

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, JULY 9, 2020

JOURNAL OF THE SENATE

Thursday, July 9, 2020.

Met at sixteen minutes past eleven o'clock A.M. (Mr. Timilty in 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. Collins, a petition (accompanied by bill) (subject to Joint Rule 12) of Nick Collins and Chynah Tyler for legislation relative to false reporting of an emergency; and

Crimes,-- false reporting. SD2998

By Mr. Lesser, a petition (accompanied by bill) (subject to Joint Rule 12) of Eric P. Lesser, Jon Santiago, Joanne M. Comerford, Anne M. Gobi and other members of the General Court for legislation to establish a special commission to conduct a comprehensive review of the Commonwealth's COVID-19 response and subsequent recovery;

Covid-19 inquiry commission. SD2997

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

Reports of Committees.

By Ms. Gobi, for the committee on Environment, Natural Resources and Agriculture, on petition, a Bill providing for the permanent protection and stewardship of the historic Lampson Brook Farm in Belchertown (Senate, No. 2784);

Belchertown,-- Lampson Brook Farm.

By Mr. Welch, for the committee on Financial Services, on petition (accompanied by bill, Senate, No. 576), a Bill relative to motor vehicle service contracts (Senate No. 2804);

Service contracts,-- motor vehicle.

By Mr. Eldridge, for the committee on the Judiciary, on Senate, No. 952 and House, No. 3421, a Bill modernizing time-share extension and termination procedures (Senate, No. 952);

Time-shares,-- termination procedures.

By the same Senator, for the same committee, on petition, a Bill to provide liability protections for contractors, sub-contractors and unions during the COVID-19 Pandemic (Senate, No. 2700);

COVID-19,-- contractor protection.

By the same Senator, for the same committee, on Senate, No. 845 and House, No. 1517, a Bill to prevent the imposition of mandatory minimum sentences based on juvenile adjudications (Senate, No. 2805); and

Juveniles,-- mandatory minimums

By Mr. Boncore, for the committee on Transportation, on petition (accompanied by bill, Senate, No. 2137), a Bill relative to strengthening public safety through interlock devices (Senate No. 2806);

Interlock devices,-- public safety.

Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, on the Resolve establishing an advisory committee on the accessibility of fresh food retail in communities throughout the Commonwealth (Senate, No. 1354), an Order relative to authorizing the committees on Rules of the two branches, acting concurrently to make an investigation and study of a certain current Senate document relative to fresh food retail (Senate, No. 2808); and

Joint Rules committee,-- study.

By the same Senator, for the same committees, on the recommitted Bill funding a study of passenger service on the housatonic rail line (Senate, No. 2096), an Order relative to authorizing the committees on Rules of the two branches, acting concurrently to make an investigation and study of a certain current Senate document relative to passenger rail (Senate, No. 2809);

Id.

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

Committees Discharged.

Ms. Lovely, for the committee on Rules, reported, asking to be discharged from further consideration:

Of the Senate Bill supporting farming on non-contiguous land (Senate, No. 1613); and

Agricultural land,-- non-contiguous.

Of the Senate Bill relative to the curatorship program (Senate, No. 1769).

Curatorship program.

And recommending that the same severally be referred to the committee on Ways and Means.

Under Senate Rule 36, the reports were severally considered forthwith and accepted.

Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration:

Of the Senate Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to summer courses at virtual schools (Senate, No. 2802); and

Education committee,-- study.

Of the Senate Order relative to authorizing the joint committee on the Judiciary to make an investigation and study of certain current Senate documents relative to ethics in organ transplants (Senate, No. 2803).

Judiciary committee,-- study.

And recommending that the same severally be referred to the committee on Rules.

Under Senate Rule 36, the reports were severally considered forthwith and accepted.

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4842) of Jack Patrick Lewis, Carmine Lawrence Gentile and Maria Duaine Robinson (with the approval of the mayor and city council) relative to authorizing the city of Framingham to erect a permanent pavilion exceeding 600 square feet in Mary Dennison Park in said city,-- **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Framingham,-- pavilion.

