

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, FEBRUARY 11, 2021.

[14]

JOURNAL OF THE SENATE

Thursday, February 11, 2021.

Met at sixteen minutes past eleven o'clock A.M.

The President, members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Reports.

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

Report of the Department of Transitional Assistance (pursuant to Section 2(B)(g) of Chapter 18 and Section 2 of Chapter 118 of the General Laws) submitting its FY20 and FY21 Standard Budgets of Assistance for Transitional Aid to Families with Dependent Children Reports (received February 8, 2021);

DTA,-- TAFDC reports. SD974

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to the inspection of Berkshire County Jail and House of Correction (received February 9, 2021);

DPH,-- facility inspection. SD1034

Report of the Executive Office of Labor and Workforce Development (pursuant to Chapter 197 of the Acts of 2020) submitting its Lost Wages Assistance Program Report (received February 8, 2021);

LWD,-- LWA report. SD1048

Report of the Massachusetts Housing and Shelter Alliance (pursuant to line item 7004-0104 of Chapter 227 of the Acts of 2020) submitting its Home and Healthy for Good Progress Report (received February 10, 2021); and

MHSA,-- HHG report. SD1051

Report of the Office of Community Corrections (pursuant to Section 5 of Chapter 211F of the General Laws) submitting its FY2020 Annual Report and Community Corrections Centers Statistical Report (received February 10, 2021).

OCC,-- annual report. SD1054

PAPER FROM THE HOUSE.

Notice was received from the House of Representatives announcing the following appointment by the Speaker:

Representative Ehrlich of Marblehead to the special commission established (under Section 93 of Chapter 358 of the Acts of 2020) to study journalism in underserved communities in the Commonwealth.

Journalism in underserved communities.

Orders of the Day.

The Orders of the Day were considered, as follows:

The Senate Report recommending proposed Senate Rules to be adopted as the permanent rules of the Senate for 2021-2022 (Senate, No. 10),-- was considered, the main question being on acceptance of the report.

Senate Rules.

After remarks, Messrs. Tarr and O'Connor moved to amend the report in rule 31 by inserting at the end thereof the following:- "upon a successful motion to have amendments printed in the calendar, the senate shall not take up the matter subject to said motion for at least 24 hours".

2

After remarks, the amendment was rejected.

Mr. Tarr moved to amend the report in rule 27A by striking the words "fifth

3

business day” and inserting in place thereof the following:- “seventh business day”.

Recess.

There being no objection, at twenty-two minutes before one o’clock P.M., the President declared a recess, subject to the call of the Chair; and at ten minutes past one o’clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

Recess.

Orders of the Day.

The Orders of the Day were further considered, as follows:

The Senate Report recommending proposed Senate Rules to be adopted as the permanent rules of the Senate for 2021- 2022 (Senate, No. 10),-- was again considered, the main question being on acceptance of the report.

Senate Rules.

Mr. Tarr moved to amend the report in rule 27A by striking the words “fifth business day” and inserting in place thereof the following:- “seventh business day”.

3

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at nineteen minutes past one o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 4 – nays 35) [**Yeas and Nays No. 2**]:

YEAS.

DiZoglio, Diana
Fattman, Ryan C.

O'Connor, Patrick M.
Tarr, Bruce E. – **4.**

NAYS.

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.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.

Gomez, Adam
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.
Rush, Michael F.
Timilty, Walter F.
Velis, John C. – **35.**

The yeas and nays having been completed at twenty-eight minutes past one o'clock P.M., the amendment was *rejected*.

Messrs. Tarr, O'Connor and Fattman moved to amend the report by inserting in rule 27A in the second paragraph after the words “The committee on Ways and Means shall provide the membership with a copy of its proposed text of the general appropriations bill, and an executive summary which shall include a list of outside sections, and a short summary of each outside section not later than the fifth business day prior to full Senate consideration of such bill.” the following:- “The membership shall have at least 5 days following receiving the proposed text to file amendments to the said proposed text.”.

4

UNCORRECTED PROOF.

After remarks, the amendment was *rejected*.

Messrs. Tarr, O'Connor and Fattman moved to amend the report in rule 7 by striking, "2 hours" and inserting in place thereof the following:- "3 hours". 5

After remarks, the amendment was *rejected*.

Messrs. Tarr, O'Connor and Fattman moved to amend the report by striking in rule 38 1/2 the following:- "This rule shall not be suspended unless two-thirds of the members present and voting consent to such suspension on a recorded yea and nay vote" and inserting in place thereof the following:- "This rule shall not be suspended without unanimous consent." 6

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at seven minutes before two o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 6 – nays 34) [**Yeas and Nays No. 3**]:

YEAS.

DiZoglio, Diana
Fattman, Ryan C.
Finegold, Barry R.

O'Connor, Patrick M.
Tarr, Bruce E.
Timilty, Walter F. – 6.

NAYS.

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.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Eldridge, James B.
Feeney, Paul R.
Friedman, Cindy F.
Gobi, Anne M.

Gomez, Adam
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.
Rush, Michael F.
Spilka, Karen E.
Velis, John C. – 34.

The yeas and nays having been completed at one minute before two o'clock P.M., the amendment was *rejected*.

Messrs. Tarr and Fattman moved to amend the report by inserting after rule 38A the following new rule 38A 1/4:- "The Senate shall not continue in session beyond 10 pm. This rule shall not be suspended unless two-thirds of the members present and voting consent to such suspension on a recorded yea and nay vote." 7

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at one minute past two o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 6 – nays 34) [**Yeas and Nays No. 4**]:

YEAS.

DiZoglio, Diana
Fattman, Ryan C.
Kennedy, Edward J.

O'Connor, Patrick M.
Tarr, Bruce E.
Timilty, Walter F. – 6.

NAYS.

Barrett, Michael J.

Gobi, Anne M.

UNCORRECTED PROOF.

