

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



FRIDAY, DECEMBER 18, 2020

[124]

JOURNAL OF THE SENATE

Friday, December 18, 2020.

Met at twenty-six minutes past twelve o'clock noon (Mr. Brownsberger 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. Brownsberger), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Report.

Report of the committee on Post Audit and Oversight (pursuant to Section 63 of Chapter 3 of the General Laws, as most recently amended by Chapter 557 of the Acts of 1986) submitting a report entitled – “Concerning a visit to the Bristol County House of Corrections by a member of the Massachusetts State Senate on May 2, 2020” (Senate, No. 2980) (received December 18, 2020),-- was placed on file.

Post Audit and Oversight,-- Bristol County House of Corrections.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 5192) of Jack Patrick Lewis (by vote of the town) that the town of Ashland be authorized to change the name of the board of selectmen in said town to the select board,-- was referred, in concurrence, to the committee on Municipalities and Regional Government.

Ashland,-- board of selectmen.

Engrossed Bill—Land Taking for Conservation Etc.

An engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey an easement in certain land in the city of Peabody (see House, No. 4219, amended) (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 twenty-seven minutes past twelve o'clock noon, as follows, to wit (yeas 40 - nays 0) [Yeas and Nays No. 304]:

Peabody,-- easement.

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

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.
O'Connor, Patrick M.
Pacheco, Marc R.

UNCORRECTED PROOF.

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.

Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.
Velis, John C.
Welch, James T. – 40.

NAYS – 0.

The yeas and nays having been completed at twenty-nine minutes past twelve o'clock noon, 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 (Mr. Brownsberger) and laid before the Governor for his approbation.

An engrossed Bill authorizing the city of Framingham to erect a pavilion in Mary Dennison Park (see House, No. 4842) (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 a half past twelve o'clock noon, as follows, to wit (yeas 40 - nays 0) [**Yeas and Nays No. 305**]:

Framingham,-- Mary
Dennison Park.

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.
DiZoglio, Diana
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.

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.
O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.
Velis, John C.
Welch, James T. – 40.

NAYS – 0.

The yeas and nays having been completed at twenty-eight minutes before one 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 (Mr.

Brownsberger) and laid before the Governor for his approbation.

An engrossed Bill 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. (see House, No. 4982) (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 twenty-seven minutes before one o'clock P.M., as follows, to wit (yeas 40 - nays 0) [**Yeas and Nays No. 306**]:

West Springfield,--
conservation
restriction.

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. | Spilka, Karen E. |
| Feeney, Paul R. | Tarr, Bruce E. |
| Finegold, Barry R. | Timilty, Walter F. |
| Friedman, Cindy F. | Tran, Dean A. |
| Gobi, Anne M. | Velis, John C. |
| Hinds, Adam G. | Welch, James T. - 40. |

NAYS - 0.

The yeas and nays having been completed at twenty-six minutes before one 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 (Mr. Brownsberger) and laid before the Governor for his approbation.

Engrossed Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor, returning with recommendation of amendment the engrossed Bill providing for access to reproductive health services (see House, No. 5179) [being the text contained in Section 40 of the General Appropriation Bill (see House, No. 5164) [for message, see House, No. 5190],-- came from the House with endorsement that the House *rejected* the amendment recommended by the Governor (as approved by committee on Bills in the Third Reading).

Reproductive health
services.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

The rules were suspended, on motion of Ms. Chandler.

UNCORRECTED PROOF.

After remarks, the question on the adoption of the Governor's recommendation of amendment was determined by a call of the yeas and nays, at seven minutes before one o'clock P.M., as follows, to wit (yeas 8 — nays 32) [**Yeas and Nays No. 307**]:

YEAS.

Collins, Nick
Fattman, Ryan C.
O'Connor, Patrick M.
Rush, Michael F.

Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.
Velis, John C. — **8.**

NAYS.

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

Gobi, Anne M.
Hinds, Adam G.
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.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Spilka, Karen E.
Welch, James T. — **32.**

The yeas and nays having been completed at one minute past one o'clock P.M., the Governor's amendment was *rejected*, in concurrence.

Sent to the House for re-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 (Mr. Brownsberger) and laid before the Governor for his approbation, to wit:

Exempting certain positions in the police department of the city of Framingham from the civil service law (see House, No. 4864);

Creating a fire department cadet program in the city of Boston (see House, No. 4919);
Relative to an agricultural deed restriction in the town of Westborough (see House, No. 4983, amended);

Exempting the police department of the town of Webster from the civil service law (see House, No. 4955); and

Authorizing the town of Brookline to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises in certain target commercial areas (see House, No. 5067).

Bills laid before the Governor.

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 James B. Eldridge and Danielle W. Gregoire for legislation to establish a sick leave bank for Kathryn Price, an employee

Kathryn Price,-- sick leave.
SD3135

of the department of mental health.

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.

Sent to the House for concurrence.

By Ms. Rausch, for the committee on Municipalities and Regional Government, on petition, a Bill to authorize the town of Andover to issue pension obligation bonds or notes (Senate, No. 2968) [Local approval received];

Wayland,-- elected officials.

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 Ms. Rausch, for the committee on Municipalities and Regional Government, on petition, a Bill relative to Article 97 of the Amendments to the Constitution of the Commonwealth to be preserved for municipal park and open space purposes located at 6 Green Street and 18A Beckford Street in the City of Gloucester (Senate, No. 2974) [Local approval received];

Gloucester,-- preserve 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.

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 allowing the city of Gloucester to temporarily extend the issuance of seasonal alcoholic licenses (Senate, No. 2977),-- **was read a third time and passed to be engrossed.**

Gloucester,-- seasonal liquor licenses.

Sent to the House for concurrence.

The Senate Bill designating a certain boat launch area in the town of Rutland as the Detective John D. Songy Boat Launch (Senate, No. 2932),-- **was read a third time and passed to be engrossed.**

Rutland,-- Songy Boat Launch.

Sent to the House for concurrence.

The House Bill making the charter of the town of Sudbury gender neutral (House, No. 4388) (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.**

Sudbury,-- charter.

The House Bill authorizing the town of North Attleborough to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4990) (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.**

North Attleborough,-
- liquor license.

The House Bill authorizing the town of Plainville to grant additional licenses for the sale of alcoholic beverages (House, No. 5061),-- **was read a third time and passed to be engrossed, in concurrence.**

Plainville,-- liquor license.

The House Bill establishing a sick leave bank for James F. King, an employee of the department of correction (House, No. 5146) (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.**

James F. King,-- sick leave.

UNCORRECTED PROOF.

Order Adopted.

On motion of Mr. O'Connor,--

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 a quarter past one o'clock P.M., the Senate adjourned to meet again on Monday next at eleven o'clock A.M.