
The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, APRIL 23, 2020

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JOURNAL OF THE SENATE

Thursday, April 23, 2020

Met at thirteen minutes past eleven o'clock A.M. (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.

Communication.

Communication from the Office of the Comptroller (pursuant to Sections 1A and 1B of Chapter 41 of the Acts of 2019) submitting the comparison of the actual revenue collections to the budget for the 3rd quarter of FY2020 based on the records of the Commonwealth (MMARS) as of March 31, 2020 (received April 22, 2020),-- was placed on file.

Comptroller,-- FY20 MMARS revenue. SD2920

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Feeney (accompanied by bill) (subject to Joint Rule 12) of Paul R. Feeney for legislation to provide liability protections for contractors, sub-contractors and unions during the COVID-19 Pandemic; and

COVID-19,-- contractor protection. SD2921

By Mr. Kennedy (accompanied by bill) (subject to Joint Rule 12) of Edward J. Kennedy for legislation relative to school transportation vendors during the COVID-19 pandemic;

COVID-19,-- school transportation. SD2922

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

Reports of Committees.

By Mr. Welch, for the committee on Financial Services, on petition, a Bill empowering health care consumers (Senate, No. 561);

Health care,-- consumers.

Referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Ms. Chang-Diaz, for the committee on Cannabis Policy, on Senate, No. 1123 and House, No. 3522, a Bill to ensure full participation in the marijuana industry (Senate, No. 2650);

Marijuana industry,-- participation.

By Mr. Feeney, for the committee on Consumer Protection and Professional Licensure, on petition, a Bill relative to Craft Brewers (Senate, No. 104);

Craft brewer,-- sales.

By the same Senator, for the same committee, on Senate, No. 194 and House, Nos. 305 and 331, a Bill relative to identification for the sale of alcoholic beverages (Senate, No. 2567);

Alcoholic beverages,-- identification.

By Mr. Welch, for the committee on Financial Services, on petition, a Bill relative to fraternal benefit societies (Senate, No. 568);

Fraternal benefits,-- investments.

By Ms. Jehlen, for the committee on Labor and Workforce Development, on petition, a Bill to require sexual harassment training (Senate, No. 1057, changed in line 57, by

Sexual harassment,-- training.

UNCORRECTED PROOF.

striking out the words “July 1, 2020” and inserting in place thereof the following:- “January 1, 2021”);

By Mr. Cyr, for the committee on Mental Health, Substance Use and Recovery, on petition, a Bill to transfer Bridgewater State Hospital from the Department of Corrections to the Department of Mental Health (Senate, No. 1135);

By the same Senator, for the same committee, on petition, a Bill relative to voluntary third-party notification of end of treatment substance abuse (Senate, No. 1139);

By Ms. Rausch, for the committee on Municipalities and Regional Government, on petition, a Bill to reform the distribution of unrestricted local aid State Administration and Regulatory Oversight (Senate, No. 1172);

By Mr. Moore, for the committee on Public Safety and Homeland Security, on petition (accompanied by bill, Senate, No. 1361), a Bill relative to 3D printed weapons and ghost guns (Senate No. 2649) [Senator Tran dissenting];

By Mr. Pacheco, for the committee on State Administration and Regulatory Oversight, on Senate, Nos. 1835 and 1903, a Bill providing for pre-service training for members of local boards and commissions (Senate, No. 1903);

By the same Senator, for the same committee, on petition, a Bill relative to the transfer and sale of a certain parcel of land in the town of Tewksbury (Senate, No. 2384);

By Mr. Boncore, for the committee on Transportation, on petition, a Bill relative to defining zone 1 in the MBTA commuter rail system (Senate, No. 2064);

By the same Senator, for the same committee, on petition, a Bill relative to student driver safety (Senate, No. 2070);

By the same Senator, for the same committee, on petition, a Bill relative to the operating of student pupil transportation (Senate, No. 2088);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 2087), a Bill requiring medical exams for certain school bus drivers (Senate, No. 2646);

By Mr. Timilty, for the committee on Veterans and Federal Affairs, on petition, a Bill relative to COLA adjustments for veteran benefits (Senate, No. 2172);

By the same Senator, for the same committee, on petition, a Bill relative to waiving education requirements for skilled veterans to be LPNs (Senate, No. 2175);

By the same Senator, for the same committee, on petition, a Bill relative to protecting veterans (Senate, No. 2177, changed in line 3, by inserting the word “disabled” before the word “veteran”); and

By the same Senator, for the same committee, on petition, a Bill relative to retirement benefits for veterans (Senate, No. 2179);

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

By Ms. DiZoglio, for the committee on Community Development and Small Businesses, on petition, a Bill promoting authorizing municipalities to expend certain funds for the acquisition of land to be used for rail trails (Senate, No. 83); and

By Ms. Jehlen, for the committee on Labor and Workforce Development, on petition, a Bill establishing the refusal to provide certain records as an unfair labor practice (Senate, No. 1048) [Representative McKenna of Webster dissents];

Severally read and, under Senate Rule 26, referred to the committee on Rules.

