

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, JUNE 4, 2020

[54]

JOURNAL OF THE SENATE

Thursday, June 4, 2020.

Met at twenty 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 Honorable Bruce E. Tarr, Minority Leader, announcing the following appointment:

Minority Party appointment.

Senate Committee on Ways and Means: Senator Patrick O'Connor, ranking member

Report.

Report of The Property and Casualty Initiative, LLC (pursuant to Section 3(e) of Chapter 259 of the Acts of 1998) submitting its 2019 annual report (copies having been forwarded as required to the Senate Committee on Ways and Means and the Joint Committees on Financial Services and Revenue) (received May 29, 2020),-- was placed on file.

PCI,-- 2019 annual report. SD2960

Order.

Mr. Barrett presented an Order relative to granting the committee on Telecommunications, Utilities and Energy until July 22, 2020, within which time to make its final report on current Senate documents numbered 1924, 1940, 1950, 1952, 1958, 1959, 1963, 1966, 1969, 2009, 2012, 2013 and 2514, and House documents numbered 2810, 2836, 2849 and 3667, relative to public safety (Senate, No. 2743).

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. Comerford, for the committee on Public Health, on petition, a Bill relative to hormonal contraceptives (Senate, No. 1309); and

Hormonal contraceptives.

By the same Senator, for the same committee, on petition, a Bill relative to smoking cessation agents (Senate, No. 1310);

Smoking cessation agents.

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

By Mr. Moore, for the committee on Bonding, Capital Expenditures and State Assets, that the House Bill authorizing and accelerating transportation investment (House, No. 4547),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2739 [Authorized bond capacity: \$19 million];

Transportation investment.

Referred, under Senate Rule 27, to the committee on Ways and Means, with the amendment pending.

By Ms. Gobi, for the committee on Higher Education, on petition (accompanied by bill, Senate, No. 760), a Bill relative to early college high schools (Senate No. 2737);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 762), a Bill relative to advance placement examinations (Senate No. 2738);

By Ms. Comerford, for the committee on Public Health, on Senate, Nos. 1301 and 1304, a Bill to prevent undue influence on prescriber behavior (Senate, No. 1301);

By the same Senator, for the same committee, on petition, a Bill relative to improving outcomes for sudden cardiac arrest (Senate, No. 1313);

By the same Senator, for the same committee, on petition, a Bill relative to chemicals in food packaging (Senate, No. 1315);

By Mr. Moore, for the committee on Public Safety and Homeland Security, on petition, a Bill relative to public safety in excavation (Senate, No. 1392);

By the same Senator, for the same committee, on petition, a Bill relative to window guards in residential rental properties (Senate, No. 1425);

By the same Senator, for the same committee, on petition, a Bill relative to window guards in residential rental properties (Senate, No. 1428);

By Mr. Boncore, for the committee on Transportation, on petition, a Bill to promote and advance motorcycle safety (Senate, No. 2091);

By the same Senator, for the same committee, on petition, a Bill defining special regulations for vehicle specific checkpoints (Senate, No. 2092);

By the same Senator, for the same committee, on petition, a Bill relative to the transportation of individuals seated in wheelchairs (Senate, No. 2129);

By the same Senator, for the same committee, on petition, a Bill relative to a clean fuel standard (Senate, No. 2130); and

By the same Senator, for the same committee, on petition, a Bill establishing the Blue Star Family license plate (Senate, No. 2143);

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

By Ms. Gobi, for the committee on Higher Education, on petition (accompanied by bill, Senate, No. 759), a Bill protecting public higher education student information (Senate No. 2736);

By Mr. Moore, for the committee on Public Safety and Homeland Security, on petition, a Bill relative to secured firearms on recreational vehicles (Senate, No. 1418); and

By Mr. Pacheco, for the committee on State Administration and Regulatory Oversight, on petition, a Bill relative to timely decisions by awarding authorities (Senate, No. 1919);

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

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4773) of Marjorie C. Decker (with the approval of the city council) for legislation to authorize the city of Cambridge to allow for an exemption from taxation of personal property not in excess of \$20,000 of value,-- **was referred, in concurrence, to the committee on Revenue.**

A Bill addressing challenges faced by food and beverage establishments resulting from the COVID-19 pandemic (House, No. 4774,-- on House, No. 4354, in part),-- **was**

Early college,-- program.

Advanced placement exams,-- credit.

Prescriber behavior.

Cardiac arrest,-- dispatch training.

Food packaging,-- chemicals.

Excavation,-- safety.

Correctional facilities,-- substance use.

Window guards,-- residential properties.

Motorcycle safety.

Motor vehicles,-- checkpoints.

Wheelchair,-- transportation.

Clean fuel,-- standard.

Blue Star Family,-- license plate.

Public higher education,-- records.

Firearms and recreational vehicles.

Contractors,-- awarding authorities.

Cambridge,-- tax exemption.

Food and beverage establishments,-- COVID-19.

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

Reports of Committees.

By Mr. Finegold, for the committee on Public Service, on petition, a Bill relative to special police in the town of Weston (Senate, No. 2699) [Local approval received];

Weston,-- special police.

The bill was read. There being no objection, the rules were suspended, on motion of Mr. Timilty, 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 William Marzilli, an employee of the Massachusetts Department of Transportation (Senate, No. 2742);

William Marzilli,-- sick leave.

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

By Mr. Rodrigues, for the committee on Senate Ways and Means, that the Senate Bill authorizing the city of Woburn to use certain land for fire station purposes (House, No. 4636),-- ought to pass.

Woburn,-- land.

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.

