

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**THURSDAY, NOVEMBER 5, 2020**

JOURNAL OF THE SENATE

Thursday, November 5, 2020.

Met at seven minutes past eleven o'clock A.M. (Ms. Friedman 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 (Ms. Friedman), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Communications.

The following communications were severally received and placed on file, to wit:

Communication from the Office of the Comptroller (pursuant to line item 1599-2040 of Section 2B of Chapter 41 of the Acts of 2019) submitting the Prior Year Deficiency Report for FY2020 Accounts Payable and FY2021 Quarter 1 (received October 29, 2020);

Comptroller,-- prior year deficiency report. SD3100

Communication from the Office of the Comptroller (pursuant to Section 12(a)(2) of Chapter 7A of the General Laws) submitting a status update on the FY20 Statutory Basis Financial Report (received October 30, 2020); and

Comptroller,-- SBFR update. SD3101

Communication from the Department of Public Health (pursuant to Section 98 of Chapter 208 of the Acts of 2018) submitting a copy of its report on entitled: Houses of Correction Medications for Opioid Use Disorder Report (received November 3, 2020).

DPH,-- HOC care act report. SD3102

Reports.

The following reports were severally received and placed on file, to wit:

Report of the Department of Veterans' Services (pursuant to Section 12(b) of Chapter 115A of the General Laws) submitting its report on the state of the Commonwealth's two Soldiers' Homes (received November 2, 2020);

DVS,-- soldiers' homes report. SD3097

Report of the Department of Transitional Assistance (pursuant to section 10 of Chapter 18 of the General Laws) submitting its Annual Department of Transitional Assistance Organizational Report (received November 3, 2020);

DTA,-- organizational report. SD3098

Report of the Department of Unemployment Assistance (pursuant to Section 14F of Chapter 151A of the General Laws) submitting the September 2020 Unemployment Insurance Trust Fund report (received October 30, 2020);

DUA,-- UI trust fund report. SD3099

Report of the Department of Unemployment Assistance (pursuant to Section 14F of Chapter 151A of the General Laws) submitting the October 2020 Unemployment Insurance Trust Fund report (received November 4, 2020);

Id. SD3103

Report of the Department of Environmental Protection (pursuant to Section 6J 1/2(g) of Chapter 21H of the General Laws) submitting its 2019 Mercury Thermostat Recycling Corporation report (received November 4, 2020); and

MassDEP,-- 2019 mercury thermostat report. SD3104

Report of the Southeastern Regional Transit Authority (pursuant to Section 8(g) of Chapter 161B of the General Laws) submitting its financial statements and supplementary information for the year ended June 30, 2020 (received November 4, 2020).

SRTA,-- financial statements. SD3105

*Governor’s Message —Reorganization Plan.*

A message from His Excellency the Governor submitting (pursuant to Article LXXXVII of the Amendments to the Constitution) Reorganization Plan Number 1 of 2020, relative to transferring the Supplier Diversity Office (“SDO”) from the Operational Services Division and establishing an SDO as an independent agency within the Executive Office for Administration and Finance (Senate, No. 2937) (received in the office of the Clerk of the Senate on Monday, November 2, 2020, at a ten minutes past three o’clock P.M.),-- **was read and referred to the committee on State Administration and Regulatory Oversight.**

Supplier Diversity Office,-- equal opportunity.

**Sent to the House for concurrence.**

*Petitions.*

Petitions were severally presented and referred as follows:

By Mr. Crighton, a petition (accompanied by bill, Senate, No. 2938) of Brendan P. Crighton and Lori A. Ehrlich (by vote of the town) for legislation to authorize the town of Marblehead to amend Chapter 37 of the Acts of 2004: Parking Violations in the Town of Marblehead [Local approval received];

Marblehead,-- parking violations.