PAPERS FROM THE HOUSE.

Bills

Relative to long term care facility and elder housing COVID-19 reporting (House,

Bridgewater State Hospital,-- jurisdiction.

Substance abuse,-- treatment.

Public shade tree law.

Gun manufacturing,-- 3D printing.

Boards and commissions,-- training.

Tewksbury,-- land transfer.

MBTA Commuter Rail,-- fares.

Student driver,-- safety.

School bus drivers,-- drug test.

School bus drivers,-- medical exams.

Veterans,-- COLA adjustment.

Veterans,-- LPNs.

Veterans,-- protect.

Veterans,-- retirement benefits.

Community preservation fund,-- rail trails.

Unfair labor practice.

COVID-19,-- elder housing.

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No. 4667,-- on House, No. 4635),

Addressing COVID-19 data collection and disparities in treatment (House, No. 4672,-
- on House, No 4354, in part);

COVID-19,-- data
collection.

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

A Bill relative to the disability retirement of Ryan Moore and Donald Demiranda, police officers in the town of Falmouth (House, No. 4666,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Falmouth police
officers,-- retirement.

Report of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, on House, No. 4398, in part, reported a "Bill providing assistance to vulnerable populations during the COVID-19 emergency" (Senate, No. 2647).

COVID-19
assistance.

The bill was read. There being no objection, the rules were suspended, on motion of Ms. Comerford and the bill was read a second time, and after remarks, was ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

Matters Taken Out of the Orders of the Day.

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

The Senate Bill establishing a sick leave bank for Jessica Zamansky, an employee of the department of transitional assistance (Senate, No. 2603) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Jessica Zamansky,--
sick leave.

Sent to the House for concurrence.

The House Bill relative to the appointment of retired police officers as special police officers in the town of Weston (House, No. 4273),-- **was read second, 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 appointment of retired police officers as special police officers in the town of Weston".**

Weston,--
retired police
officers.

PAPER FROM THE HOUSE.

The Senate Bill providing additional support to those affected by the novel coronavirus through the unemployment insurance system (Senate, No. 2618),-- came from the House passed to be engrossed, in concurrence with an amendment striking out all after the enacting clause and inserting in place thereof the text of House document numbered 4648.

COVID-19,--
unemployment
insurance.

The rules were suspended, on motion of Mr. Rodrigues, and the House amendment was considered forthwith.

The same Senator moved that the Senate concur with the House amendment with a further amendment striking out all after the enacting clause and inserting in place there of the text of Senate document numbered 2651.

After remarks, the motion was accepted; and the amendment was adopted.

Sent to the House for concurrence in the further amendment.

Reports of Committees.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that the Senate Order, granting the committee on Public Health be granted until May 30, 2020, within which time to make its final report on current Senate documents numbered 1208, 1250, 1251, 1264, 1270, 1276, 1278, 1314, 1328, 1329, 1330, 1335, 1350, and 2359, relative to public health legislation. (Senate, No. 2617),-- ought to be adopted.

Public Health,--
extension order.

The rules were suspended on motion of Ms. Comerford and the order was considered forthwith and adopted.

Sent to the House for concurrence.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that the Senate Order, granting the committee on Tourism, Arts and Cultural Development be granted until June 2, 2020, within which time to make its final report on current Senate document numbered 2029, relative to procurement services for artists (Senate, No. 2625),-- ought to be adopted.

Tourism, Arts and
Cultural
Development,--
extension order.

The rules were suspended on motion of Ms. Comerford and the order was considered forthwith and adopted.

Sent to the House for concurrence.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that the Senate Order granting the committee on Consumer Protection and Professional Licensure be granted until May 15, 2020, within which time to make its final report on all matters referred to them relative to Consumer Protection and Professional Licensure (Senate, No. 2620),-- ought to be adopted.

Consumer Protection
and Professional
Licensure,--
extension order.

The rules were suspended on motion of Mr. Rodrigues and the order was considered forthwith and adopted.

