

# The Commonwealth of Massachusetts

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## JOURNAL OF THE SENATE.



THURSDAY, MARCH 4, 2021.

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JOURNAL OF THE SENATE

Thursday, March 4, 2021.

Met at seven minutes before twelve o'clock noon (Mr. Collins 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. Collins), 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 Office of the Comptroller (pursuant to Section 35T of Chapter 10 of the General Laws) submitting the March 2021 certification of MBTA Base Sales Tax Revenues and Dedicated Sales Tax Revenues for Fiscal Year 2022 (received March 1, 2021); and

CTR,-- MBTA sales tax. SD2508

Communication from the Tax Expenditure Review Commission (pursuant to Section 14(e) of Chapter 14 of the General Laws) submitting a status update for its biennial report on its review of tax expenditures (received March 1, 2021).

TERC,-- report status. SD2510

Reports.

Report of the Massachusetts Capital Resource Company (under the provisions of Section 20 of Chapter 816 of the Acts of 1977) submitting its forty-fourth annual report (Senate, No. 26) (received March 2, 2021),--was referred to the committee on Revenue.

MCRC,-- annual report.

Sent to the House for concurrence.

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

Report of the Department of Transitional Assistance (pursuant to Section 2(B)(s) of Chapter 18 of the General Laws) submitting its FY21 Electronic Benefit Transfer (EBT) Photo Requirement Exemptions Report (received March 1, 2021);

DTA,-- EBT report. SD2503

Report of the Department of Transitional Assistance (pursuant to Section 2(B)(r) of Chapter 18 of the General Laws) submitting its FY21 Report on Transitional Aid to Families with Dependent Children (TAFDC) Eligible Noncitizen Status Clients (copies having been forwarded as required to the Senate Committee on Ways and Means and Joint Committee on Children, Families and Persons with Disabilities) (received March 1, 2021);

DTA,-- noncitizen report. SD2504

Report of the Department of Revenue (pursuant to Section 89 of Chapter 227 of the Acts of 2020) submitting its Report on the Administrative and Revenue Impact of a Proposal to Allow Owners of Certain Entities to Avoid the Federal Limitation on State and Local Tax Deductions (received March 1, 2021);

DOR,-- tax report. SD2507

Report of the Multi-Agency Illegal Tobacco Task Force (pursuant to Section 40(d) of Chapter 64C of the General Laws) submitting its annual report on the results of its findings, activities and recommendations (received March 1, 2021); and

ITTF,-- annual report. SD2509

**UNCORRECTED PROOF.**

Report of the Massachusetts Development Finance Agency (pursuant to Section 45C(b) of Chapter 75 of the General Laws) submitting its third annual report of the Innovation Voucher Program Fund (received March 1, 2021).

MassDev,-- IVPF  
report.  
SD2511

*Petitions.*

The following petitions (having been deposited in the Office of the Clerk of the Senate prior to five o'clock in the afternoon on Friday, February 19, 2021) were referred, as follows:

By Mr. Brownsberger, a petition (accompanied by bill, Senate, No. 27) of William N. Brownsberger for legislation to extend COVID-19 accommodations for municipalities in elections and for representative town meetings; and

COVID-19,-- town  
meetings.

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 28) of Jason M. Lewis, Kenneth I. Gordon and Bradley H. Jones, Jr. for legislation to provide for early voting by mail;

Early voting,-- mail.

**Severally to the committee on Senate Ways and Means.**

Mr. Brady presented a petition (accompanied by bill) (subject to Joint Rule 12) of Michael D. Brady for legislation relative to a service based retirement option for Group 1 and Group 2 career employees;

Retirement option,--  
service based.  
SD2506

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

PAPERS FROM THE HOUSE.

The following House petitions (having been received in the office of the Clerk of the House of Representatives prior to five o'clock in the afternoon of Friday, February 19, 2021) were severally referred to their various committees, in concurrence, by the Senate as follows:

Petition (accompanied by proposal, House, No. 74) of Mindy Domb, Tami L. Gouveia and David M. Rogers for a legislative amendment to the Constitution relative to voting rights;

Voting rights.

Petition (accompanied by proposal, House, No. 75) of Paul W. Mark for a legislative amendment to the Constitution relative to no fault absentee voting; and

Absentee voting,--  
no fault.

Petition (accompanied by proposal, House, No. 76) of Michael J. Moran and Kevin G. Honan for a legislative amendment to the Constitution to provide for no excuse absentee voting;

Absentee voting,--  
no excuse.

**Severally to the committee on Election Laws.**

Petition (accompanied by proposal, House, No. 77) of Vincent Lawrence Dixon for a proposal for a legislative amendment to the Constitution to establish the right to health care;

Right to health care.

**To the committee on Health Care Financing.**

Petition (accompanied by proposal, House, No. 78) of Vincent Lawrence Dixon for a proposal for a legislative amendment to the Constitution for a Constitutional right to housing;

Right to housing.

**To the committee on Housing.**

Petition (accompanied by proposal, House, No. 79) of Mindy Domb and others for a legislative amendment to the Constitution relative to use of gender in the Constitution of the Commonwealth;

Use of gender,--  
Constitution.

Petition (accompanied by proposal, House, No. 80) of Mindy Domb and others for a legislative amendment to the Constitution relative to the oaths and affirmations of public office;

Public office,-- oaths  
and affirmations.

**UNCORRECTED PROOF.**

Petition (accompanied by proposal, House, No. 81) of Thomas A. Golden, Jr. and James K. Hawkins for a legislative amendment to the Constitution relative to term limits for judges;

Judges,-- term limits.

