

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, APRIL 20, 2023

JOURNAL OF THE SENATE

Thursday, April 20, 2023.

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

Charlotte Mulholland of Webelos Cub Scout Pack 45, the Spirit of Adventure Council, led the Chair (Mr. Collins), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

The Boy Scouts then recited the Boy Scout Oath and Law led by Paige Belezos of Star Scout Troop 424, the Marshfield Mayflower Council.

Boy Scout Oath.

Communications.

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

Communication from the Honorable Karen E. Spilka, President of the Senate, announcing the appointment of Senator Edward M. Kennedy (pursuant to Section 132 of Chapter 24 of the Acts of 2021) to the special commission to investigate and study the promotion and celebration of the two hundred and fiftieth anniversary of the American Revolution; and

American Revolution,-- 250th anniversary commission.

Communication from the Executive Office of Health and Human Services (pursuant to item 4000-0300 of Section 2 of Chapter 126 of the Acts of 2022) submitting its report MassHealth pharmaceutical utilization report (received April 13, 2023).

MassHealth,-- pharmaceutical utilization report SD2571

Reports.

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

Report of the Supplier Diversity Office (pursuant to Section 61 of Chapter 7 of the General Laws) submitting its Comprehensive Annual Report for Fiscal Year 2022 (received April 18, 2023); and

Supplier Diversity Office,-- FY22 annual report. SD2572

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspection of Massachusetts Treatment Center (received April 20, 2023).

DPH,-- facility inspection. SD2574

Petition.

Mr. Montigny presented a petition (accompanied by bill) (subject to Joint Rule 12) of Mark C. Montigny for legislation to authorize the city of New Bedford to grant a utility easement to the University of Massachusetts Dartmouth [Local approval received], -- and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

New Bedford,-- easement. SD2567

Committee Discharged.

Mr. Oliveira, for the committee on Municipalities and Regional Government, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1322) of Pavel M. Payano and Adam Scanlon for legislation relative

Non-handicapped veterans,-- parking spaces.

to courtesy retail parking spaces designed for non-handicapped veterans;-- and recommending that the same be referred to the committee on Veterans and Federal Affairs.

**Under Senate Rule 36, the reports were considered forthwith and accepted.
Sent to the House for concurrence in the discharge of the joint committee.**

PAPERS FROM THE HOUSE.

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

Representative Marcus Vaughn has been appointed to serve as his designee to the Gaming Policy Advisory Committee (under Section 68 of Chapter 23K) replacing Representative Angelo D’Emilia.

Gaming Policy
Advisory Committee.

The following petitions, having been timely filed by 5 o’clock P.M. on January 20, 2023, were referred in concurrence as follows:

Petition (accompanied by bill, House, No. 3780) of Kip A. Diggs relative to broadband high-speed internet access;

Broadband,-- internet
access.

To the committee on Advanced Information Technology, the Internet and Cybersecurity.

Petition (accompanied by bill, House, No. 3782) of Mike Connolly relative to the sale of food and alcoholic beverages by restaurants and bars and for the establishment of a special commission (including members of the General Court) of the promotion and discounted sale of alcoholic beverages; and

Alcoholic beverages,-
- special commission.

Petition (accompanied by bill, House, No. 3783) of Brandy Fluker Oakley and others relative to the promotion, display or advertising of cosmetic products that contain harmful ingredients;

Cosmetic products,--
harmful ingredients.

Severally to the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 3784) of Tammy Winksy relative to teaching certification for persons with certain disabilities;

Teaching
certification.

To the committee on Education.

Petition (accompanied by bill, House, No. 3785) of Christopher Richard Flanagan relative to establishing a habitat conservation plan for a piping plover municipal technical assistance and monitoring program;

Endangered species,-
- categorization.

To the committee on Environment and Natural Resources.

Petition (accompanied by bill, House, No. 3786) of Kip A. Diggs and Paul R. Feeney for legislation to protect victims and the public from sexual assault and other violent crimes;

Victim protection,--
violent crimes.

Petition (accompanied by bill, House, No. 3787) of Patricia A. Haddad that the Probate and Family Court Department be authorized to conduct a study of guardians ad litem; and

Guardians ad litem,--
study.