**Under Senate Rule 20, to the committee on Transportation.**

**Sent to the House for concurrence.**

By Mr. Moore, a petition (accompanied by bill) (subject to Joint Rule 12) of Michael O. Moore and David Henry Argosky LeBoeuf for legislation to establish a sick leave bank for Alexis Orloff, an employee of the Worcester County Sheriff’s Office;

Alexis Orloff,-- sick leave. SD3095

**Under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

*Reports of Committees.*

By Ms. Jehlen, for the committee on Labor and Workforce Development, on Senate, Nos. 1045, 1102 and 1110, an Order relative to authorizing the joint committee on Labor and Workforce Development to make an investigation and study of certain current Senate documents relative to employment schedules and minimum wage laws (Senate, No. 2936);

Labor and Workforce Development committee,-- study.

**Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.**

By Ms. Jehlen, for the committee on Labor and Workforce Development, on petition (accompanied by bill, Senate, No. 1082), a Bill requiring one fair wage (Senate, No. 2940);

Fair wage.

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

By Ms. Jehlen, for the committee on Labor and Workforce Development, on Senate, Nos. 1062, 1064, 1066 and 1107, a Bill to prevent wage theft, promote employer accountability, and enhance public enforcement (Senate, No. 2939);

Wages,-- deductions and withholdings.

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

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4901) of Paul K. Frost, Joseph D. McKenna and Ryan C. Fattman (by vote of the town) that the town of Oxford be authorized to remove a certain residency requirement from the charter of said town;

Oxford,-- town charter.

Petition (accompanied by bill, House, No. 5092) of Carolyn C. Dykema (by vote of

Holliston,-- economic

the town) that the town of Holliston be authorized to establish an economic development funding program and fund in said town; and

development fund.

Petition (accompanied by bill, House, No. 5093) of Bradley H. Jones, Jr. and Brendan P. Crighton (by vote of the town) that the town of Lynnfield be authorized to change the name of the board of selectmen in said town to the select board;

Lynnfield,-- board of selectmen.

**Severally to the committee on Municipalities and Regional Government.**

A Bill to protect children, families, and firefighters from harmful flame retardants (House, No. 4900,-- on House, No. 3500),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Flame retardants.

*Recess.*

There being no objection, at eight minutes past eleven o'clock A.M., the Chair (Ms. Friedman) declared a recess subject to the call of the Chair; and at thirteen minutes before one o'clock P.M., the Senate reassembled, Ms. Friedman in the Chair.

Recess.

PAPERS FROM THE HOUSE

*Emergency Preamble Adopted.*

An engrossed Bill establishing a sick leave bank for Joseph Gatto, an employee of the Suffolk county sheriff's department (see House, No. 4999), 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 2 to 0.

Joseph Gatto,-- sick leave.

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

*Engrossed Bills.*

The following engrossed bills (the first of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the Acting President (Ms. Friedman) and laid before the Governor for his approbation, to wit:

Bills laid before the Governor.

Classifying the Taunton Fire Department mechanic, Michael Perry, in connection with the determination of retirement benefits (see Senate, No. 2624, amended);

Designating a certain bridge in the city of Woburn as the Vietnam Veterans Memorial Bridge (see House, No. 4206); and

Providing survivor benefits to Ava Roy, the daughter of fallen firefighter Christopher Roy (see House, No. 4826).

*Resolutions.*

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

Resolutions (filed by Ms. Creem) "congratulating Rabbi Emily Gopen Lipof, Rabbi Emerita, on the occasion of her eightieth birthday"; and

Rabbi Emily Gopen Lipof.

Resolutions (filed by Mr. Pacheco) "congratulating Doctor Eric J. Ruby on the occasion of his retirement."

Dr. Eric J. Ruby.

*Matters Taken Out of the Orders of the Day.*

**UNCORRECTED PROOF.**

There being no objection, the following matters were taken out of the Orders of the Day and considered as follows:

The Senate Bill providing certain retirement benefits to the widow of police captain Richard Basteri of the city of Everett (Senate, No. 2914) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Everett,-- retirement benefits.

**Sent to the House for concurrence.**

The House Bill amending the charter of the town of Westford (House, No. 4235) (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.**

Westford,-- charter.

