

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**WEDNESDAY, FEBRUARY 5, 2020.**

JOURNAL OF THE SENATE

Wednesday, February 5, 2020.

Met at nine 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 city of New Bedford requesting, that the New Bedford City Council go on record against House Bill 3573 and Senate Bill 1401, which would establish Massachusetts as a sanctuary state,-- was placed on file.

City of New Bedford.

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Brownsberger, a petition (accompanied by bill) (subject to Joint Rule 12) of William N. Brownsberger for legislation relative to authorizing a local affordable housing surcharge;

Affordable housing,-- surcharge. SD2785

By Mr. Eldridge, a petition (accompanied by bill) (subject to Joint Rule 12) of James B. Eldridge for legislation to establish a sick leave bank for Tracey Pisano, an employee of the trial court of the Commonwealth; and

Tracey Pisano,-- sick leave. SD2789

By Ms. Gobi, a petition (accompanied by bill) (subject to Joint Rule 12) of Anne M. Gobi for legislation to allow Wayne Estes, a retired member of the Massachusetts DDS, an accidental disability retirement option;

Wayne Estes,-- retirement. SD2788

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

Reports of a Committee.

By Ms. Rausch, for the committee on Municipalities and Regional Government, on petition, a Bill relative to the Burncoat Pond Watershed District (Senate, No. 1186) [Local approval received];

Spencer,-- Burncoat pond watershed.

By the same Senator, for the same committee, on petition, a Bill authorizing the town of Westport to convey a non-exclusive access easement in a portion of town property at 493 Old County Road to benefit 497 Old County Road (Senate, No. 1199) [Local approval received];

Westport,-- land transfer.

By the same Senator, for the same committee, on petition, a Bill amending the charter for the town of Walpole (Senate, No. 2458) [Local approval received]; and

Walpole,-- town charter.

By the same Senator, for the same committee, on petition, a Bill revoking the town of Longmeadow's acceptance of a certain general law establishing a board of election commissioners (Senate, No. 2468) [Local approval received];

Longmeadow,-- elections board.

Severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

*Committee Discharged.*

Mr. Feeney, for the committee on Consumer Protection and Professional Licensure, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 103) of Joseph A. Boncore and Kay Khan for legislation relative to nurse licensure compacts,-- and recommending that the same be referred to the committee on Public Health.

Nurse licensure compacts.

**Under Senate Rule 36, the report was considered forthwith and accepted. Sent to the House for concurrence.**

*Orders.*

Ms. Chang-Diaz presented an Order relative to granting the committee on Children, Families and Persons with Disabilities until March 18, 2020, within which time to make its final report on current Senate documents numbered 42, 44, 57, 76, 77, 784, 816, 1242, and 1316, relative to Children, Families and Persons with Disabilities (Senate, No. 2513);

Children, Families and Persons with Disabilities,-- extension order.

Mr. Eldridge presented an Order relative to granting the committee on the Judiciary until May 12, 2020 within which time to make its final report on certain current Senate documents numbered 823, 824, 825, 845, 850, 861, 899, 902, 913, 937, 939, 952, 956, 978, 983, 989, 1041, 1209, 1385, 2441, and 2457, relative to the Judiciary Committee (Senate, No. 2506);

The Judiciary,-- extension order.

Mr. Eldridge presented an Order relative to granting the committee on the Judiciary until May 12, 2020, within which time to make its final report on current Senate document numbered 313, relative to Judiciary Committee (Senate, No. 2507); and

Id.

Ms. Comerford presented an Order relative to granting the committee on Public Health until April 1, 2020, within which time to make its final report on current Senate documents numbered 492, 665, 1205, 1208, 1213, 1217, 1223, 1224, 1234, 1236, 1241, 1247, 1248, 1250, 1251, 1255, 1264, 1270, 1276, 1277, 1278, 1280, 1284, 1295, 1306, 1312, 1314, 1317, 1319, 1323, 1326, 1328, 1329, 1330, 1333, 1335, 1345, 1350, 2206, 2359, and 2453, relative to Public Health matters (Senate, No. 2510);

Public Health,-- extension order.

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

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4365) of Stephan Hay and Dean A. Tran (by vote of the town) that the town of Lunenburg be authorized to grant one additional license for the sale of wines and malt beverages not to be drunk on the premises to Lanni Orchards and;

Lunenburg,-- liquor license.

Petition (accompanied by bill, House, No. 4366) of Stephan Hay and Dean A. Tran (by vote of the town) that the town of Lunenburg be authorized to grant one additional license for the sale of wines and malt beverages not to be drunk on the premises;

Id.

**Severally to the committee on Consumer Protection and Professional Licensure.**

A Bill directing the Bristol County Retirement Board to grant creditable service to Christopher R. Carreiro (House, No. 3912,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Christopher R. Carreiro,-- creditable service.

A Bill relative to recall elections in the town of Charlton (House, No. 4034,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Charlton,-- recall elections.

*Message from His Excellency the Governor.*

A message from His Excellency the Governor recommending legislation authorizing the town of Scituate to establish the date of its annual town election (Senate, No. 2497) (received in the office of the Clerk of the Senate on Friday, January 31, 2020, at two minutes before two o'clock P.M.).

Scituate,-- elections.

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

**Sent to the House for concurrence.**

*Resolutions.*

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

Resolutions (filed by Ms. Spilka, Messrs. Brady and Brownsberger, Ms. Chandler, Ms. Comerford, Messrs. Crighton and DiDomenico, Ms. DiZoglio, Messrs. Eldridge, Feeney and Finegold, Ms. Gobi, Ms. Jehlen, Messrs. Keenan, Lesser and Lewis, Ms. Lovely, Messrs. Montigny and Moore, Ms. Rausch and Messrs. Rush and Barrett) "congratulating the League of Women Voters of Massachusetts on its one hundredth anniversary."

