

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



TUESDAY, DECEMBER 1, 2020

[116]

JOURNAL OF THE SENATE

Tuesday, December 1, 2020.

Met at twenty-four minutes past one o'clock P.M. (Mr. Rodrigues in the Chair).

The Chair (Mr. Rodrigues), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Communication.

Communication from the Office of the Child Advocate (pursuant to Section 89(b) of Chapter 119 of the General Laws) submitting the Juvenile Justice Policy and Data Board 2020 Annual Report (received November 30, 2020),-- **was placed on file.**

JJPAD,-- 2020
annual report.
SD3118

Reports.

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

Report of the Department of Transitional Assistance (pursuant to Section 2 (B)(q) of Chapter 18 of the General Laws) submitting its fiscal year 2021 Economic Independence Accounts Report (received November 30, 2020);

DTA,-- economic
independence report.
SD3117

Report of the Department of Early Education and Care (pursuant to Sections 3(g), 4, 5, 10 and 13(d) of Chapter 15D of the General Laws) submitting its 2019 Annual Report, which was approved by the Board of Early Education and Care on September 15, 2020 (received November 30, 2020);

EEC,-- 2019 annual
report.
SD3119

Report of the Lowell 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 25, 2020);

LRTA,-- report.
SD3120

Report of the Merrimack Valley Regional Transit Authority (pursuant to Section 8(g) of Chapter 161B of the General Laws or submitting its financial statements and supplementary information for the year ended June 30, 2020 (received November 25, 2020);

MVRTA,-- financial
statement.
SD3121

Report of the Nantucket 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 25, 2020); and

NRTA,-- report.
SD3122

Report of the Martha's Vineyard 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 25, 2020).

VTA,-- financial
statements.
SD3123

Recess.

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

Recess.

Committee of Conference Report.

Mr. Brownsberger, for the committee of conference on the disagreeing votes of the two branches, with reference to the House amendments to the Senate Bill to reform police standards and shift resources to build a more equitable, fair and just commonwealth that

Police reform,--
standards.

values Black lives and communities of color (Senate, No. 2820) (amended by the House by striking out all after the enacting clause and inserting in place thereof the text of House document numbered 4886),-- reported, a “Bill relative to justice, equity and accountability in law enforcement in the Commonwealth” (Senate, No. 2963).

The rules were suspended, on motion of Ms. Chang-Diaz, and the report was considered forthwith.

After remarks, the question on acceptance of the report of the committee of conference was determined by a call of the yeas and nays, at twenty-nine minutes before five o'clock P.M., on motion of Ms. Chang-Diaz, as follows, to wit (yeas 28 - nays 12) [**Yeas and Nays No. 300**]:

YEAS.

- | | |
|--------------------------|-------------------------------|
| Barrett, Michael J. | Finegold, Barry R. |
| Boncore, Joseph A. | Friedman, Cindy F. |
| Brady, Michael D. | Hinds, Adam G. |
| Brownsberger, William N. | Jehlen, Patricia D. |
| Chandler, Harriette L. | Keenan, John F. |
| Chang-Diaz, Sonia | Kennedy, Edward J. |
| Collins, Nick | Lesser, Eric P. |
| Comerford, Joanne M. | Lewis, Jason M. |
| Creem, Cynthia Stone | Lovely, Joan B. |
| Crichton, Brendan P. | Montigny, Mark C. |
| Cyr, Julian | Moran, Susan L. |
| DiDomenico, Sal N. | Rausch, Rebecca L. |
| Eldridge, James B. | Rodrigues, Michael J. |
| Feeney, Paul R. | Spilka, Karen E. – 28. |

NAYS.

- | | |
|----------------------|------------------------------|
| DiZoglio, Diana | Rush, Michael F. |
| Fattman, Ryan C. | Tarr, Bruce E. |
| Gobi, Anne M. | Timilty, Walter F. |
| Moore, Michael O. | Tran, Dean A. |
| O'Connor, Patrick M. | Velis, John C. |
| Pacheco, Marc R. | Welch, James T. – 12. |

The yeas and nays having been completed at twenty-one minutes before five o'clock P.M., the report was accepted.

Recess.

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

Recess.

PAPERS FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows, to wit:
Petition (accompanied by bill, House, No. 5162) of James K. Hawkins relative to the calculation of the pension of Walter L. Guerin; and
Petition (accompanied by bill, House, No. 5163) of Mary S. Keefe and Harriette L. Chandler for legislation to establish a sick leave bank for Tonita Poston, an employee of the Office of the Commissioner of Probation;
Severally, under suspension of Joint Rule 12, to the committee on Public Service.

Walter L. Guerin,-- pension.
Tonita Poston,-- sick leave.