Mr. Rodrigues, for the committee on Senate Ways and Means, reported on the residue of Senate, No. 2302, a "Bill relative to Hampshire Council of Governments (Senate, No. 2744) [Total appropriation: \$46,515.00].

Hampshire Council of Governments.

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

Sent to the House for occurrence.

Matters Taken Out of the Orders of the Day.

The following matters were taken out of the Orders of the Day and considered as follows:

The House Bill authorizing the town of Leyden to continue the employment of Gilda Galvis (House, No. 4544),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Gilda Galvis,-- employment.

The House Bill establishing a sick leave bank for Marta Romero, an employee of the Department of Developmental Services (House, No. 4691),-- **was read a third time and passed to be engrossed, in concurrence.**

Marta Romero,-- sick leave.

PAPER FROM THE HOUSE.

A Bill exempting all positions in the city known as the Town of Franklin's fire department from the civil service law (House, No. 4411,-- on petition) [Local approval received],-- was read.

Franklin,-- fire department.

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

Reports of Committees.

By Ms. Lovely, for the committees of Rules of the two branches, acting concurrently,

Denise M. Lazzara,--

that Joint Rule 12 be suspended on the Senate petition of Dean A. Tran and Stephan Hay for legislation to establishing a sick leave bank for Denise M. Lazzara, an employee of the Department of Correction.

sick leave.
SD2895

Senate Rule 36 was suspended, on motion of Mr. Rodrigues, 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.

Patrick Burns,--
sick leave.
SD2958

By Ms. Lovely, for the committees of Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Dean A. Tran for legislation to establish a sick leave bank for Patrick Burns, an employee of the Department of Correction.

Senate Rule 36 was suspended, on motion of Mr. Rodrigues, 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.

Nicholas Asselin,--
sick leave.
SD2959

By Ms. Lovely, for the committees of Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Dean A. Tran and Sheila C. Harrington for legislation to establish a sick leave bank for Nicholas Asselin, an employee of the Department of Correction.

Senate Rule 36 was suspended, on motion of Mr. Rodrigues, 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.

Severally 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 Public Safety and Homeland Security be granted until July 15, 2020, within which time to make its final report on current Senate documents numbered 1401 and 2602, relative to public safety matters (Senate, No. 2728),-- ought to be adopted.

Public Safety and
Homeland Security,--
extension order.

The rules were suspended on motion of Mr. Timilty 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 Public Health be granted until July 31, 2020, within which time to make its final report on current Senate document numbered 1335, relative to public health matters (Senate, No. 2729),-- ought to be adopted.

Public Health,--
extension order.

The rules were suspended on motion of Mr. O'Connor and the order was considered forthwith and adopted.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4776) of John J. Mahoney, Hannah Kane and others relative to providing survivor benefits to Ava Roy, the daughter of fallen firefighter Christopher Roy,-- **was referred, in concurrence, under suspension of Joint Rule 7B, to the committee on Public Service.**

Christopher Roy,--
survivor benefits.

Orders.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on State Administration and Regulatory Oversight be granted until Friday, July 31, 2020 within which time to make its final report on current Senate document numbered 2587, and House document numbered 4511.

State Administration
and Regulatory
Oversight,--
extension order.

The rules were suspended, on motion of Mr. Timilty and the order (House, No.

4614) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on State Administration and Regulatory Oversight be granted until Friday, July 31, 2020 within which time to make its final report on current Senate documents numbered 2268, 2403 and 2627, and House documents numbered 36, 2698, 2742 and 4217.

Id.

The rules were suspended, on motion of Mr. O'Connor, and the order (House, No. 4681) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Service be granted until Friday, June 19, 2020 within which time to make its final report on current House documents numbered 4627 and 4631.

Public Service,--
extension order.

The rules were suspended, on motion of Mr. Rodrigues, and the order (House, No. 4684) was considered forthwith; and adopted, in concurrence.

Recess.

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

Recess.

PAPERS FROM THE HOUSE.

A Bill authorizing the town of Shutesbury to convey certain land (House, No. 4775,- on House, No. 4221) [Local approval received on House, No. 4221],-- was read.

Shutesbury,-- land.

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.

The Senate Bill relative to municipal governance during the COVID-19 emergency (see Senate, No. 2680, amended),-- came from the House with the endorsement that the House had concurred in the further Senate amendment striking out all after the enacting clause and inserting in place thereof the text of Senate No. 2733 with a *still further amendment*, striking out all after the enacting clause inserted by amendment by the Senate and inserting in place thereof the text contained in House document numbered 4777.

COVID-19,--
municipal
governance.

The rules were suspended, on motion of Mr. Tarr, and after remarks, the House still further amendment was considered forthwith and adopted, in concurrence.

Emergency Preambles Adopted.

An engrossed Bill relative to municipal governance during the COVID-19 emergency (see Senate, No. 2680, 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 3 to 0.

COVID-19,--
municipal
governance.

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

An engrossed Bill establishing a sick leave bank for Marta Romero, an employee of the Department of Developmental Services (see House, No. 4691), 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,

Marta Romero,--
sick leave.

UNCORRECTED PROOF.

the preamble was adopted in concurrence, by a vote of 3 to 0.

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

Engrossed Bill.

An engrossed Bill relative to municipal governance during the COVID-19 emergency (see Senate, No. 2680, 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 enacted and signed by the Acting President (Mr. Brownsberger) and laid before the Governor for his approbation.**

Bill laid before
Governor.

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.

On motion of Mr. Timilty, at twenty-eight minutes past seven o'clock P.M., the Senate adjourned to meet again on Monday at eleven o'clock A.M.