

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



TUESDAY, JULY 28, 2020

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JOURNAL OF THE SENATE

Tuesday, July 28, 2020.

Met at five minutes past one o'clock P.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.

Petition.

Mr. Pacheco presented a petition (accompanied by bill, Senate, No. 2847) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation relative to the position of Deputy Chief of Police in the town of Carver [Local approval received];

Carver,-- deputy chief of police.

Referred, under Senate Rule 20, to the committee on Public Service.

Sent to the House for concurrence.

Reports of Committees.

By Mr. Moore, for the committee on Public Safety and Homeland Security, on the recommitted petition, a Bill relative to emergency hazard health duty (Senate, No. 2602); and

Emergency hazard health duty.

By Mr. Boncore, for the committee on Transportation, on petition, a Bill relative to the cybersecurity of the internet connected devices and autonomous vehicles (Senate, No. 2056);

Autonomous vehicles,-- cybersecurity.

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

By Ms. Rausch, for the committee on Municipalities and Regional Government, on petition, a Bill authorizing certain investments by the Treasurer of the town of East Bridgewater (Senate, No. 2811) [Local approval received];

East Bridgewater,-- investments.

By the same Senator, for the same committee, on petition, a Bill relative to the reorganization of the water, highway and park/cemetery departments and commissioners in the town of Topsfield (Senate, No. 2826) [Local approval received]; and

Topsfield,-- reorganization.

By the same Senator, for the same committee, on petition, a Bill amending the Newbury general by-laws from board of selectmen to select board (Senate, No. 2827) [Local approval received];

Newbury,-- select board.

Severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

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 Michael O. Moore and Hannah Kane for legislation to establish a sick leave bank for Sharon L. Kelley, an employee of the trial court of the Commonwealth.

Sharon L. Kelley,-- sick leave. SD3018

Senate Rule 36 was suspended, on motion of Mr. O'Connor, 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 Michael O. Moore for legislation relative to source plasma donation centers.

Plasma donation centers.
SD3012

Senate Rule 36 was suspended, on motion of Mr. O'Connor, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Health.

Covid-19 inquiry commission.
SD2997

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petitions 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.

Senate Rule 36 was suspended, on motion of Mr. O'Connor, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Health.

Tamerisa Sanchez,-- sick leave.
SD2913

By Ms. Lovely, for the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Eric P. Lesser and José F. Tosado for legislation to establish a sick leave bank for Tamerisa Sanchez, an employee of the Department of Developmental Services.

Senate Rule 36 was suspended, on motion of Mr. O'Connor, 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.

Severally sent to the House for concurrence.

By Mr. Rausch, for the committee on Municipalities and Regional Government, on petition, a Bill to authorize the conveyance by easement and change of use of conservation land in the town of Harvard (Senate, No. 2779) [Local approval received].

Harvard,-- conservation land.

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

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill creating higher education opportunities for students with intellectual disabilities, autism, and other developmental disabilities (Senate, No. 2539),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2844).

Higher education opportunities,-- developmental disabilities.

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

The bill (Senate, No. 2844) was then ordered to a third reading and read a third time.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at twenty-eight minutes past one o'clock P.M., on motion of Ms. Gobi, as follows to wit (yeas 39-- nays 0) [Yeas and Nays No. 247]:

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

Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.

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Crichton, Brendan P.
Cyr, Julian
DiDomenico, Sal N.
DiZoglio, Diana
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.

O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.
Velis, John C.
Welch, James T. – 39.

NAYS – 0.

The yeas and nays having been completed at twenty-four minutes before two o'clock P.M., the bill was passed to be engrossed. Sent to the House for concurrence.

Ms. Lovely, for the committee on Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The House Bill relative to certain affordable housing in the city of Chelsea (House, No. 4368).

Chelsea,-- affordable housing.

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

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 Rules of the two branches, acting concurrently, ought NOT to pass (under Joint Rule 10), on the Resolve providing for the creation of a special commission relative to the seal and motto of the Commonwealth (Senate, No. 1877).

