

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, SEPTEMBER 24, 2020

JOURNAL OF THE SENATE

Thursday, September 24, 2020.

Met at sixteen minutes past eleven o'clock A.M. (Mr. Timilty 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. Timilty), 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 Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 2914) of Sal N. DiDomenico (with approval of the mayor and city council) for legislation to provide certain retirement benefits to the widow of Everett Police Captain Richard Basteri [Local approval received];

Everett,-- retirement benefits.

Referred, under Senate Rule 20, to the committee on Public Service. Sent to the House for concurrence.

By Mr. Eldridge, a petition (accompanied by bill) (subject to Joint Rule 12) of James B. Eldridge and Nika C. Elugardo for legislation relative to the imposition of an excise tax to provide for climate change adaptation infrastructure and affordable housing investments in the Commonwealth;

Excise tax,-- climate change and housing. SD3056

Referred, under Senate Rule 20, 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. 4984) of Patricia A. Haddad (by vote of the town) that the town of Dighton be authorized to change the name of the board of selectmen in said town to the select board;

Dighton,-- select board.

Petition (accompanied by bill, House, No. 4985) of Natalie M. Higgins (with the approval of the mayor and city council) that the city of Leominster be authorized to supply water to certain property located in the town of Lancaster;

Leominster,-- water supply.

Petition (accompanied by bill, House, No. 4986) of David K. Muradian, Jr., and Michael O. Moore (by vote of the town) relative to the authority of the town manager in the town of Upton; and

Upton,-- town manager.

Petition (accompanied by bill, House, No. 4987) of David K. Muradian, Jr., and Michael O. Moore (by vote of the town) that the town of Upton be authorized to create the office of appointed treasurer/collector;

Upton,-- treasurer/collector.

Severally to the committee on Municipalities and Regional Government.

A report of the committee on Consumer Protection and Professional Licensure, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4050) of Adrian C. Madaro relative to motor vehicle rental transactions, and recommending that the same be referred to the committee on Financial Services,— was

Motor vehicle,-- rental transactions.

considered forthwith, under Senate Rule 36, and accepted, in concurrence.

Engrossed Bill.

An engrossed Bill authorizing the town of Plainfield to continue the employment of Fire Chief David Alvord (see House, No. 4855) (which originated in the House), **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. Timilty) and laid before the Governor for his approbation.**

Bill laid before the Governor.

Resolutions.

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

Resolutions (filed by Mr. Pacheco) “congratulating Minnetta Howland Holmes Nystrom on her one hundredth birthday.”

Minnetta Howland Holmes Nystrom.

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 Senate 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),-- **was read a third time and passed to be engrossed.**

Westport,-- land transfer.

Sent to the House for concurrence.

The Senate Bill authorizing the town of Scituate to use certain land for general municipal purposes without Article 97 restrictions on such use (Senate, No. 2300),-- was read a third time.

Scituate,-- land use.

Pending the question on passing the bill to be engrossed, Mr. O’Connor presented an amendment substituting a new draft entitled “An Act authorizing the town of Scituate to use certain conservation land for general municipal purposes” (Senate, No. 2915).

The amendment was adopted.

The bill (Senate, No. 2915) was then passed to be engrossed.

Sent to the House for concurrence.

The House Bill authorizing the town of Maynard to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4693) (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.**

Maynard,-- liquor license.

The House Bill authorizing the town of Wellesley to continue employment of Jeffrey Peterson (House, No. 4938),-- **was read a third time and passed to be engrossed, in concurrence.**

Jeffrey Peterson,-- employment.

PAPERS FROM THE HOUSE.

A Bill providing survivor benefits to Ava Roy, the daughter of fallen firefighter Christopher Roy (House, No. 4826,-- on Senate, No. 1565 and House, No. 4776) [Local approval received on House, No. 4776],-- was read.

Ava Roy,-- survivor benefits.

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 relative to change the name of the board of selectmen of the town of Billerica

Billerica,-- select

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to select board to exhibit gender neutrality (House, No. 4988,-- on House, No. 4847) [Local approval received on House, No. 4847],-- was read.

board.

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 relative to change the name of the Board of Selectmen of the Town of North Andover to Select Board to exhibit gender neutrality (House, No. 4989,-- on House, No. 4903) [Local approval received on House, No. 4903],-- was read.

North Andover,--
select board.

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.

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 Housing be granted until Saturday, October 31, 2020 within which time to make its final report on current Senate document numbered 2831, and House document numbered 4878.

Housing,--
extension order.

