The rules were suspended, on motion of Mr. Rodrigues, and the further House amendment was considered forthwith.

After remarks, Mr. Rodrigues moved that the Senate concur with the further House amendment with a *still further amendment* striking all after the enacting clause and inserting in place thereof the text of Senate document numbered 2708.

The still further amendment was adopted.

The House further amendment, as amended, was adopted.

Sent to the House for concurrence in the still further amendment.

Reports of Committees.

By Ms. Lovely, for the committee on Rules of the two branches, acting concurrently, that the Senate Order, granting the committee on The Judiciary until July 31, 2020, within which time to make its final report on current Senate documents numbered 313, 823, 824, 825, 845, 850, 861, 899, 902, 913, 937, 939, 952, 956, 978, 983, 989, 1041, 1209, 1385, 2441, 2457, 2480, and 2571, relative to Judiciary matters (Senate, No. 2704),-- ought to be

The Judiciary,--
extension order.

adopted.

After remarks, the rules were suspended on motion of Mr. Rodrigues and the order was considered forthwith an adopted.

Sent to the House for concurrence.

By Ms. Lovely, for the committee on Rules of the two branches, acting concurrently, that the Senate Order, granting the committee on The Judiciary until June 30, 2020, within which time to make its final report on current Senate document numbered 2644, relative to Judiciary (Senate, No. 2705),-- ought to be adopted.

Id.

After remarks, the rules were suspended on motion of Mr. Rodrigues and the order was considered forthwith an adopted.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A Bill establishing a sick leave bank for Jennifer Logan, an employee of the Office of the Chief Medical Examiner (House, No. 4655,-- on petition),-- was read.

Jennifer Logan,-- sick leave.

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

A Bill establishing a sick leave bank for Jennifer Brown, an employee of Department of Children and Families (House, No. 4678,-- on House, No. 4656),-- was read.

Jennifer Brown,-- sick leave.

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.

Orders.

The following House Orders (severally approved by the committees on Rules of the two branches, acting concurrently) were considered as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on The Judiciary be granted until Friday, July 31, 2020 within which time to make its final report on current House documents numbered 66, 1343, 1346, 1358, 1372, 1383, 1487, 1517, 1537, 1538, 1565, 3263, 3265, 3266, 3274, 3320, 3367, 3420, 3421, 3422, 3452, 3566, 3770, 4238, 4249, 4295 and 4599.

Judiciary,-- extension order.

The rules were suspended, on motion of Mr. Rodrigues, and, after remarks, the order (House, No. 4702) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on The Judiciary be granted until Tuesday, June 30, 2020 within which time to make its final report on current House documents numbered 4652, 4658, 4659 and 4664.

Id.

The rules were suspended, on motion of Mr. Rodrigues, and, after remarks, the order (House, No. 4703) was considered forthwith; and adopted, in concurrence.

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4732) of Mindy Domb and others that the Department of Transitional Assistance be authorized to administer a \$50,000,000 local food access emergency fund to provide financial assistance to food pantries severely affected by the COVID-19 outbreak;

COVID-19,-- food access.

Under suspension of Joint Rule 12, to the committee on Children, Families and Persons with Disabilities.

Petition (accompanied by bill, House, No. 4731) of Mindy Domb for legislation to establish a COVID-19 emergency fund to provide financial assistance to certain small

COVID-19,-- small businesses assistance.

businesses, non-profits and municipalities affected by COVID-19;

Under suspension of Joint Rule 12, to the committee on Community Development and Small Businesses.

Petition (accompanied by bill, House, No. 4730) of Mindy Domb for legislation to establish a COVID-19 emergency fund to provide financial assistance to certain public institutions of higher education affected by COVID-19;

COVID-19,-- higher education assistance.

Petition (accompanied by bill, House, No. 4729) of Mindy Domb and others for legislation to suspend payment and collection of student loan payments provided for post-secondary education or vocational training during the COVID-19 emergency declaration and to designate certain outstanding bonds used to fund said loans as general obligation bonds;

COVID-19,-- student loan payments.

Severally, under suspension of Joint Rule 12, to the committee on Higher Education.

Petition (accompanied by bill, House, No. 4728) of Mindy Domb and Daniel R. Carey for legislation to extend the deadline for collection of certain taxes from restaurants, lodging and meeting venues during the declared state of emergency due to COVID-19;

COVID-19,-- restaurant tax collection.

Petition (accompanied by bill, House, No. 4727) of Tami L. Gouveia and others that the Department of Revenue be authorized to provide emergency cash assistance to certain qualifying households;

Emergency cash assistance.

Petition (accompanied by bill, House, No. 4726) of Christine P. Barber, Tricia Farley-Bouvier and others relative to stimulus checks to immigrant taxpayers;

Immigrant taxpayers,-- stimulus checks.

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

Moment of Silence.

At the request of the Chair (Mr. Rush), the members, guests and staff stood in a moment of silence and reflection in honor of Memorial Day and in memory of those members of the Armed Forces who have lost their lives while serving our country.

Moment of silence.

Order Adopted.

On motion of Mr. Tarr,--

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 Mr. Rodrigues, at fourteen minutes before twelve o'clock noon, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.