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.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.

Gomez, Adam
Hinds, Adam G.
Jehlen, Patricia D.
Keenan, John F.
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.
Rush, Michael F.
Spilka, Karen E.
Velis, John C. – **34.**

The yeas and nays having been completed at seven minutes past two o'clock P.M., the amendment was *rejected*.

Messrs. Tarr, O'Connor and Fattman moved to amend the report by inserting after rule 5A the following new rule 5A1/4- "The Senate shall not convene in formal sessions with or without a calendar within 8 hours of each other, unless an emergency is declared by the Senate President. This rule can only be suspended by unanimous consent."

8

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at eleven minutes past two o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 6 – nays 34) [**Yeas and Nays No. 5**]:

YEAS.

DiZoglio, Diana
Fattman, Ryan C.
Keenan, John F.

O'Connor, Patrick M.
Tarr, Bruce E.
Timilty, Walter F. – **6.**

NAYS.

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.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.

Gobi, Anne M.
Gomez, Adam
Hinds, Adam G.
Jehlen, Patricia D.
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.
Rush, Michael F.
Spilka, Karen E.
Velis, John C. – **34.**

The yeas and nays having been completed at sixteen minutes past two o'clock P.M., the amendment was *rejected*.

Messrs. Tarr, O'Connor and Fattman moved to amend the report by inserting at the end of rule 46 the following:- “(7) to print the amendments in the calendar”. 9

The amendment was *rejected*.

Messrs. Tarr, O'Connor and Fattman moved to amend the report in rule 24 by striking the following:- “14 days” and inserting in place thereof the following:- “7 days”. 10

After remarks, the amendment was *rejected*.

Ms. DiZoglio moved to amend the report in Rule 7 by striking “2 calendar days” and inserting in place thereof the following:- “48 hours”; by inserting after “2 hours prior to the start of that session” the following:- “; provided, however, that the calendar for any formal session on a day following a formal session which includes new matters in order for consideration shall be available no later than 24 hours prior to the start of that session”; by striking “2/3 vote” and inserting in place thereof the following:- “unanimous vote”; and by inserting after “yeas and nays” the following:- “; except in the event of an emergency, in which case the presentation of a calendar may be suspended by a 2/3 vote of the members present and voting as determined by a call of the yeas and nays. The latter shall be reserved for those sessions in which the matters under consideration must take effect immediately upon enactment in order to be effective for the purposes for which they are enacted.”. 11

The amendment was *rejected*.

Ms. DiZoglio moved to amend the report in Rule 11 by striking “someone” and inserting in place thereof the following:- “a member of the Senate”. 13

The amendment was adopted.

Ms. DiZoglio moved to amend the report by striking Rule 11D and inserting in place thereof the following rule:- 14

“11D. Members and staff shall receive ethics training within 90 days of the opening of the biennial session. All members and staff beginning employment after the ethics training held within 90 days of the opening of the biennial session shall complete ethics training at the next available training opportunity. Ethics training shall be mandatory for all members and staff and all members and staff shall confirm completion of the training. The Committee on Ethics shall sponsor ethics training at intervals sufficient to allow all members and staff to receive the training within 90 days of beginning employment. This rule shall not be suspended.”

After remarks, the amendment was *rejected*.

Ms. DiZoglio moved to amend the report in Rule 11F by inserting after “completion of the training” the following:- “. Anti-harassment and bystander intervention training shall be available at intervals sufficient to allow all members, officers, and staff to receive the training within 90 days of beginning employment”. 15

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at sixteen minutes before three o'clock P.M., on motion of Ms. DiZoglio, as follows, to wit (yeas 10 – nays 29) **[Yeas and Nays No. 6]:**

YEAS.

DiZoglio, Diana
Eldridge, James B.
Fattman, Ryan C.
Gobi, Anne M.
Moore, Michael O.

O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Tarr, Bruce E.
Timilty, Walter F. – **10.**

NAYS.

Barrett, Michael J.

Friedman, Cindy F.

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.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Feeney, Paul R.
Finegold, Barry R.

Gomez, Adam
Hinds, Adam G.
Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moran, Susan L.
Rodrigues, Michael J.
Rush, Michael F.
Velis, John C. – 29.

The yeas and nays having been completed at nine minutes before three o'clock P.M., the amendment was *rejected*.

Ms. DiZoglio moved to amend the report in Rule 12 by inserting after “a majority of the members.” the following:- “Notwithstanding suspension of the 72 hour notice requirement, committees shall notify the clerk of the time, place and agenda of an executive session not less than 24 hours prior to the time of such executive session and the clerk shall inform all senate members electronically and publish such information on the official website of the General Court whenever practicable. The 24 hour notice requirement shall be suspended only in an emergency and upon a recorded unanimous vote of all of the committee members.”; by inserting after “bills or other forms of legislative matters” the following:- “not less than 24 hours”; by inserting after “executive session or poll.” the following:- “Committee members who are unable to attend an executive session shall be permitted to vote by electronic means in like manner as when responding to a poll, for a period of not less than 24 hours prior to the start of such executive session. Committee members shall be given not less than 24 hours to respond to a poll.”; and by striking the figure “48” and inserting the following figure:- “24”.

16

After remarks, the amendment was *rejected*.

Ms. DiZoglio moved to amend the report in Rule 13C by inserting after “annual fiscal year audit of” the following:- “all”; and by striking the second sentence.

17

The amendment was adopted.

Ms. DiZoglio moved to amend the report in Rule 17 by inserting at the end thereof the following:- “The use of an emergency preamble shall be reserved for those instances in which the bill or resolve must take effect immediately upon enactment in order to be effective for the purposes for which it is enacted.”

18

After remarks, the amendment was *rejected*.

Ms. DiZoglio and Mr. Tarr moved to amend the report in the second paragraph of Rule 27A by inserting after “by order of the Senate” the following:- “provided, however, that a reasonable amount of time, and not less than 48 hours, shall be provided to file amendments”.