The House Bill establishing a sick leave bank for Geo Bernardone, an employee of the Massachusetts Department of Transportation (House, No. 4481),-- **was read a third time and passed to be engrossed on concurrence.**

Geo Bernardone,-- sick leave.

The House Bill establishing a sick leave bank for Felix Cruz, an employee of the department of youth services (House, No. 4977) (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.**

Felix Cruz,-- sick leave.

*Reports of Committees.*

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Harriette L. Chandler and Mary S. Keefe for legislation to establish a sick leave bank for Glenn Rocco, an employee of the Worcester County Sheriff's Department.

Glenn Rocco,-- sick leave. SD3092

**Senate Rule 36 was suspended, on motion of Mr. Tarr, 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.**

**Sent to the House for concurrence.**

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill to modernize public accountancy (Senate, No. 2668),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2941).

Public accountancy,-- modernization.

**There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means. The bill (Senate, No. 2941) was ordered to a third reading.**

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 5114) of Tackey Chan and Paul R. Feeney relative to certain businesses with alcoholic beverage licenses that cease to conduct business as a result of disruptions caused by COVID-19; and

COVID-19,-- alcoholic beverage licenses.

Petition (accompanied by bill, House, No. 5113) of Tackey Chan and Paul R. Feeney relative to licensees for the sale of beverages to be drunk on premises during the COVID-19 emergency;

COVID-19,--sale of beverages.

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

A Bill expanding the exemption for residential property in the town of Truro (House,

Truro,-- residential property.

**UNCORRECTED PROOF.**

No. 4209,-- on petition) [Local approval received],-- was read.

**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 authorizing the city of Cambridge to allow for a personal property tax exemption of \$20,000 or less (House, No. 4773,-- on petition) [Local approval received],-- was read.

Cambridge,--  
property tax  
exemption.

**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 authorizing the town of Groton to grant additional alcoholic beverages licenses (House, No. 4809,-- on House, No. 4197) [Local approval received on House, No. 4197],-- was read.

Groton,-- liquor  
licenses.

**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 authorizing the town of Lenox to transfer certain park property in exchange for dedication of conservation land (House, No. 4949, changed,-- on petition) [Local approval received],-- was read.

Lenox,-- land  
transfer.

**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 Public Service be granted until Thursday, December 31, 2020 within which time to make its final report on current House document numbered 5017.

Public Service,--  
extension order.

**The rules were suspended, on motion of Mr. Tarr and, after remarks, the order (House, No. 5087) was considered forthwith; and adopted, in concurrence.**

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Veterans and Federal Affairs be granted until Thursday, December 31, 2020 within which time to make its final report on current Senate document numbered 2916.

Veterans and Federal  
Affairs,-- extension  
order.

**The rules were suspended, on motion of Mr. Tarr and, after remarks, the order (House, No. 5091) was considered forthwith; and adopted, in concurrence.**

*Recess.*

There being no objection, at one o'clock P.M., the Chair (Ms. Friedman) declared a recess subject to the call of the Chair; and at twenty-six minutes past three o'clock P.M., the Senate reassembled, Ms. Friedman in the Chair.

Recess.

PAPERS FROM THE HOUSE

*Engrossed Bill.*

An engrossed Bill establishing a sick leave bank for Joseph Gatto, an employee of the Suffolk county sheriff's department (see House, No. 4999) (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 (Ms. Friedman) and laid before the Governor for his approbation.**

Bill laid before the  
Governor.

**UNCORRECTED PROOF.**

A petition (accompanied by bill, House, No. 5115) of Tackey Chan and Brendan P. Crighton relative to certain online automobile franchise transactions,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Consumer Protection and Professional Licensure.**

Automobile franchise transactions,-- online.

*Order Adopted.*

On motion of Mr. Tarr,--

*Ordered,* That when the Senate adjourns today, it adjourn to meet again tomorrow at twelve o'clock noon, and that the Clerk be directed to dispense with the printing of a calendar.

Time of meeting.

On motion of the same Senator, at twenty-eight minutes past three o'clock P.M, the Senate adjourned to meet again tomorrow at twelve o'clock noon.