Sent to the House for concurrence.

Order.

Mr. Cyr presented an Order relative to granting the committee on Mental Health, Substance Use and Recovery be granted until May 15, 2020, within which time to make its final report on current Senate documents numbered 1134, 1145, 1152, 1153, and 1154, relative to Mental Health, Substance Use and Recovery Matters (Senate, No. 2648).

Mental Health,
Substance Use and
Recovery,--
extension order.

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

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

The following House Orders (severally approved by the committees on Rules of the two branches, acting concurrently) were considered as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Municipalities and Regional Government be granted until Friday, May 8, 2020 within which time to make its final report on current Senate documents numbered 114 and 1204, and House documents numbered 1757, 1758, 1773, 1774, 1822 and 1823.

Municipalities and
Regional
Government,--
extension order.

The rules were suspended, on motion of Mr. Rodrigues, and the order (House, No. 4577) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Mental Health, Substance Use and Recovery be granted Friday, May 15, 2020 within which time to make its final report on current House documents numbered 1697, 1699, 1709, 1712, 1724, 1733, 1734 and 1736.

Mental Health,
Substance Use and
Recovery,--
extension order.

The rules were suspended, on motion of Mr. Finegold, and the order (House, No. 4646) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Mental Health, Substance Use and Recovery be granted until Friday, May 15, 2020 within which time to make its final report on current House documents numbered 1716 and 1748.

The rules were suspended, on motion of Mr. Rodrigues, and the order (House, No. 4578) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Health be granted until Saturday, May 30, 2020 within which time to make its final report on current House documents numbered 1182, 1839, 1840, 1848, 1867, 1869, 1887, 1926, 1945, 1964, 1980, 3496, 3999, 4096 and 4322.

The rules were suspended, on motion of Mr. Finegold, and the order (House, No. 4592) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Health be granted until Saturday, May 30, 2020 within which time to make its final report on current House documents numbered 1850, 1866, 1878, 1942 and 1961.

The rules were suspended, on motion of Ms. Comerford, and the order (House, No. 4595) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Housing be granted until Sunday, May 31, 2020 within which time to make its final report on current House documents numbered 1257, 1316 and 3924.

The rules were suspended, on motion of Mr. Rodrigues, and the order (House, No. 4596) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Housing be granted until Sunday, May 31, 2020 within which time to make its final report on current House document numbered 4517.

The rules were suspended, on motion of Mr. Finegold, and the order (House, No. 4597) was considered forthwith; and adopted, in concurrence.

Recess.

There being no objection, at twenty-nine minutes before twelve o'clock, noon, the Chair (Mr. Brownsberger) declared a recess subject to the call of the Chair; and at six minutes past three o'clock, P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

PAPERS FROM THE HOUSE.

The House Bill relative to strengthening the local and regional public health system (House, No. 4503, 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 2594; and by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to strengthen forthwith the local and regional public health system, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.”, *with a further amendment* by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4671.

Id.

Public Health,--
extension order.

Id.

Housing,--
extension order.

Id.

Recess.

Public health system.

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

The Senate Bill providing for virtual notarization to address challenges related to COVID-19 (Senate, No. 2645),-- came from the House, passed to be engrossed, in concurrence, *with an amendment* striking out all after the enacting clause and inserting in place thereof the text of House document numbered 4668.

Virtual notarization.

The rules were suspended, on motion of Mr. Tarr, and the House amendment was adopted, in concurrence.

Recess.

There being no objection, at eight minutes past three o'clock, P.M, the Chair (Mr. Brownsberger) declared a recess subject to the call of the Chair; and at seventeen minutes before five o'clock, P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

Recess.

PAPERS FROM THE HOUSE

Emergency Preambles Adopted.

An engrossed Bill providing for virtual notarization to address challenges related to COVID-19 (see Senate, No. 2645, 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.

Virtual notarization.

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

An engrossed Bill relative to strengthening the local and regional public health system (see House, No. 4503, 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.

Public health system.

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

Engrossed Bills.

The following engrossed bills (the first of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, and after remarks, 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:

Bills laid before the Governor.

Providing for virtual notarization to address challenges related to COVID-19 (see Senate, No. 2645, amended); and

Relative to strengthening the local and regional public health system (see House, No. 4503, amended).

Order Adopted.

On motion of Mr. Tarr,--

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

Time of meeting.

calendar.

On motion of the same Senator, at four minutes before five o'clock, P.M., the Senate adjourned to meet again Monday next at eleven o'clock A.M.