The rules were suspended, on motion of Mr. Tarr, and, after remarks, the order (House, No. 4958) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Revenue be granted until Monday, October 19, 2020 within which time to make its final report on current Senate document numbered 2839.

Revenue,--
extension order.

The rules were suspended, on motion of Mr. Tarr, and, after remarks, the order (House, No. 4976) was considered forthwith; and adopted, in concurrence.

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

Petition (accompanied by bill, House, No. 4998) of Patricia A. Haddad and Michael J. Rodrigues that the State Retirement Board be authorized to grant creditable service to Cheryl A. Bednarik, a member of the University of Massachusetts retirement system; and

Cheryl A. Bednarik,--
creditable service.

Petition (accompanied by bill, House, No. 4999) of Paul McMurtry and Michael F. Rush for legislation to establish a sick leave bank for Joseph Gatto, an employee of the Suffolk County Sheriff's Department;

Joseph Gatto,--
sick leave.

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

Moment of Silence.

At the request of the Chair (Mr. Timilty), the members, guests and staff stood in a moment of silence and reflection to the memory of Supreme Court Justice Ruth Bader Ginsburg.

Moment of silence.

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 that the Clerk be directed to dispense with the printing of a calendar.

Time of meeting.

Adjournment in Memory of Supreme Court Justice Ruth Bader Ginsburg

The Senator from Middlesex and Norfolk, Ms. Spilka, the Senator from Worcester, Ms. Chandler, the Senator from Suffolk, Ms. Chang-Diaz, the Senator from Hampshire, Franklin and Worcester, Ms. Comerford, the Senator from Middlesex and Norfolk, Ms. Creem, the Senator from Essex, Ms. DiZoglio, the Senator from Middlesex, Ms. Friedman, the Senator from Worcester, Hampden, Hampshire and Middlesex, Ms. Gobi, the Senator from Middlesex, Ms. Jehlen, the Senator from Essex, Ms. Lovely, the Senator from Plymouth and Barnstable, Ms. Moran, and the Senator from Norfolk, Bristol and Middlesex, Ms. Rausch moved that when the Senate adjourns today it do so in memory of Supreme Court Justice Ruth Bader Ginsburg.

Just a few days after our Commonwealth began mourning the loss of one architect of justice, Chief Justice Ralph Gants, our country is now confronting the enormous loss of Supreme Court Justice Ruth Bader Ginsburg.

Ruth Bader Ginsburg was a familiar face to the Supreme Court long before she joined it as a justice. She began her career most famously as an advocate for gender equality, volunteering to litigate cases where standards had been set, by law, differently for women and men. As a lawyer, her sharp attention to detail and clarity in thought clearly exposed incidents of legal discrimination and successfully changed how the law was implemented. As an advocate, Ginsburg effused compassion and reminded us that rigid laws, tied to social expectations telling us who we're supposed to be, constrict not just some of us, but ALL of us. More than any other figure in American legal history, Ruth Bader Ginsburg brought the 14th Amendment's guarantee of equal protection under the law into Americans' daily lives.

As a justice on the highest court in the land, Ruth Bader Ginsburg continued to apply a close reading of the law towards serving all Americans. Her decisions shaped how our laws cover work-place discrimination, mental and behavioral healthcare, voting rights, gender-identity, college admissions for women and people of color, Native American sovereignty and gay marriage. When our state, Massachusetts, sued the EPA to demand that the agency do its job by regulating carbon dioxide, Ruth Bader Ginsburg sided with us – putting climate change on the political map for the first time. While she wasn't always in the majority on every decision, Ginsburg knew that giving voice to the voiceless in a powerfully written dissent can spur lasting change – as was the case in her dissent in *Ledbetter vs. Goodyear*, which inspired legislation to empowered victims of pay discrimination to speak up.

Justice Ginsburg believed that courts could not create social change, but were tasked with responding to it—and she was proud of her role as a champion for equality. In that role, she loomed large in the public imagination as a fierce defender of civil rights and the highest ideals of America. She once told a crowd of new Americans that “We are a nation made strong by people like you.” Our nation was made stronger by Ruth Bader Ginsburg, too, and she will be remembered throughout history as a singular American presence and inspiration to many. The legacy of her life's work will outlast all of us. We are grateful to have lived in an America served so expertly by Supreme Court Justice Ruth Bader Ginsburg. (May her memory be a blessing).

Accordingly, as a mark of respect to the memory of Supreme Court Justice Ruth Bader Ginsburg, at twenty-two minutes before twelve o'clock noon, on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.