

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, DECEMBER 10, 2020

[120]

JOURNAL OF THE SENATE

Thursday, December 10, 2020.

Met at twenty-eight minutes before twelve o'clock noon (Mr. Crighton 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. Crighton), 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 Honorable Michael O. Moore, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Wednesday, December 9, 2020 at twenty-eight minutes past ten o'clock A.M.);

Senator Michael O. Moore, -- Chapter 268A.

Communication from the Honorable Bruce E. Tarr, Minority Leader, announcing the appointment of Senator Ryan C. Fattman to the Gaming Policy Advisory Committee (pursuant to Section 68 of Chapter 23K of the General Laws); and

Gaming Policy Advisory Committee.

Communication from the Massachusetts State House Press Association (pursuant to Joint Rule 32) submitting notice that Chris Van Buskirk was admitted as an accredited legislative reporter and member of the association in good standing (received December 10, 2020).

State House Press Association. SD3133

Reports.

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

Report of the Massachusetts Water Resources Commission (pursuant to Section 8C of Chapter 21 of the General Laws) submitting its report relative to the approval of the town of Burlington's request for the Interbasin Transfer Act (ITA) (received December 9, 2020);

WRC,-- Burlington report. SD3127

Report from the Massachusetts School Building Authority (pursuant to Section 29 of Chapter 132 of the Acts of 2019) submitting a report relative to the eligible expenses and reimbursement rates for the school building assistance program (received December 9, 2020);

MSBA,-- assistance program report. SD3128

Report of the Special Commission on Student Transportation Efficiencies (pursuant to Section 77 of Chapter 154 of the Acts of 2018, as amended by Section 19 of Chapter 201 of the Acts of 2020) submitting its report on improving efficiencies relative to student transportation (received December 10, 2020); and

Special Commission on Student Transportation Efficiencies. SD3131

Report of the Executive Office for Administration and Finance, Capital Debt Affordability Committee (pursuant to Section 60B(f) of Chapter 29 of the General Laws) submitting its estimate of the total amount of new Commonwealth debt that prudently may be authorized for the next fiscal year (received December 10, 2020).

Capital Debt Affordability Committee,-- report. SD3132

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 2971) of Walter F. Timilty, Bruce J. Ayers, Mark J. Cusack and William J. Driscoll, Jr. (by vote of the town)

Randolph,-- 2020 Biennial State

for legislation to validate the actions taken at the 2020 Biennial State Election held in the city known as the Town of Randolph [Local approval received];

Election.

Under Senate Rule 20, to the committee on Election Laws.

By Mr. Finegold, a petition (accompanied by bill, Senate, No. 2969) of Barry R. Finegold (by vote of the town) for legislation to authorize the town of Andover to issue pension obligation bonds or notes [Local approval received]; and

Andover,-- pension obligation bonds.

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 2974) of Bruce E. Tarr and Ann-Margaret Ferrante (with approval of the mayor and city council) for legislation relative to certain land in the city of Gloucester to be preserved for municipal park and open space purposes [Local approval received];

Gloucester,-- preserve land.

Severally under Senate Rule 20, to the committee on Municipalities and Regional Government.

Severally sent to the House for concurrence.

Reports of Committees.

By Mr. Pacheco, for the committee on State Administration and Regulatory Oversight, on the Reorganization Plan No. 1 of 2020 (submitted by the Governor under the provisions of Article LXXXVII of the Amendments to the Constitution) relative the Supplier Diversity Office to ensure equal opportunity in state contracting (see Senate, No. 2937) [for Majority Report, see Senate, No. 2976],— reported, in accordance with a provision of Joint Rule 23A,— recommending that said Reorganization Plan No. 1 “ought to be approved”.

Supplier Diversity Office,-- equal opportunity.

Placed in the Orders of the Day for the next session, the question being “Shall this reorganization plan be approved?”.

The following reports were placed in the Orders of the Day, the time within which the said committee was required to report having expired:

Of the committee on Transportation, ought NOT to pass (under Joint Rule 10):

On the petition (accompanied by bill, Senate, No. 1171) of Nick Collins for legislation relative to municipal authority to address congestion and emission impacts of TNCs;

TNCs,-- congestion.