League of Women  
Voters of  
Massachusetts.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4599) of José F. Tosado and others (with the approval of the mayor and city council) relative to the use of recreation vehicles in the city of Springfield; and

Springfield,--  
recreation vehicles.

Petition (accompanied by bill, House, No. 4600) of William J. Driscoll, Jr., for legislation to establish a sick leave bank for Jodi DiMaggio, an employee of the Trial Court;

Jodi DiMaggio,--  
sick leave.

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

*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 Labor and Workforce Development be granted until Monday, April 6, 2020 within which time to make its final report on current Senate documents numbered 1045, 1052, 1060 and 1088, and House documents numbered 1651, 1681, 1683, 3835, 4192 and 4313.

Labor and Workforce  
Development,--  
extension order.

**The rules were suspended, on motion of Mr. Timilty, and, after remarks, the order (House, No. 4341) was considered forthwith; and adopted, in concurrence.**

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Labor and Workforce Development be granted until Friday, June 5, 2020 within which time to make its final report on current Senate documents numbered 1062, 1064, 1066, 1082, 1090, 1102, 1107, 1110 and 2347, and House documents numbered 1605, 1610, 1617, 3809 and 4192.

Id.

**The rules were suspended, on motion of Mr. Timilty, and, after remarks, the order (House, No. 4342) was considered forthwith; and adopted, in concurrence.**

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on

Municipalities and

Municipalities and Regional Government be granted until Friday, May 1, 2020 within which time to make its final report on current House documents numbered 1831, 1832, 1833, 1834 and 1835.

Regional  
Government,--  
extension order.

**The rules were suspended, on motion of Mr. Timilty, and, after remarks, the order (House, No. 4343) was considered forthwith; and adopted, in concurrence.**

*Emergency Preamble Adopted.*

An engrossed Bill establishing a sick leave bank for Alison Neas, an employee of the department of developmental services (see Senate, No. 2455, 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 5 to 0.

Alison Neas,-- sick  
leave.

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

*Orders Adopted.*

Mr. Crighton presented an Order relative to granting the committee on Housing until March 31, 2020, within which time to make its final report on current House document numbered 1257, relative to The Jurisdiction of Housing Authorities (Senate, No. 2505);

Housing,-- extension  
order.

**There being no objection, the rules were suspended, on motion of Mr. Pacheco, and the order was considered forthwith; and, after remarks, was adopted.**

**Sent to the House for concurrence.**

Mr. Cyr presented an Order relative to granting the committee on Mental Health, Substance Use and Recovery until March 20, 2020 within which time to make its final report on certain current Senate documents relative to mental health and substance use matters (Senate, No. 2508);

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

**There being no objection, the rules were suspended, on motion of Mr. Pacheco, and the order was considered forthwith; and, after remarks, was adopted.**

**Sent to the House for concurrence.**

Mr. Cyr presented an Order relative to granting the committee on Mental Health, Substance Use and Recovery be granted until April 15, 2020, within which time to make its final report on current Senate documents numbered 1134, 1145, 1152, 1153, and 1154, relative to Mental Health and Substance Use matters (Senate, No. 2509);

Id.

**There being no objection, the rules were suspended, on motion of Mr. Pacheco, and the order was considered forthwith; and, after remarks, was adopted.**

**Sent to the House for concurrence.**

Mr. Kennedy presented an Order relative to granting the committee on Tourism, Arts and Cultural Development be granted until April 1, 2020, within which time to make its final report on current Senate document numbered 2029, relative to artists (Senate, No. 2512);

Tourism, Arts and  
Cultural  
Development,--  
extension order.

**There being no objection, the rules were suspended, on motion of Mr. Pacheco, and the order was considered forthwith; and, after remarks, was adopted.**

**Sent to the House for concurrence.**

PAPER FROM THE HOUSE.

**UNCORRECTED PROOF.**

*Order.*

The following House Order (approved by the committees on Rules of the two branches, acting concurrently) was considered forthwith as follows:

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Veterans and Federal Affairs be granted until Monday, June 15, 2020 within which time to make its final report on current Senate documents numbered 2151, 2160, 2164, 2167, 2168 and 2171, and House documents numbered 3195, 3198, 3200, 3201, 3202, 3203, 3205, 3206, 3207, 3214, 3218, 3228, 3229, 3231, 3232, 3233, 3234, 3238 and 3245.

Veterans and Federal Affairs,-- extension order.

**The rules were suspended, on motion of Mr. Pacheco, and, after remarks, the order (House, No. 4351) was considered forthwith; and adopted, in concurrence.**

*Order Adopted.*

Mr. Moore presented an Order relative to granting the committee on Public Safety and Homeland Security be granted until May 1, 2020, within which time to make its final report on current Senate documents numbered 1093, 1401, 1427, and 2413, relative to public safety matters (Senate, No. 2511);

Public Safety and Homeland Security,-- extension order.

**There being no objection, the rules were suspended, on motion of Mr. Pacheco, and the ordered was considered forthwith; and, after remarks, was adopted.**

**Sent to the House for concurrence.**

*Order Adopted.*

On motion of Mr. Tarr,--

*Ordered*, That when the Senate adjourns today, it adjourn to meet again tomorrow 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 four minutes before twelve o'clock noon, the Senate adjourned to meet again tomorrow at eleven o'clock A.M.