19

After remarks, the amendment was adopted.

Ms. Friedman in the Chair, Ms. DiZoglio and Mr. Tarr moved to amend the report in the third paragraph of Rule 27A by inserting after “a reasonable amount of time” the following:- “, and not less than 48 hours,”.

20

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at four minutes past three o'clock P.M., on motion of Ms.

DiZoglio, as follows, to wit (yeas 5 – nays 34) [Yeas and Nays No. 7]:

YEAS.

DiZoglio, Diana
Fattman, Ryan C.
O'Connor, Patrick M.

Rausch, Rebecca L.
Tarr, Bruce E. – 5.

NAYS.

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.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.

Gobi, Anne M.
Gomez, Adam
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.
Rodrigues, Michael J.
Rush, Michael F.
Timilty, Walter F.
Velis, John C. – 34.

The yeas and nays having been completed at twelve minutes past three o'clock P.M., the amendment was *rejected*.

Ms. DiZoglio moved to amend the report in the third paragraph of Rule 27A by striking the figure “24” and inserting the following figure:- “48”. 21

The amendment was *rejected*.

Ms. DiZoglio moved to amend the report in the fourth paragraph of Rule 27A by inserting after “Rule 27 or 27A” the following:- “. A technical or perfecting amendment may be used to make corrections to avoid repetitions and unconstitutional provisions, to ensure accuracy in the text and references, and consistency with the language of existing statutes, and to give effect to section 52 of chapter 3 of the General Laws, and shall not be permitted to make any change in the sense of legal effect, or any material change in construction or substance, including, but not limited to, additional appropriations or policy measures”. 22

After remarks, the amendment was *rejected*.

Ms. DiZoglio moved to amend the report in Rule 31A by striking “1 day” and inserting in place thereof the following:- “48 hours”. 23

The amendment was *rejected*.

Ms. DiZoglio moved to amend the report by striking the third paragraph of Rule 33A and inserting in place thereof the following:- “This rule shall be suspended only upon a unanimous vote of the members present and voting; except in the event of an emergency, in which case this rule may be suspended by a 2/3 vote of the members present and voting. The latter shall be reserved for those instances in which the legislative matter must take effect immediately upon enactment in order to be effective for the purposes for which it is enacted.” 25

After remarks, the amendment was *rejected*.

Ms. DiZoglio moved to amend the report by striking Rule 38A 1/2 and inserting 26

in place thereof the following new rule:-

“38A 1/2. The Senate shall not continue in session beyond midnight. This rule shall not be suspended except by unanimous vote of the members present and voting on a recorded ye and nay vote; except in the event of an emergency, in which case this rule may be suspended by a 2/3 vote of the members present and voting on a recorded ye and nay vote. The latter shall be reserved for those instances in which the legislative matter currently under consideration must take effect immediately upon enactment in order to be effective for the purposes for which it is enacted. In the event this rule is suspended and session continues beyond midnight, upon adjournment of such session, the Senate shall stand adjourned for not less than 8 hours.”

The amendment was *rejected*.

Ms. DiZoglio moved to amend the report in the second paragraph of Rule 52 by striking “not exceeding” and inserting in place thereof the following:- “not more than”. 27

The amendment was *rejected*.

Ms. DiZoglio and Mr. Tarr moved to amend the report in Rules 59A and 59D by striking the word “formal” in each instance it appears. 28

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-two minutes past three o'clock P.M., on motion of Ms. DiZoglio, as follows, to wit (yeas 39 – nays 0) [**Yeas and Nays No. 8**]:

YEAS.

- | | |
|--------------------------|------------------------------|
| Barrett, Michael J. | Gomez, Adam |
| Boncore, Joseph A. | Hinds, Adam G. |
| Brady, Michael D. | Jehlen, Patricia D. |
| Brownsberger, William N. | Keenan, John F. |
| Chandler, Harriette L. | Kennedy, Edward J. |
| Chang-Diaz, Sonia | Lesser, Eric P. |
| Collins, Nick | Lewis, Jason M. |
| Comerford, Joanne M. | Lovely, Joan B. |
| Creem, Cynthia Stone | Montigny, Mark C. |
| Crighton, Brendan P. | Moore, Michael O. |
| Cronin, John J. | Moran, Susan L. |
| Cyr, Julian | O'Connor, Patrick M. |
| DiDomenico, Sal N. | Pacheco, Marc R. |
| DiZoglio, Diana | Rausch, Rebecca L. |
| Eldridge, James B. | Rodrigues, Michael J. |
| Fattman, Ryan C. | Rush, Michael F. |
| Feeney, Paul R. | Tarr, Bruce E. |
| Finegold, Barry R. | Timilty, Walter F. |
| Friedman, Cindy F. | Velis, John C. – 39 . |
| Gobi, Anne M. | |

NAYS – 0.

The yeas and nays having been completed at twenty-nine minutes past three o'clock P.M., the amendment was adopted.

Ms. DiZoglio, Ms. Chang-Diaz, Ms. Rausch and Messrs. Eldridge, Gomez and Tarr moved to amend the report by inserting at the end of subsection (d) of Rule 62B the following:- “. The Chief Financial Officer shall include diversity and inclusion plan requirements in all requests for proposals and shall consider those plans alongside traditional criteria when evaluating bids.” 29

UNCORRECTED PROOF.

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at eighteen minutes before four o'clock P.M., on motion of Ms. DiZoglio, as follows, to wit (yeas 39 – nays 0) [**Yeas and Nays No. 9**]:

YEAS.