A Bill authorizing the town of Egremont to seek approval to utilize a portion of French

Egremont,-- broadband headend.

UNCORRECTED PROOF.

Park to construct a broadband headend (House, No. 4963,-- 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 creating in the town of Upton the office of appointed treasurer/collector (House, No. 4987,-- 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.

Upton,--
treasurer/collector.

A Bill authorizing the Town of North Attleborough to issue an additional liquor license (House, No. 4990,-- on House, No. 4588) [Local approval received on House, No. 4588],-- 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.

North Attleborough,-
- liquor license.

A Bill pertaining to liquor licenses in the town of Brookline (House, No. 5067,-- on House, No. 4953) [Local approval received on House, No. 4953],-- was read.

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

Brookline,-- liquor
licenses.

Emergency Preamble Adopted.

An engrossed Bill relative to justice, equity and accountability in law enforcement in the Commonwealth (see Senate, No. 2963), 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 25 to 8.

Police reform,--
standards.

Mr. Fattman doubted the vote

The question on adoption of the emergency preamble was determined by a call of the yeas and nays, at fourteen minutes before eight o'clock P.M., on motion of Mr. Fattman, as follows, to wit (yeas 28 – nays 11) **[Yeas and Nays No. 301]:**

YEAS.

- | | |
|--------------------------|-------------------------------|
| Barrett, Michael J. | Finegold, Barry R. |
| Boncore, Joseph A. | Friedman, Cindy F. |
| Brady, Michael D. | Hinds, Adam G. |
| Brownsberger, William N. | Jehlen, Patricia D. |
| Chandler, Harriette L. | Keenan, John F. |
| Chang-Diaz, Sonia | Kennedy, Edward J. |
| Collins, Nick | Lesser, Eric P. |
| Comerford, Joanne M. | Lewis, Jason M. |
| Creem, Cynthia Stone | Lovely, Joan B. |
| Crighton, Brendan P. | Montigny, Mark C. |
| Cyr, Julian | Moran, Susan L. |
| DiDomenico, Sal N. | Rausch, Rebecca L. |
| Eldridge, James B. | Rodrigues, Michael J. |
| Feeney, Paul R. | Spilka, Karen E. – 28. |

NAYS.

- | | |
|------------------|------------------|
| DiZoglio, Diana | Rush, Michael F. |
| Fattman, Ryan C. | Tarr, Bruce E. |

UNCORRECTED PROOF.

Gobi, Anne M.
Moore, Michael O.
O'Connor, Patrick M.
Pacheco, Marc R.

Timilty, Walter F.
Tran, Dean A.
Velis, John C. – 11.

ABSENT OR NOT VOTING.

Welch, James T. – 1.

The yeas and nays having been completed at seven minutes before eight o'clock P.M, the emergency preamble was adopted.

The bill was signed by the President and sent to the House for enactment.

Suspension of Senate Rule 38A.

Ms. Chang-Diaz moved that Senate Rule 38A be suspended to allow the Senate to meet beyond the hour of 8:00 P.M.; and the same Senator requested unanimous consent that the rules be suspended without a call of the yeas and nays. There was objection.

Senate Rule 38A.

The question on suspension of Senate Rule 38A was determined by a call of the yeas and nays, at four minutes before eight o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 29 - nays 10) **[Yeas and Nays No. 302]:**

YEAS.

Barrett, Michael J.
Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
DiDomenico, Sal N.
Eldridge, James B.
Feeney, Paul R.
Friedman, Cindy F.

Hinds, Adam G.
Jehlen, Patricia D.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Moore, Michael O.
Moran, Susan L.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Spilka, Karen E.
Velis, John C.
Welch, James T. – 29.

NAYS.

DiZoglio, Diana
Fattman, Ryan C.
Gobi, Anne M.
Keenan, John F.
Montigny, Mark C.

O'Connor, Patrick M.
Pacheco, Marc R.
Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A. – 10.

ABSENT OR NOT VOTING.

Finegold, Barry R. – 1.

The yeas and nays having been completed at four minutes past eight o'clock P.M, the motion to suspend Senate Rule 38A was adopted.

PAPER FROM THE HOUSE.

Engrossed Bill.

An engrossed Bill relative to justice, equity and accountability in law enforcement in the Commonwealth (see Senate, No. 2963) (which originated in the Senate), **having been**

Bill laid before the Governor.

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certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the President and laid before the Governor for his approbation.

Order Adopted.

On motion of Ms. Chang-Diaz,--

Ordered, That when the Senate adjourns today, it adjourn to meet again Thursday next at eleven o'clock A.M. and that the Clerk be directed to dispense with the printing of a calendar.

Time of meeting.

On motion of Mr. Tarr at thirteen minutes past eight o'clock P.M., the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.