Petition (accompanied by bill, House, No. 3788) of David T. Vieira and others relative to providing notification to victims and family members of victims when notices of temporary restraining orders or other abuse prevention orders have been successfully served;

Restraining orders,--
notification.

Severally to the committee on The Judiciary.

Petition (accompanied by bill, House, No. 3789) of Manny Cruz relative to authorizing municipalities to waive certain fees for the use of municipal-owned land by non-profit and charitable organizations; and

Municipal land,--
event fee.

Petition (accompanied by bill, House, No. 3790) of David Henry Argosky LeBoeuf for legislation to establish a “Plan G” form of city government;

City government,--
“Plan G”.

Severally to the committee on Municipalities and Regional Government.

UNCORRECTED PROOF.

Petition (accompanied by bill, House, No. 3791) of Manny Cruz and Vanna Howard relative to seatbelts on school buses;

School buses,--
seatbelts.

To the committee on Public Safety and Homeland Security.

Petition (accompanied by bill, House, No. 3792) of Natalie M. Blais (by vote of the town) that the town of Conway be authorized to continue the employment of Kenneth Ouimette, a member of the police department of said town;

Conway,-- Kenneth
Ouimette.

Petition (accompanied by bill, House, No. 3793) of Mark J. Cusack for legislation to provide local option for retirement boards to grant retirement to totally and permanently incapacitated workers;

Incapacitated
workers,-- retirement.

Petition (accompanied by bill, House, No. 3794) of Christopher Richard Flanagan relative to higher education incentives for certain municipal employees; and

Municipal
employees,--
education incentives.
911,-- emergency
communicators.

Petition (accompanied by bill, House, No. 3795) of Judith A. Garcia, Jack Patrick Lewis and others for legislation to include 911 emergency communicators in the heart law, so-called;

Severally to the committee on Public Service.

Petition (accompanied by bill, House, No. 3796) of Christopher Richard Flanagan, Julian Cyr and others (by vote of the town) relative to authorizing the town of Yarmouth to establish a tourism revenue preservation fund;

Yarmouth,-- tourism
funding.

To the committee on Revenue.

Petition (accompanied by bill, House, No. 3781) of David Henry Argosky LeBoeuf for legislation to simplify the language used on the state website by executive offices and agencies;

State website,--
language.

To the committee on State Administration and Regulatory Oversight.

Petition (accompanied by bill, House, No. 3797) of Paul K. Frost relative to electric vehicles and electric vehicle charging stations;

Electric vehicles,--
charging stations.

Petition (accompanied by bill, House, No. 3798) of Paul K. Frost relative to electric vehicle charging and fueling;

Electric vehicles,--
charging and fueling.

Petition (accompanied by bill, House, No. 3799) of Paul K. Frost relative to infrastructure for electric vehicles; and

Electric vehicles,--
infrastructure.

Petition (accompanied by bill, House, No. 3800) of Sally P. Kerans and Joan B. Lovely relative to notice to abutter communities of applications to the Department of Public Utilities;

DPU,-- abutter
communities notices.

Severally to the committee on Telecommunications, Utilities and Energy.

Resolutions.

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

Resolutions (filed by Ms. Lovely) “congratulating Brendan McMahon Brophy on his elevation to the rank of eagle scout.”

Brendan McMahon
Brophy.

PAPERS FROM THE HOUSE

Engrossed Bill.

An engrossed Bill establishing a sick leave bank for Hollie Barter, an employee of the Department of Children and Families (see House, No. 3713) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the Acting President (Mr. Collins) and laid before the Governor for her approbation.**

Bill laid before the
Governor.

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Christopher Trigilio, an employee of the trial court of the commonwealth (see Senate, No. 2376), 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.

Christopher Trigilio,-
- sick leave.

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

A petition (accompanied by bill, Senate, No. 2381) of Michael D. Brady for legislation to establish boxer protection and a safe and regulated environment for professional combat sports in Massachusetts,-- came from the House with endorsement that the House concurred in the suspension of Joint Rule 12; and had NON-concurred in the reference to the committee on Public Safety and Homeland Security. The petition bore the further endorsement that the matter had been referred to the committee on Economic Development and Emerging Technologies.