Barrett, Michael J.	Gomez, Adam
Boncore, Joseph A.	Hinds, Adam G.
Brady, Michael D.	Jehlen, Patricia D.
Brownsberger, William N.	Keenan, John F.
Chandler, Harriette L.	Kennedy, Edward J.
Chang-Diaz, Sonia	Lesser, Eric P.
Collins, Nick	Lewis, Jason M.
Comerford, Joanne M.	Lovely, Joan B.
Creem, Cynthia Stone	Montigny, Mark C.
Crighton, Brendan P.	Moore, Michael O.
Cronin, John J.	Moran, Susan L.
Cyr, Julian	O'Connor, Patrick M.
DiDomenico, Sal N.	Pacheco, Marc R.
DiZoglio, Diana	Rausch, Rebecca L.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Rush, Michael F.
Feeney, Paul R.	Tarr, Bruce E.
Finegold, Barry R.	Timilty, Walter F.
Friedman, Cindy F.	Velis, John C. – 39 .
Gobi, Anne M.	

NAYS – 0.

The yeas and nays having been completed at thirteen minutes before four o'clock P.M., the amendment was adopted.

Ms. DiZoglio moved to amend the report in Rule 7 by inserting after “objects to its consideration” the following:- “Such matter shall instead be placed in the Orders of the Day for the next formal session for consideration by the Senate”. 31

After remarks, the amendment was *rejected*.

Messrs. Keenan and O'Connor moved to amend the report in Rule 38A 1/2 by adding at the end thereof the following words:- “; the requirement of a recorded yea and nay vote shall not be suspended”. 32

After remarks, the amendment was *rejected*.

Messrs. Keenan and O'Connor moved to amend the report in Rule 27A by striking paragraph 6 and inserting in place thereof the following paragraph:- “Upon the filing of a further or redrafted amendment, the President shall announce that such amendment has been filed. Further amendments and redrafted amendments shall upon request be distributed by the member offering the amendment to each member at their assigned desk. Members shall be given a reasonable amount of time for review prior to taking action on any further or redrafted amendments, but not less than twenty minutes from the time the President announces the filing of the amendment.” 33

After remarks, the amendment was *rejected*.

Messrs. Keenan and O'Connor moved to amend the report in Rule 1 by adding at the end thereof the following words:- “provided, the Senate shall not stand adjourned to meet again less than 8 hours from adjournment, except in the case of an emergency”. 34

The amendment was *rejected*.

Messrs. Tarr and Fattman moved to amend the report in rule 57B by adding after the word “question” in the first sentence the following:- “provided that any use of electronic voting would require a call of the yeas and nays in order to use said electronic voting”. 35

After remarks, the amendment was *rejected*.

Messrs. Tarr, O'Connor and Fattman moved to amend the report in rule 13B by inserting after the words “The President shall honor the request of the Minority Leader” the following:- “or any member of the minority caucus”; and by inserting after the words “Such request shall be made to the Senate President or Minority Leader” the following:- “or any member of the minority caucus”. 36

The amendment was *rejected*.

Ms. Rausch and Messrs. Keenan, O'Connor and Eldridge moved to amend the report by inserting after Rule 56 the following new rule:- 37

“56A. When the Senate is in formal session, all votes to engross a matter shall be taken by a call of the yeas and nays. This rule shall not apply to matters pertaining only to a single individual or single municipality in the Commonwealth. This rule shall be suspended only upon a vote of two-thirds of the members present and voting.”

After remarks, the amendment was *rejected*.

Messrs. Tarr, O'Connor and Fattman moved to amend the report in rule 12 Committee on Redistricting by striking out “1 member appointed by the Minority Leader” and inserting in place thereof the following:- “2 members to appointed by the Minority Leader”. 40

After remarks, the amendment was adopted.

Messrs. Tarr, O'Connor and Fattman moved to amend the report in Rule 31B by inserting after the words “given a reasonable amount of time” the following:- “of not less than 15 minutes”. 42

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at twelve minutes past four o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 7 – nays 32) [**Yeas and Nays No. 10**]:

YEAS.

Chang-Diaz, Sonia
DiZoglio, Diana
Fattman, Ryan C.
Keenan, John F.

O'Connor, Patrick M.
Rausch, Rebecca L.
Tarr, Bruce E. – 7.

NAYS.

Barrett, Michael J.
Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.

Gobi, Anne M.
Gomez, Adam
Hinds, Adam G.
Jehlen, Patricia D.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
Pacheco, Marc R.

UNCORRECTED PROOF.

Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.

Rodrigues, Michael J.
Rush, Michael F.
Timilty, Walter F.
Velis, John C. – **32.**

The yeas and nays having been completed at twenty-three minutes past four o'clock P.M., the amendment was *rejected*.

Messrs. Tarr, O'Connor and Fattman moved to amend the report in Rule 33A by inserting after the words "All legislative matters receiving a Senate number" the following:- "or amendments to legislative matters". 43

The amendment was *rejected*.

Messrs. Tarr, O'Connor and Fattman moved to amend the report in rule 12 by inserting at the end thereof the following:- "Any public hearing conducted remotely shall utilize technology that allows for contemporaneous participation by the public using one or more publicly accessible technological platforms which facilitate telephonic or computerized participation to the greatest extent possible." 44

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-seven minutes past four o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 6 – nays 33) [**Yeas and Nays No. 11**]:

YEAS.

Chang-Diaz, Sonia
DiZoglio, Diana
Fattman, Ryan C.

O'Connor, Patrick M.
Rausch, Rebecca L.
Tarr, Bruce E. – **6.**

NAYS.

Barrett, Michael J.
Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.

Gomez, Adam
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.
Rodrigues, Michael J.
Rush, Michael F.
Timilty, Walter F.
Velis, John C. – **33.**

The yeas and nays having been completed at twenty-seven minutes before five o'clock P.M., the amendment was *rejected*.

Mr. Fattman moved to amend the report by inserting after rule 38B the following:- 45

"38C. Upon the adjournment or postponement of a senate session, a new legislative calendar shall not be printed in the same calendar day or before the expiration of a 24-hour period-of-time. This rule shall not be suspended."