Seal and motto,-- commission.

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

The adverse report was *rejected*.

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

Pending the question on passing the resolve to be engrossed, Mr. Lewis offered an amendment substituting a new draft with the same title (Senate, No. 2848).

Pending the adoption of the pending new draft, Mr. Tarr moved that the proposed new draft be amended by inserting in line 28 after the word "study", the following:--"subject to the provisions of chapter 268A".

The pending amendment, as amended, was adopted.

After remarks, the question on passing the resolve to be engrossed was determined by a call of the yeas and nays, at seven minutes before two o'clock P.M., on motion of Mr. Lewis, as follows to wit (yeas 39– nays 0) **[Yeas and Nays No. 248]:**

YEAS.

Barrett, Michael J.
Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.

Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.

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Chang-Diaz, Sonia
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
DiDomenico, Sal N.
DiZoglio, Diana
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.

Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.
Velis, John C.
Welch, James T. – 39.

NAYS – 0.

The yeas and nays having been completed at one minute before two o'clock P.M., the resolve (Senate, No. 2848, amended) was passed to be engrossed. Sent to the House for concurrence.

PAPER FROM THE HOUSE.

The House Bill regarding breakfast after the bell (House, No. 4218, amended),-- came from the House with the endorsement that the House had concurred in the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2473) *with a further amendment* striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text contained in House document numbered 4896.

Breakfast after the bell.

The rules were suspended, on motion of Mr. DiDomenico, and, after remarks, the further House amendment was adopted, in concurrence.

Moment of Silence.

The Chair (Ms. Friedman), the members, guests and staff stood in a moment of silence and reflection to the memory of Sal DiDomenico.

Moment of silence.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4907) of Danillo A. Sena, James B. Eldridge and others for legislation to authorize the Executive Office of Labor and Workforce Development to establish a works progress to employ certain unemployed residents,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Labor and Workforce Development.**

Unemployed residents,-- works progress.

Engrossed Resolve.

An engrossed Resolve providing for the erection in the house chamber of a memorial containing the text of the address which Reverend Doctor Martin Luther King Jr. delivered to a joint convention of the 2 branches of the General Court on April 22, 1965 (see House, No. 2799) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed and signed by the Acting President (Ms. Friedman) and laid before the Governor for his approbation.**

Resolve laid before Governor.

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A Bill making certain appropriations for fiscal year 2021 before final action on the General Appropriation Bill (House, No. 4905,-- on House, No. 4869),-- was read.

Supplemental appropriations.

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

A Bill providing for the terms of certain bond for transportation improvements to be issued by the Commonwealth (printed in House, No. 4845,-- on petition),-- was read.

Transportation improvements.

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

Engrossed Bills—Land Taking for Conservation Etc.

An engrossed Bill authorizing the town of Hopkinton to remove certain land from a conservation restriction (see House, No. 4319) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at eleven minutes before three o'clock P.M., as follows, to wit (yeas 39 - nays 0) [**Yeas and Nays No. 249**]:

Hopkinton,-- conservation land.

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Jehlen, Patricia D. |
| Boncore, Joseph A. | Keenan, John F. |
| Brady, Michael D. | Kennedy, Edward J. |
| Brownsberger, William N. | Lesser, Eric P. |
| Chandler, Harriette L. | Lewis, Jason M. |
| Chang-Diaz, Sonia | Lovely, Joan B. |
| Collins, Nick | Montigny, Mark C. |
| Comerford, Joanne M. | Moore, Michael O. |
| Creem, Cynthia Stone | Moran, Susan L. |
| Crighton, Brendan P. | O'Connor, Patrick M. |
| Cyr, Julian | Pacheco, Marc R. |
| DiDomenico, Sal N. | Rausch, Rebecca L. |
| DiZoglio, Diana | Rodrigues, Michael J. |
| Eldridge, James B. | Rush, Michael F. |
| Fattman, Ryan C. | Tarr, Bruce E. |
| Feeney, Paul R. | Timilty, Walter F. |
| Finegold, Barry R. | Tran, Dean A. |
| Friedman, Cindy F. | Velis, John C. |
| Gobi, Anne M. | Welch, James T. – 39. |
| Hinds, Adam G. | |

NAYS – 0.