Recess.

There being no objection, at seventeen minutes past eleven o'clock A.M., the Chair (Mr. Timilty) declared a recess, subject to the call of the Chair; and at eighteen minutes past one o'clock P.M., the Senate reassembled, the President in the Chair.

Recess.

Resolutions.

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

Resolutions (filed by Ms. Friedman, Messrs. Barrett, Boncore, Brady and Brownsberger, Ms. Chandler, Ms. Chang Diaz, Mr. Collins, Ms. Comerford, Ms. Creem, Messrs. Crighton, Cyr, and DiDomenico, Ms. DiZoglio, Messrs. Eldridge, Fattman, Feeney and Finegold, Ms. Gobi, Mr. Hinds, Ms. Jehlen, Messrs. Keenan, Kennedy, Lesser

Massachusetts Emancipation Day.

and Lewis, Ms. Lovely, Messrs. Montigny and Moore, Ms. Moran, Messrs. O'Connor and Pacheco, Ms. Rausch, Messrs. Rodrigues and Rush, Ms. Spilka and Messrs. Tarr, Timilty, Tran, Velis and Welch) "commending community groups and organizations on commemorating July 8 as Massachusetts Emancipation Day also known as Quock Walker Day."

Reports of Committees

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill authorizing the transfer of care and control of certain parcels of land in the town of Bridgewater from the Department of Correction to the Department of Fire Services (House, No. 4178) -- ought to pass, with an amendment striking out all after the enacting and inserting in place thereof the text of Senate document numbered 2801 (also based on Senate, No. 2306).

Bridgewater,-- land transfer.

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

Sent to the House for concurrence in the amendment.

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 Joanne M. Comerford for legislation to respond to the COVID-19 emergency by instituting a moratorium of the Massachusetts Comprehensive Assessment System.

MCAS,-- moratorium. SD2986

Senate Rule 36 was suspended, on motion of Ms. Creem, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Education.

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 Joanne M. Comerford and Christine P. Barber for legislation to address estate recovery issues due to COVID-19;

Estate recovery. SD2976

Senate Rule 36 was suspended, on motion of Ms. Creem, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on The Judiciary.

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 Brendan P. Crighton, Peter Capano, Lori A. Ehrlich and Daniel Cahill for legislation relative to an easement in Lynn.

Lynn,-- easement. SD2969

Senate Rule 36 was suspended, on motion of Ms. Creem, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on The Judiciary.

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 Brendan P. Crighton, Daniel Cahill and Peter Capano for legislation to authorize the Division of Capital Asset Management and Maintenance to grant an easement to the city of Lynn.

Lynn,-- easement. SD2985

Senate Rule 36 was suspended, on motion of Ms. Creem, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight.

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 Joan B. Lovely for legislation to eliminate the statute of limitation in civil child sexual abuse cases.

Child abuse,-- statute of limitation. SD2990

UNCORRECTED PROOF.

Senate Rule 36 was suspended, on motion of Ms. Creem, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight.

Severally sent to the House for concurrence.

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 classifying the Taunton Fire Department mechanic, Michael Perry, in connection with the determination of retirement benefits (Senate, No. 2624) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Taunton,-- Michael Perry.

Sent to the House for concurrence.

The House Bill changing the name of the board of selectmen in the town of Dedham to the select board (House, No. 4704),-- **was read a third time and passed to be engrossed, in concurrence.**

Dedham,-- board of selectmen.

PAPERS FROM THE HOUSE.

A Bill establishing a sick leave bank for Alexandra Jordankova, an employee of the department of developmental services (House, No. 4816,-- on petition),-- was read.

Alexandra Jordankova,-- sick leave.

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

A Bill relative to the Revere & Son Heritage Trust Corporation (House, No. 4834,-- on House, No. 4442) [Local approval received on House, No. 4442],-- was read.

Revere & Son Heritage Trust Corporation.

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

Reports of a Committee.