The amendment was *rejected*.

Mr. Fattman moved to amend the report by inserting after rule 38A 1/2 the following:- 46

“38A 1/3. The Senate shall not continue in session beyond the hour of 10pm. This rule shall not be suspended unless three-fourths of the members present and voting consent to such suspension on a recorded yea and nay vote.”

Pending the question on adoption of the amendment (Fattman) Mr. Tarr moved that the pending amendment be amended by inserting at the end of the underlying amendment the following:- by striking Rule 38A 1/2 in its entirety and inserting in place thereof the following:-

“Rule 38A 1/2 The Senate shall not continue in session beyond the hour of midnight. This rule shall not be suspended unless three-fourths of the members present and voting consent to such suspension on a recorded yea and nay vote.”

After remarks, the further amendment (Tarr) was *rejected*.

The pending amendment (Fattman) was then considered, and it was *rejected*.

Mr. Fattman moved to amend the report by striking out rule 33A, and inserting in place thereof the following:-

“33A. All legislative matters receiving a Senate number shall be presented and made available to all the members of the Senate and to the public at least 48 hours in advance of consideration by the Senate.

All other amendments recommended by any committee, other than the Committee on Bills in the Third Reading, shall be subject to this rule. This rule shall be suspended only upon a vote of three-fourths of the members present and voting. [1985.]”

The amendment was *rejected*.

Mr. Fattman moved to amend the report by inserting after rule 38 the following:-

“38 1/2. The Senate shall reach unanimous consent to continue any session past midnight.”

The amendment was laid aside.

Messrs. Tarr and Fattman moved that the pending amendment be amended by striking the underlying amendment in its entirety and inserting in place thereof the following:-

“Rule 38A 1/2 is hereby struck in its entirety and inserting in place thereof the following: Rule 38A 1/2 The Senate shall not continue in session beyond the hour of midnight. This rule shall not be suspended unless three-fourths of the members present and voting consent to such suspension on a recorded yea and nay vote.”

The amendment was laid aside.

Mr. Fattman moved to amend the report by striking out rule 24, and inserting in place thereof the following:-

“24. The consideration of any order proposed for adoption, or of any motion to suspend Senate Rule 15, or Joint Rules 8, 9 or 12, shall be postponed without question for 24 hours after that on which the order is proposed or request made, if any member asks such postponement. The consideration of any motion to lay a matter on the table or to take a matter from the table shall be postponed without question 24 hours after that on which the motion is made (except during the last 7 calendar days of formal business under Joint Rule 12A). [1885; 1891; 1971; 1973; 1983, 1997; 1999.]”

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays. at eighteen minutes before five o'clock P.M., on motion of Mr. Fattman, as follows, to wit (yeas 5 – nays 34) [**Yeas and Nays No. 12**]:

YEAS.

DiZoglio, Diana

Tarr, Bruce E.

Fattman, Ryan C.
O'Connor, Patrick M.

Timilty, Walter F. – 5.

NAYS.

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.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.

Gobi, Anne M.
Gomez, Adam
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.
Rush, Michael F.
Velis, John C. – 34.

The yeas and nays having been completed at twelve minutes before five o'clock P.M., the amendment was *rejected*.

Mr. Fattman moved to amend the report by striking out Rule 12, and inserting in place thereof the following:-

50

“Rule 12.

The following standing committees shall be appointed by the President, to wit:

A Committee on Bills in the Third Reading; To consist of 5 members, 1 of whom shall be appointed by the Minority Leader.

A Committee on Post Audit and Oversight; To consist of 8 members, 2 of whom shall be appointed by the Minority Leader.

A Committee on Ethics; To consist of 7 members, including 2 members appointed by the Minority Leader.

A Committee on Rules; To consist of 7 members, including 2 members appointed by the Minority Leader.

A Committee on Global Warming and Climate Change; To consist of 6 members, 1 of whom shall be appointed by the Minority Leader.

A Committee on Steering and Policy; To consist of 5 members, 1 of whom shall be appointed by the Minority Leader.

A Committee on Ways and Means; To consist of 18 members, including 3 members appointed by the Minority Leader.

A Committee on Intergovernmental Affairs; To consist of 6 members, including 1 member appointed by the Minority Leader.

A Committee on Redistricting; To consist of 6 members, including 3 members appointed by the Minority Leader.

A Committee on Personnel and Administration; To consist of 7 members, including 2 members appointed by the Minority Leader.

Committee hearings and executive sessions shall not be scheduled in conflict with formal sessions of the Senate unless the chair submits to the Clerk a written explanation for scheduling the hearing or session in conflict with the formal session and said written explanation shall be published in the senate journal. Committees shall notify the clerk of the time, place and agenda of a public hearing or executive

session not less than 72 hours prior to the time of such meeting and the clerk shall inform all senate members electronically and publish such information on the official website of the General Court whenever practicable. If public testimony is being solicited by the committee, agendas shall include an electronic mail address and a physical mail address for the submission of testimony and shall inform the public that testimony received may be made publicly available. The 72 hour notice requirement shall be suspended only in an emergency and only after reasonable efforts have been made to contact all committee members and upon a recorded vote of not less than a majority of the members. Any such public testimony received by the committee that is readily capable of being reproduced shall be made available to the public upon request; provided, however, that the committee may redact such public testimony that includes sensitive personal information or information that may jeopardize the health, wellness or safety of an individual. If expert testimony is being solicited by the committee, the committee shall make reasonable efforts to promote the diversity of expert witness panels. Committees shall provide to members of the committee either the text or comprehensive summaries of the bills or other forms of legislative matters prior to the beginning of an executive session or poll. All recorded votes of each member and by the committees shall be posted on the website of the General Court as soon as practicable but no later than 48 hours of the vote being taken; provided in the two weeks prior to the third Wednesday in November which shall be considered the conclusion of all formal business of the first annual session of the General Court or the two weeks prior to the last day of July of the second annual session committees shall post all recorded votes as soon as practicable. [1831; 1836; 1840; 1844; 1847; 1863; 1864; 1870; 1876; 1882; 1885; 1886; 1888; 1891; 1896; 1897; 1920; 1937; 1939; 1941; 1945; 1946; 1957; 1960; 1963; 1965; 1969; 1971; 1972; 1982; 1989; 1991; 1993; 1995; 1997; 2003; 2005; 2007; 2009; 2011; 2015; 2017, 2019.]”