The yeas and nays having been completed at seven minutes before three o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Ms. Friedman) and laid before the Governor for his approbation.

An engrossed Bill relative to the Revere & Son Heritage Trust Corporation (see

Revere & Son
Heritage Trust Corp.

UNCORRECTED PROOF.

House, No. 4834) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at six minutes before three o'clock P.M., as follows, to wit (yeas 39 - nays 0) **[Yeas and Nays No. 250]:**

YEAS.

Barrett, Michael J.	Jehlen, Patricia D.
Boncore, Joseph A.	Keenan, John F.
Brady, Michael D.	Kennedy, Edward J.
Brownsberger, William N.	Lesser, Eric P.
Chandler, Harriette L.	Lewis, Jason M.
Chang-Diaz, Sonia	Lovely, Joan B.
Collins, Nick	Montigny, Mark C.
Comerford, Joanne M.	Moore, Michael O.
Creem, Cynthia Stone	Moran, Susan L.
Crighton, Brendan P.	O'Connor, Patrick M.
Cyr, Julian	Pacheco, Marc R.
DiDomenico, Sal N.	Rausch, Rebecca L.
DiZoglio, Diana	Rodrigues, Michael J.
Eldridge, James B.	Rush, Michael F.
Fattman, Ryan C.	Tarr, Bruce E.
Feeney, Paul R.	Timilty, Walter F.
Finegold, Barry R.	Tran, Dean A.
Friedman, Cindy F.	Velis, John C.
Gobi, Anne M.	Welch, James T. – 39.
Hinds, Adam G.	

NAYS – 0.

The yeas and nays having been completed at four minutes before three o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Ms. Friedman) and laid before the Governor for his approbation.

A petition (accompanied by bill, House, No. 4908) of Carmine Lawrence Gentile for legislation to continue the Citizens Commission concerning a constitutional amendment to secure government of the people,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Veterans and Federal Affairs.**

Citizens
Commission.

A Bill establishing a sick leave bank for Carissa Sinclair, an employee of the Department of Mental Health (House, No. 4875,-- on petition),-- was read.

Carissa Sinclair,--
sick leave.

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

A Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the city of Newton (House, No. 4892,-- on House, No. 4105),-- was read.

Newton,-- land
conveyance.

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

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A Bill authorizing the city known as the town of Barnstable to grant an easement (House, No. 4906,-- on House, No. 4839) [Local approval received on House, No. 4839],-- was read.

Barnstable,--
easement.

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

Emergency Preambles Adopted.

An engrossed Bill regarding breakfast after the bell (see House, No. 4218, amended), 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.

Breakfast after the
bell.

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

An engrossed Bill making certain appropriations for fiscal year 2021 before final action on the General Appropriation Bill (see House, No. 4905), 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.

Supplemental
appropriations.

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

An engrossed Bill providing for the terms of certain bond for transportation improvements to be issued by the Commonwealth (see House, No. 4845), 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.

Transportation
improvements.

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

Engrossed Bills.

The following engrossed bills (all of which originated in the House), 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:

Regarding breakfast after the bell (see House, No. 4218, amended);

Bills laid before the
Governor.

Providing for the terms of certain bond for transportation improvements to be issued by the Commonwealth (see House, No. 4845); and

Making certain appropriations for fiscal year 2021 before final action on the General Appropriation Bill (see House, No. 4905).

Order Adopted.

On motion of Mr. O'Connor,--

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow at eleven o'clock A.M. in a full formal session without a calendar.

Time of meeting.

Adjournment in Memory of Sal DiDomenico.

The Senator from Middlesex and Suffolk, Mr. DiDomenico moved that when the Senate adjourns today it do so in memory of Sal N. DiDomenico.