On the petition (accompanied by bill, Senate, No. 1812) of Nick Collins and David Biele for legislation relative to a certain ramp in the South Boston Waterfront;

South Boston,-- ramp.

On the petition (accompanied by bill, Senate, No. 2034) of Joseph A. Boncore and Michelle L. Ciccolo for legislation relative to electric foot scooters;

Electric foot scooters.

On the petition (accompanied by bill, Senate, No. 2047) of Nick Collins for legislation relative to motorized scooter operating requirements;

Motorized scooters,-- operating requirements.

On the petition (accompanied by bill, Senate, No. 2049) of Nick Collins, William N. Brownsberger, Jennifer E. Benson and Rebecca L. Rausch for legislation relative to micro-mobility and motorized scooters;

Motorized scooters.

On the petition (accompanied by bill, Senate, No. 2063) of Brendan P. Crighton, Mike Connolly, William N. Brownsberger, Jennifer E. Benson and other members of the General Court for legislation to reduce traffic and encourage shared rides;

TNC,-- shared rides.

On the petition (accompanied by bill, Senate, No. 2066) of Julian Cyr and Adam G. Hinds for legislation relative to the maintenance of private ways, bridges, and common amenities in municipalities;

Private ways and bridges,-- maintenance.

On the petition (accompanied by bill, Senate, No. 2069) of Sal N. DiDomenico for legislation relative to mobile carrying devices;

Mobile carrying device.

On the petition (accompanied by bill, Senate, No. 2071) of Sal N. DiDomenico, James B. Eldridge, William N. Brownsberger, Hannah Kane and other members of the General Court for legislation relative to electric bicycles;

Electric bicycles.

UNCORRECTED PROOF.

On the petition (accompanied by bill, Senate, No. 2072) of Michael Scarpignato for legislation relative to the registration and insurance of motorized scooters in the Commonwealth;

Scooters,--
registration.

On the petition (accompanied by bill, Senate, No. 2083) of Cindy F. Friedman, Michelle L. Ciccolo, Sean Garballey, James B. Eldridge and others for legislation to establish transit improvement districts;

Transit improvement
districts.

On the petition (accompanied by bill, Senate, No. 2102) of Patricia D. Jehlen, Denise Provost, James B. Eldridge, Cindy F. Friedman and other members of the General Court for legislation to ensure equitable access to subway and bus service;

Public transportation,
-- equitable fares.

On the petition (accompanied by bill, Senate, No. 2113) of Jason M. Lewis for legislation relative to peer to peer car sharing;

Car sharing.

On the petition (accompanied by bill, Senate, No. 2140) of Bruce E. Tarr and David Allen Robertson for legislation to promote motor vehicle safety;

Motor vehicle,--
safety.

On the petition (accompanied by bill, Senate, No. 2142) of Thomas Beaton for legislation relative to hardship licenses for first time offenders;

Licenses,-- first time
offenders.

On the petition (accompanied by bill, Senate, No. 2588) of Patrick M. O'Connor and James M. Murphy for legislation relative to billboard permitting; and

Billboard,--
permitting.

On the petition (accompanied by bill, Senate, No. 2589) of Patrick M. O'Connor for legislation relative to ending failure-to-pay license suspensions.

License suspensions.

PAPER FROM THE HOUSE.

A Bill relative to certain construction claims by condominium owners (House, No. 4605,-- on Senate, No. 835 and House, No. 3260), -- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Condominium
owners,--
construction claims.

Resolutions.

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

Resolutions (filed by Ms. Friedman) “commending the Commonwealth Health Insurance Connector Authority for their recognition of ‘Get Covered Day’.”

Commonwealth Health
Insurance Connector
Authority.

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill authorizing the town of Nantucket to supply itself and its inhabitants with water (see House, No. 4399) (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. Crighton) and laid before the Governor for his approbation.**

Bill laid before the
Governor.

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 Senate Bill establishing a sick leave bank for Glenn Rocco, an employee of the Worcester sheriff's office (Senate, No 2950) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Glenn Rocco,-- sick
leave.

Sent to the House for concurrence.