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at nine minutes before five o'clock P.M., on motion of Mr. Fattman, as follows, to wit (yeas 4 – nays 35) **[Yeas and Nays No. 13]:**

YEAS.

DiZoglio, Diana
Fattman, Ryan C.

O'Connor, Patrick M.
Tarr, Bruce E. – 4.

NAYS.

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.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.

Gomez, Adam
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.
Rush, Michael F.
Timilty, Walter F.

Friedman, Cindy F.
Gobi, Anne M.

Velis, John C. – 35.

The yeas and nays having been completed at four minutes before five o'clock P.M., the amendment was *rejected*.

Mr. Fattman moved to amend the report by inserting after rule 11E the following:- “

51

“11E 1/2. Members of the Senates’ compensation for office and travel expense shall be determined by the member’s primary residence as the ‘crow flies,’ determined and calculated by the Senate Clerk’s Office.”

The amendment was *rejected*.

Ms. DiZoglio moved to amend the report by striking Rule 33A and inserting in place thereof the following new rule:-

24

“33A. All legislative matters receiving a Senate number shall be presented and made available to all the members of the Senate and to the public at least 72 hours in advance of consideration by the Senate.

All other amendments recommended by any committee, other than the Committee on Bills in the Third Reading, shall be subject to this rule. This rule shall be suspended only upon a unanimous vote of the members present and voting; except in the event of an emergency, in which case this rule may be suspended by a 2/3 vote of the members present and voting. The latter shall be reserved for those instances in which the legislative matter must take effect immediately upon enactment in order to be effective for the purposes for which it is enacted.”

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at a quarter past five o'clock P.M., on motion of Ms. DiZoglio, as follows, to wit (yeas 5 – nays 34) **[Yeas and Nays No. 14]:**

YEAS.

DiZoglio, Diana
Fattman, Ryan C.
O'Connor, Patrick M.

Tarr, Bruce E.
Timilty, Walter F. – 5.

NAYS.

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.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.

Gobi, Anne M.
Gomez, Adam
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.
Rush, Michael F.
Velis, John C. – 34.

The yeas and nays having been completed at nineteen minutes past five o'clock P.M., the amendment was *rejected*.

Ms. DiZoglio and Mr. Tarr moved to amend the report in Rule 7 by striking “1 calendar day” and inserting in place thereof the following:- “24 hours”; and by inserting after “except when sessions are held on consecutive days” the following:- “with no new matters being presented in order for consideration”. 30

The amendment was *rejected*.

Ms. DiZoglio moved to amend the report in Rule 7A by inserting after “recess” the following:- “of at least 1 hour”. 12

After remarks, the amendment was *rejected*.

Messrs. Tarr, O'Connor and Fattman moved to amend the report in rule 7A by inserting after, the word “recess” the following:- “of at least 30 minutes”. 1

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-three minutes past five o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 5 – nays 34) [**Yeas and Nays No. 15**]:

YEAS.

DiZoglio, Diana
Fattman, Ryan C.
O'Connor, Patrick M.

Tarr, Bruce E.
Timilty, Walter F. – 5.

NAYS.

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.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.

Gobi, Anne M.
Gomez, Adam
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.
Rush, Michael F.
Velis, John C. – 34.

The yeas and nays having been completed at twenty-nine minutes past five o'clock P.M., the amendment was *rejected*.

Ms. Lovely moved to amend the report in Rule 11A, by inserting after the words “in accordance with the” the following words:- “pursuant to the procedures outlined in the”; and in Rule 12, by striking out the figure “7”, the third time it appears, and inserting in place thereof the following figure:- “8”. 41

The amendment was adopted.

The report was adopted, as amended.

Order Adopted.

On motion of Ms. Lovely,--

Ordered, that the Rules of the Senate be amended in Rule 12, by inserting after the word “wit:” the following words:-

“A Special Committee on Reimagining Massachusetts: Post-Pandemic

Senate Rule 12.
SD1091

Resiliency;

To consist of 7 members, 1 of whom shall be appointed by the Minority Leader.”

The rules were suspended on motion of Ms. Lovely, and the order was adopted.

Orders of the Day.

The Orders of the Day were further considered, as follows:

The Senate Report recommending proposed Joint Rules to be adopted as the permanent Joint Rules of the Senate and House of Representatives for 2021-2022 (Senate, No. 11),-- was considered, the main question being on acceptance of the report.

Joint Rules.

Mr. Brownsberger in the Chair, Messrs. Tarr and O'Connor moved to amend the report in rule 11B by striking the words “8 p.m. on the day preceding its consideration and the General Court shall not consider said report before 1 p.m. on the following day,” and inserting in place thereof the following:- “5 p.m. and the General Court shall not consider said report before 72 hours after the report has been filed”.

1

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at one minute before six o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 6 – nays 33) [**Yeas and Nays No. 16**]:

YEAS.

DiZoglio, Diana
Fattman, Ryan C.
Keenan, John F.

O'Connor, Patrick M.
Tarr, Bruce E.
Timilty, Walter F. – **6.**

NAYS.

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.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.

Gobi, Anne M.
Gomez, Adam
Hinds, Adam G.
Jehlen, Patricia D.
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.
Rush, Michael F.
Velis, John C. – **33.**

The yeas and nays having been completed at five minutes past six o'clock P.M., the amendment was *rejected*.