Petition (accompanied by proposal, House, No. 82) of Bradley H. Jones, Jr. and Susan Williams Gifford for a legislative amendment to the Constitution relative to prohibiting eminent domain takings;

Eminent domain takings.

Petition (accompanied by proposal, House, No. 83) of Sabrina Holland for a legislative amendment to the Constitution relative to equal protection of the laws; and

Laws,-- equal protection.

Petition (accompanied by proposal, House, No. 84) of Paul W. Mark for a legislative amendment to the Constitution relative to a succession plan for a vacancy in the office of Lieutenant-Governor;

Lt. Governor,-- vacancy.

**Severally to the committee on The Judiciary.**

Petition (accompanied by proposal, House, No. 85) of Vincent Lawrence Dixon for a proposal for a legislative amendment to the Constitution for a Constitutional right to employable skills training;

Employable skills training.

**To the committee on Labor and Workforce Development.**

Petition (accompanied by proposal, House, No. 86) of James J. O'Day and Sean Garballey for a legislative amendment to the Constitution to provide resources for education and transportation through an additional tax on incomes in excess of one million dollars;

Tax,-- one million dollars.

**To the committee on Revenue.**

A Bill further providing for early voting by mail (House, No. 73,-- on House, No. 71),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Early voting,-- by mail.

*Resolutions.*

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

Resolutions (filed by Messrs. Tarr and Brady, Ms. Chandler, Ms. Creem, Messrs. Crighton and DiDomenico, Ms. DiZoglio, Messrs. Fattman, Kennedy and Lesser, Ms. Lovely, Mr. Moore, Ms. Moran and Messrs. Rush, Timilty and Velis) “commending the Alpha Omega Council, Inc. for their celebration of Greek Independence Day and the two hundredth anniversary of the Greek War of Independence on March 25, 2021.”

Alpha Omega Council, Inc.

PAPERS FROM THE HOUSE.

A Bill providing for the terms of certain bonds to be issued by the Commonwealth (House, No. 72,-- on House, No. 56),-- was read.

Bond and notes,-- terms.

**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 providing for the terms of certain bonds to be issued by the commonwealth”.**

*Emergency Preamble Adopted; Engrossed Bill Enacted.*

An engrossed Bill providing for the terms of certain bonds to be issued by the commonwealth (see House, No. 72), having been certified by the Senate Clerk to be

Bond and notes,-- terms.

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 3 to 0.

**The bill was signed by the Acting President (Mr. Collins) and sent to the House for enactment.**

**Subsequently, the bill, which originated in the House, came from the House with the endorsement that it had been enacted in that branch.**

**The Senate then passed the bill to be enacted; and it was signed by the Acting President (Mr. Collins) and laid before the Governor for his approbation.**

*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.

*Moment of Silence.*

The Chair (Mr. Collins), the members, guests and staff stood in a moment of silence and reflection to the memory of Dr. Bernard Lown.

Moment of silence.

*Adjournment in Memory of Dr. Bernard Lown.*

The Senator from Middlesex and Norfolk, Ms. Creem, presented a motion that when the Senate adjourns today, it adjourn in memory of Dr. Bernard Lown of Newton, who passed away on February 16, 2021 at the age of 99.

The son of Nisson Lown and Bella (Grossbard) Lown, Bernard was born in Utena, Lithuania on June 7, 1921. His family emigrated to Maine in 1935, where Bernard graduated from Lewiston High School. He went on to earn his Bachelor of Arts degree in zoology from the University of Maine and his medical degree from Johns Hopkins University in 1945.

Bernard married Louise Lown in 1946 and then moved to New York where he completed an internship and residency in New York City. Upon completion of his medical residency, the couple moved to the Boston area in 1950, settling in Newton.

Dr. Lown taught and conducted cardiac research at Peter Bent Brigham Hospital and Harvard Medical School. He was a pioneer in cardiac medical research, and in 1962 invented the first effective heart defibrillator, a cardioverter, a life-saving technique for cardiac resuscitation. This was a significant medical breakthrough which made open-heart surgery possible.

In addition to being a renowned cardiologist, Dr Lown was an anti-war activist interested in social justice. In 1980 he co-founded an international physician's group, International Physicians for the Prevention of Nuclear War, raising public awareness of the catastrophic consequences of atomic warfare. He campaigned against nuclear war, and in 1985 he was awarded the Nobel Peace Prize along with his Russian co-founder. Later he also received UNESCO's Peace Education prize.

Dr. Lown was an innovator who wanted developing nations to benefit from his cardiac research. He founded Asia SatelLife USA, a Boston nonprofit, that launched a communications satellite in 1991 to help provide online medical training and

information to health care workers and doctors in Asia and Africa.

He was the author of several books, including a memoir, “The Lost Art of Healing” (1996) and more than 400 research articles in medical journals. In 2000 he retired from the Harvard School of Public Health, but continued to direct the Lown Cardiovascular Center in Brookline, which emphasized noninvasive and preventative treatments, and cardiac research.

Dr. Lown, predeceased by his wife of 73 years, Louise Lown, is survived by his children and their spouses, Frederic and Barbara Lown, Anne Lown and Warren Green and Naomi Lown and Marvin Lewiton; grandchildren Melanie Lown, Zackary Lown, Emma Lown, Ariel Lewiton and Rachael Lewiton; and a great grandchild, Ezra Moore.

Dr. Lown will be fondly remembered by the medical community, the Newton community and all those who were fortunate to have known him.

Accordingly, as a mark of respect to the memory of Dr. Bernard Lown, at twenty-seven minutes past twelve o’clock noon, on motion of Mr. Fattman, the Senate adjourned to meet again on Monday next at eleven o’clock A.M.