The House Bill authorizing the town of Somerset to grant 4 additional licenses for the sale of wine and malt beverages to be drunk on the premises (House, No. 4753) (its title

Somerset,-- liquor
license.

having been changed by the committee on Bills in the Third Reading),-- **read a third time and passed to be engrossed, in concurrence.**

Reports of Committees.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill providing for the permanent protection and stewardship of the historic Lampson Brook Farm in Belchertown (Senate, No. 2784),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2972).

Belchertown,--
Lampson Brook
Farm.

There being no objection, the rules were suspended, on motion of Mr. Fattman, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2972) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill to create the Leo M. Birmingham Parkway Trust Fund (House, No. 4926),-- ought to pass, with an amendment in proposed section 34E of chapter 92, by striking out subsection (d).

Leo M. Birmingham
Parkway Trust Fund.

There being no objection, the rules were suspended, on motion of Mr. Fattman, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence with the amendment.

Sent to the House for concurrence in the amendment.

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill relative to an agricultural deed restriction in the town of Westborough (House, No. 4983),-- ought to pass.

Westborough,-- deed
restriction.

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

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill authorizing the conveyance of easements and conservation restrictions to watershed lands of the city known as the town of West Springfield (House, No. 4982),-- ought to pass.

West Springfield,--
watershed lands.

There being no objection, the rules were suspended, on motion of Mr. Fattman, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading as follows: "An Act authorizing the city known as the town of West Springfield to grant a conservation restriction to watershed lands to the department of conservation and recreation and the Massachusetts Audubon Society, Inc."

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill promoting safety for victims of violent crime and human trafficking (Senate, No. 2493),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2973).

Victim safety,--
human trafficking.

There being no objection, the rules were suspended, on motion of Mr. Fattman,

and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2973) was then ordered to a third reading.

By Mr. Feeney, for the committee on Consumer Protection and Professional Licensure, on petition (accompanied by bill, Senate, No. 22), a Bill authorizing the town of Tewksbury to grant 7 additional licenses for the sale of alcoholic beverages to be drunk on the premises (Senate, No. 2970).

Tewksbury,-- liquor licenses.

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

By Mr. Finegold, for the committee on Public Service, on petition (accompanied by bill, Senate, No. 2967), a Bill establishing a sick leave bank for Natasha Grace, an employee of the Massachusetts Bay Transportation Authority (Senate, No. 2969).

Natasha Grace,-- sick leave.

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

The following report was laid before the Senate, the time within which the said committee was required to report having expired:-

Of the committee on Consumer Protection and Professional Licensure, ought NOT to pass (under Joint Rule 10) on the petition (accompanied by bill, Senate, No. 2933) of Bruce E. Tarr and Ann-Margaret Ferrante (with the approval of the mayor and city council) for legislation to temporarily extend the issuance of seasonal alcoholic licenses in the city of Gloucester.

Gloucester,-- seasonal liquor licenses.

The rules were suspended, on motion of the Mr. Fattman, and, on motion of the same Senator, the petition was recommitted to the Joint Committee on Consumer Protection and Professional Licensure.

The following report was laid before the Senate, the time within which the said committee was required to report having expired:-

Of the committee on Health Care Financing, ought NOT to pass (under Joint Rule 10), on the Bill authorizing the option of providing basic common sense health services for residents of assisted living residences (Senate, No. 2774).

Assisted living,-- health services.

There being no objection, the rules were suspended, on motion of Mr. Fattman; and the matter was considered forthwith.

On further motion of Mr. Fattman, the Senate Bill was substituted for the report of the committee.

The bill (Senate, No. 2774) as read and, under Senate Rule 27, was referred to the committee on Ways and Means.

PAPERS FROM THE HOUSE.

A Bill removing certain positions from Massachusetts civil service law in the city of Framingham (House, No. 4864,-- on petition) [Local approval received],-- was read.

Framingham,-- civil service positions.

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

A Bill relative to the authority of the town manager in the town of Upton (House, No. 4986,-- on petition) [Local approval received],-- was read.

Upton,-- town manager.

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

UNCORRECTED PROOF.

A Bill changing the Board of Selectmen of the town of Ashfield to a Select Board (House, No. 4948,-- on petition) [Local approval received],-- was read.

Ashfield,-- Board of Selectmen.

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

Order Adopted.

On motion of Mr. Fattman,--

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.

On motion of the same Senator, at thirteen minutes before twelve o'clock noon, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.