Messrs. Tarr and O'Connor moved to amend the report by inserting at the end of Joint Rule 11B the following:- “The clerk shall as soon post the text of the conference committee report or the General Appropriations Act as soon as practicable, but no later than 30 mins, following its filing.”

2

After remarks, the amendment was *rejected*.

Ms. DiZoglio moved to amend the report in Rule 1A by striking “, unless a majority shall vote otherwise”. 3

The amendment was *rejected*.

Ms. DiZoglio moved to amend the report in Rule 1D by striking the fifth sentence and inserting in place thereof the following:- “No executive session shall be held except upon extraordinary circumstances. Committees shall notify the Clerk of the House of the time, place and agenda of an executive session not less than 24 hours prior to the time of such executive session and the Clerk of the House shall inform all committee members electronically and publish such information on the official website of the General Court whenever practicable. The 24 hour notice requirement shall be suspended only upon a recorded unanimous vote of all of the committee members.”; by inserting after “bills or other forms of legislative matters” the following:- “not less than 24 hours”; by inserting after “executive session or poll.” the following:- “Committee members who are unable to attend an executive session shall be permitted to vote by electronic means in like manner as when responding to a poll, for a period of not less than 24 hours prior to the start of such executive session. Committee members shall be given not less than 24 hours to respond to a poll.”; and by inserting after “on the website of the General Court” the following:- “as soon as practicable but no later than 24 hours of the vote being taken”. 4

The amendment was *rejected*.

Ms. DiZoglio moved to amend the report in Rule 1C by inserting at the end thereof the following:- “In the event of a disagreement of the chairs which shall prevent the scheduling of a poll or executive session with respect to a particular matter referred to such committee, a poll or executive session with respect to such matter may nevertheless be scheduled upon a recorded vote of two-thirds of the members of each branch appointed to the committee.” 5

After remarks, the amendment was *rejected*.

Ms. DiZoglio and Mr. O'Connor moved to amend the report in Rule 1 by inserting at the end thereof the following new paragraph:- 6

“Neither branch of the general court shall include or permit a nondisclosure, non-disparagement or other similar clause in an agreement or contract between such branch and a member, officer or employee of the general court. Neither branch of the general court shall seek to enforce a nondisclosure, non-disparagement or other similar clause in an existing agreement or contract between such branch and a member, officer or employee of the general court. This rule shall not be suspended.”

After remarks, the amendment was *rejected*.

Ms. DiZoglio moved to amend the report by inserting after the first paragraph in Rule 11 the following new paragraph:- 7

“Within 2 weeks of the appointment of a committee of conference, such committee shall determine a schedule for committee meetings to be submitted to the Clerk of the House who shall cause such schedule to be published on the official website for the General Court. Establishment of such schedule shall not preclude such committee from scheduling additional meetings as needed. The first meeting of a committee of conference shall be held no later than 4 weeks after the appointment of such committee.”

The amendment was *rejected*.

Ms. DiZoglio moved to amend the report by striking Rule 11B and inserting in place thereof the following rule:- 8

“11B. No report from a committee of conference shall be considered or acted upon by either branch prior to 72 hours after such time as said report shall have been available to the public and to the members of the General Court, except that a report from such committee of conference that it is unable to agree may be considered and acted upon at the time that such report is filed.”; and in Rule 11D by striking “by 9 p.m. on the day” and inserting in place thereof the following:- “no later than 72 hours”.

The amendment was *rejected*.

Ms. DiZoglio and Ms. Chang-Diaz moved to amend the report by inserting at the end of subsection (d) of Rule 36 the following:- “The House Business Manager and the Chief Financial Officer of the Senate shall include diversity and inclusion plan requirements in all requests for proposals and shall consider those plans alongside traditional criteria when evaluating bids.”

The amendment was adopted.

Mr. Timilty moved to amend the report by inserting in Joint Rule 1, after the words “website for the General Court.” the following words:-

“If the joint standing committee is unable to come to agreement, the Clerk of the Senate and the Clerk of the House may, upon agreement of the Senate and House Clerk, establish temporary joint rules regarding the procedure of the conduct of the committee until the committee adopts rules of procedure regarding its conduct.”

The amendment was adopted.

Messrs. Keenan and O'Connor moved to amend the report in Joint Rule 11B by striking the first paragraph and inserting in place thereof the following paragraph:- “No report from a committee of conference shall be considered or acted upon by either branch until the third calendar day following the day on which said report shall have been available to the public and to the members of the General Court. The committee shall file its report no later than 8 p.m. on the third day preceding its consideration and the General Court shall not consider said report before 1 p.m. on the third calendar day following its filing following day, except that a report from such committee of conference that it is unable to agree may be considered and acted upon at the time that such report is filed. This rule shall not be rescinded, amended, or suspended.”; in Joint Rule 11D by inserting after the phrase “by 9 p.m. on the” the word:- “third”; and in Joint Rule 33 after the figure “10” by inserting the words:- “rule 11B,”.

The amendment was *rejected*.

Messrs. Keenan and O'Connor moved to amend the report in Joint Rule 2A by striking the first paragraph and inserting in place thereof the following paragraph:- “No member of either branch shall purchase or sell, directly or indirectly, the stock or other securities of any corporation or association knowing that there is pending before the General Court any measure specially granting to or depriving such corporation or association any immunity, exemption, privilege or benefit or any measure providing for the creation or termination of, or directly affecting any, contractual relations between such corporation or association and the Commonwealth. This rule shall not apply to the purchase of securities issued by the Commonwealth or any political subdivision of the Commonwealth.”

After remarks, the amendment was *rejected*.

Messrs. Tarr and O'Connor moved to amend the report in Rule 36 by inserting following new clause:- “(i) Any procurement by the House Business Manager and Chief Financial Officer of the Senate under Rule 36 for over \$10,000 either individual or cumulative shall be submitted to the state comptroller for posting on

the Open Checkbook website or its equivalent.”