Sal DiDomenico passed away on March 18 and was the beloved husband of Marie (Apruzzese). Treasured son of the late Nicola and Mary (Camelio) DiDomenico. Devoted father of Senator Salvatore DiDomenico and his wife Tricia, Lisa Lavoie, Brenda Giunta and her husband Joseph, Allison DiDomenico and her fiancé Jonathan Killeen. Cherished grandfather of Emma, Lindsey, Matthew, Salvatore, Marissa, Hailey, Olivia, Ava and Amelia.

Sal was born on September 20th during the height of the Hurricane of 1938 in East Cambridge two streets away from where he raised his own family. Sal graduated from Rindge Tech in Cambridge, went on to Boston College and then served in the Army National Guard during the Cuban Missile Crisis. He found his calling at the Rittners School of Floral Design. He met the love of his life, Marie, at Moseley's on the Charles. They married in 1970 and spent over 50 years together and they never stopped dancing. In October of 1969 he proudly opened the doors to Flowers by Sal, which became a pillar in the East Cambridge community. This past November he commemorated the store's 50th anniversary with a ceremony celebrating this milestone. His store was an extension of his home, just downstairs from where he lived and raised his family. Sal loved his work and took so much pride in each piece he created. His flower shop wasn't just a shop, but it was also a place where family and friends gathered. Because of his love of traveling he also opened and operated Jet-A-Way Travel for many years. Here he brought his customers' vacation plans to life.

Sal devoted a large part of his life to the S.S. Cosmas and Damian Society in Cambridge, where he was a beloved member, Treasurer and Feast Chairman. He always spoke of his Gaeta, Italy heritage and family history. He kept the society's feast, banquets and annual traditions alive for more than 5 decades. Due to his strong faith and devotion he brought the annual feast to new heights and made it one of the largest events in the Greater Boston area. Some of his proudest moments were watching his wife, children and grandchildren carry on this important part of his life. He was also a longtime member of the Dante Alighieri Society, serving on their Board of Governors and as President. He was a member and Trustee of the Sons of Italy Greater Boston Renaissance Lodge and member of the Pirandello Lyceum. Sal and his wife were fixtures in the Italian American community. He was also a longtime supporter and sponsor of East Cambridge Little League and so many non-profits throughout his community. He was also honored by countless organizations for his tireless efforts and for always giving back to his neighborhood and city. He put his whole heart into everything he did. Sal was a friend to thousands and touched each one of their lives. He loved his East Cambridge roots and in 2001 the city recognized his many years of service by dedicating a square to him and his wife, on the corner where his flower shop is located.

Although he was proud of all of the above, his favorite titles were Husband, Dad and Papa. He loved his family and always put them before himself. His 9 grandchildren were his world and they shared a very special and close bond with him. He was a great Dad and he knew that the most valuable thing in life was family and treasured every moment with them. He loved family gatherings, holiday celebrations, annual trips to Disney World, cruises, Italian beach days or just being at home surrounded by his family. He beamed as he watched his children become adults and his family continued to grow, passing on his traditions to the next generation. With his family he was his happiest.

Sal had a larger than life personality, a great sense of humor and was such a bright light in everyone's lives. He made an impact on so many people and was loved and

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admired by so many. He enjoyed life and always found time to give advice and lend a helping hand. His flower shop was like little City Hall and it was based on the honor system. He never turned anyone away and residents never forgot his kindness. He was beloved by everyone in the neighborhood and his store was a Cambridge institution. He never met a stranger, because within minutes you were his friend. He had the natural ability to make all feel welcome and all feel special. He not only told the best stories, but the way he told the story was unmatched. He always had a smile on his face and brought so much love, laughter and joy to everyone's life. He had a zest for life and was always ready to plan the next adventure. He will be missed beyond measure by his family, friends and community, and he leaves a tremendous legacy for everyone to emulate.

Accordingly, as a mark of respect to the memory of Sal N. DiDomenico at two minutes past four o'clock P.M., on motion of Mr. O'Connor, the Senate adjourned to meet again tomorrow at eleven o'clock A.M.