The following reports were 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. 2730) of Paul R. Feeney, Elizabeth A. Poirier, Bruce E. Tarr, Kimberly N. Ferguson and other members of the General Court for legislation to address challenges faced by restaurants and other establishments due to COVID-19.

Restaurants,-- COVID-19.

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

On further motion of Mr. Brownsberger, the bill was substituted for the report of the committee.

The bill (Senate, No. 2730) was read and, under Senate Rule 27, was referred to the committee on Ways and Means.

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. 2740) of Diana DiZoglio, Lenny Mirra, Patrick M. O'Connor, David F. DeCoste and others for legislation to temporarily expand take-out and delivery options for local establishments

Take-out options,-- COVID-19.

licensed to sell alcoholic beverages.

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

On further motion of Mr. Brownsberger, the bill was substituted for the report of the committee.

The bill (Senate, No. 2740) was read and, under Senate Rule 27, was referred to the committee on Ways and Means.

Matter Taken Out of the Orders of the Day.

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

The Senate Bill amending the charter for the town of Walpole (Senate, No. 2458),-- was read a third time.

Walpole,-- charter.

Pending the question on passing the bill to be engrossed, Mr. Feeney presented an amendment substituting a new draft with the same title (Senate, No. 2807).

The amendment was adopted.

The bill (Senate, No. 2807) was then passed to be engrossed.

Sent to the House for concurrence.

Orders of the Day.

Ms. Friedman in the Chair, the Orders of the Day were considered as follows:

The Senate Bill to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color (Senate, No. 2800),-- was read a second time.

Police reform.

Moment of Silence.

At the request of the Chair (Ms. Friedman), the members, guests and staff stood in a moment of silence and reflection to the memory of Sydra Schnipper.

Moment of silence.

Recess.

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

Recess.

Orders of the Day.

The Orders of the Day were further considered as follows:

The Senate Bill to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color (Senate, No. 2800),-- was further considered.

Police reform.

Pending the question on ordering the bill to a third reading, after remarks, Mr. Fattman moved that the matter be laid on the table; and, under the provisions of Senate Rule 24, the further consideration thereof was laid over until the next session.

Order Adopted.

On motion of Ms. Comerford,--

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow at ten o'clock A.M. in a full formal session with a calendar.

Time of meeting.

Adjournment in Memory of Sydra Schnipper.

The Senator from Middlesex and Norfolk, Ms. Creem, moved that when the Senate adjourns today, it adjourn in memory of Sydra Schnipper of Newton, who passed away on June 26, 2020 at the age of 75.

Sydra, the daughter of Leo and Deborah Storch, was born in Brooklyn, New York. She graduated from Queens College and received a Masters in Education degree from Cambridge College.

In 1974, Sydra moved to Newton, Massachusetts, where she was a resident for 46 years. For 30 years she was a high school math teacher, first in Brooklyn, at Canarsie High School, and then, in Brookline, at Brookline High School. Sydra served as the Chair of the Math Department at Brookline High School until her retirement. After her retirement, she became a private math tutor for high school students in her area. She was beloved by many students and maintained contact with them over the years.

In addition to working as an educator, Sydra found time for extensive public service in her community. She was an elected official of the City of Newton for 24 years, 8 years as a member and Chair of the School Committee and 16 years as an Alderman representing Ward 7, including serving as Chair of the Public Works and Facilities Committee.

Sydra's most memorable achievements included the introduction of a sexual health education curriculum in the Newton High Schools while she was Chair of the School Committee, and the construction of a new Newton North High School while she served as an Alderman representing Ward 7.

She was a devoted mother and grandmother and will be missed by her children Merritt Schnipper, Deborah Schnipper and Claudia Hochberg and their spouses Kristen Fehrenbach, Peter Espo and Ephraim Hochberg and 5 grandchildren. Sydra will be fondly remembered by the Brookline and Newton communities and all who knew her.

Accordingly, as a mark of respect to the memory of Sydra Schnipper, at twenty-eight minutes past five o'clock P.M., on motion of Ms. Comerford, the Senate adjourned to meet again tomorrow at ten o'clock A.M.