After remarks, the amendment was adopted.

Mr. Eldridge moved to amend the report in the second paragraph of Rule 1D by striking out the words “72 hours” and inserting in place thereof the following words:- “1 week”; and in the fifth paragraph of said Rule 1D by striking out the words “72 hours” and inserting in place thereof the following words:- “1 week”.

14

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-five minutes past six o'clock P.M., on motion of Mr. Eldridge, as follows, to wit (yeas 39 – nays 0) **[Yeas and Nays No. 17]:**

YEAS.

- | | |
|--------------------------|-----------------------------|
| Barrett, Michael J. | Gomez, Adam |
| Boncore, Joseph A. | Hinds, Adam G. |
| Brady, Michael D. | Jehlen, Patricia D. |
| Brownsberger, William N. | Keenan, John F. |
| Chandler, Harriette L. | Kennedy, Edward J. |
| Chang-Diaz, Sonia | Lesser, Eric P. |
| Collins, Nick | Lewis, Jason M. |
| Comerford, Joanne M. | Lovely, Joan B. |
| Creem, Cynthia Stone | Montigny, Mark C. |
| Crighton, Brendan P. | Moore, Michael O. |
| Cronin, John J. | Moran, Susan L. |
| Cyr, Julian | O'Connor, Patrick M. |
| DiDomenico, Sal N. | Pacheco, Marc R. |
| DiZoglio, Diana | Rausch, Rebecca L. |
| Eldridge, James B. | Rodrigues, Michael J. |
| Fattman, Ryan C. | Rush, Michael F. |
| Feeney, Paul R. | Tarr, Bruce E. |
| Finegold, Barry R. | Timilty, Walter F. |
| Friedman, Cindy F. | Velis, John C. – 39. |
| Gobi, Anne M. | |

NAYS – 0.

The yeas and nays having been completed at a half past six o'clock P.M., the amendment was adopted.

Messrs. Tarr and O'Connor moved to amend the report in Rule 1D by inserting at the end thereof the following:- “Any public hearing conducted remotely shall utilize technology that allows for contemporaneous participation by the public using one or more publicly accessible technological platforms which facilitate telephonic or computerized participation to the greatest extent possible.”

16

The amendment was *rejected*.

The report was adopted, as amended.

The Senate Report recommending proposed Emergency Rules for the 192nd General Court (Senate, No. 12),-- was considered, the main question being on acceptance of the report.

Emergency Rules.

Mr. Tarr moved to amend the report in section 13 by inserting after the figure “2022” the following words:- “or upon the rescission of the state of emergency declared by the senate, whichever occurs first”.

1

The amendment was adopted.

The report was adopted, as amended.

Moment of Silence.

The President, members, guests and staff stood in a moment of silence and reflection to the memory of Susan Campbell Brownsberger.

Moment of silence.

Order Adopted.

On motion of Ms. Friedman,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Tuesday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

Time of meeting.

Adjournment in Memory of Susan Campbell Brownsberger.

The Senator from Suffolk and Middlesex, Mr. Brownsberger, moved that when the Senate adjourns today, it adjourn in memory Susan Campbell Brownsberger.

Susan Campbell Brownsberger died at home of pancreatic cancer on Monday February 8 at the age of 85.

She is survived by her husband Carl Brownsberger of Belmont to whom she was happily married for over 65 years.

She is also survived by her son Will and his wife Carolyn of Belmont, her daughter Sarah and her husband Hafthor Yngvason of Bellingham, Washington, her sister Mary Campbell Wirkkala and her husband John Wirkkala of Goshen, New Hampshire, and her sister Elizabeth Ainsley Campbell and her partner Michael Immerso of Lunenburg, Massachusetts.

She is also survived by five grandchildren and their spouses: Rae Brownsberger Miller and her husband Michael Miller of Boulder, Colorado, Carly Brownsberger McNeil and her husband Dan McNeil of South Portland, Maine, Louise Brownsberger and her partner Ben Soiefer of New York, New York, Solrun Hafthorsdottir of Reykjavik, Iceland, and Bryndis Hafthorsdottir and her husband Sverrir Kristjansson of San Francisco, California.

She was blessed with four great grandchildren – Jon Thor, Susan Klara, Sonja Lilly, and David -- as well as many beloved in-laws, nieces and nephews, cousins, and friends.

Susan was born in 1935 in Melrose, Massachusetts, to William Campbell of Watertown, Massachusetts, and Lillian Crosscup Campbell of Wollaston, Massachusetts. Until she was 10, the young family lived in the home of her grandparents in Watertown. The family then settled in Harvard, Massachusetts. She was a junior at Radcliffe College when mutual friends arranged her first date with her future husband, Carl, who was studying at Harvard Medical School.

While her husband was working long hours as a young doctor, she began studying Russian. In 1974, when her children were in high school, she received her Masters from Boston College. She went on to a distinguished career as a literary translator. Her many critically-acclaimed translations include Andrei Bitov's Pushkin House, Vladimir Voinovich's The Fur Hat, and Fazil Iskander's Sandro of Chegem.

Throughout her life she was devoted to her extended family – caring for them in times of need, bringing them together in times of celebration, giving of her time and wisdom to support the important projects of their lives. She played the piano well and gathered the family around her on holidays to sing carols and folk songs.

Her own last life project, which she completed only weeks before cancer began to tighten its final grip, was a family history. For several years she pored through genealogical records and available documents and produced a collection of narratives which deepened the family's sense of connection to America's history and ideals.

Accordingly, as a mark of respect to the memory of Susan Campbell Brownsberger, at twenty minutes before seven o'clock P.M., on motion of Mr. Rodrigues, the Senate adjourned to meet again on Tuesday next at eleven o'clock A.M.