Boxer protection.

On motion of Mr. Tarr, the Senate receded from its reference to the committee on Public Safety and Homeland Security and concurred in the reference to the committee on Economic Development and Emerging Technologies.

Report of Committee.

By Mr. Keenan, for the committee on Election Laws, on petition, a Bill relative to the order of candidates' names on the town of Marblehead town election ballots (Senate, No. 411) [Local approval received];

Marblehead,--
ballots.

The bill was read. There being no objection, the rules were suspended, on motion of Mr. Tarr, the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows:- "An Act establishing a process for determining the order of candidates' names on the town of Marblehead's town election ballots."

Sent to the House for concurrence.

Matter Taken Out of the Orders of the Day.

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

The House Bill relative to the position of police chief in the town of Leicester (House, No. 2579),-- **was read a second time and ordered to a third reading.**

Leicester,-- police
chief.

Distinguished Guests.

There being no objection, the Chair (Mr. Collins) handed the gavel to the Minority Leader, Mr. Tarr, for the purpose of an introduction. After remarks, Mr. Tarr introduced in the rear of the Chamber, Boys Scouts from around the Commonwealth. Mr. Tarr then invited to the Rostrum, Anna Lovelette of Eagle Scout Troop 150 Yarmouth Port, Cape Cod and Islands Council. Anna joined scouting as soon as Scouts BSA allowed girls to become members on February 1, 2019. She was recognized for being the second girl to earn the rank of Eagle Scout in the Cape Cod and Islands Council and is the first native Cape Codder to earn the award.

Anna Lovelette,--
and other scouts.

Anna Lovelette addressed the Chamber and presented the Chair and Minority Leader with the 2023 Report on the State of Scouting in Massachusetts, as follows:

BSA,-- 2023 report.

Membership

- 346 Packs
- 534 Troops
- 58 Crews & Ships
- 26 Posts
- 2,449 Female Scouts
- 23,292 Total Members

Achievements

- 27,850 Merit Badges
- 808 New Eagles
- 8,251 Cub Scout Advancements
- 6,848 Scouts BSA Advancements

Service to Community

- 232,000 Hours of Community Service

After remarks, the Senate welcomed them with applause, they were presented with a Governor’s Proclamation, and the scouts along with various troop leaders and parents withdrew from the Chamber.

On motion of Mr. Tarr, the report was ordered printed in the Journal of the Senate.

Ordered printed.

Order Adopted.

On motion of Mr. Tarr,--

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.

At the request of the Chair (Mr. Collins), the members, guests and staff stood in a moment of silence and reflection to the memory of LaToya Webster.

Moment of silence.

Adjournment in Memory of Ms. LaToya Monique Webster.

The Senator from Suffolk, Mr. Collins, moved that when the Senate adjourns today, it do so in memory of Ms. LaToya Monique Webster of Boston.

Ms. LaToya Monique Webster passed away at the age of 37 on March 7, 2023. Known by her friends and family as “Toya”, she was the youngest of two daughters to Regina Skinner and Floyd Webster. She was a devoted mother to her beloved children, Kellyah and Kyre, both of whom brought immense joy and meaning to her life. Toya also leaves behind her sister Tyesha and a host of cousins, nieces, nephews, aunts, uncles and other family members.

With an unwavering dedication to her family, Toya was a devoted mother who always put her children first. She instilled in them the value of hard work, overcoming adversity, and believing in God. And while her work is done on earth, her positive impact on everyone still lingers within people she loved, and she will forever continue to provide for her children from the heavenly realm. She will be deeply missed, and her memory will endure forever.

The Massachusetts State Senate. moves that when the Senate adjourns today, it adjourns in memory of Ms. LaToya Monique Webster.

Accordingly, as a mark of respect to the memory of Ms. LaToya Monique Webster, at twenty-four minutes before twelve o’clock noon, on motion of Mr. Tarr, the Senate

adjourned to meet again on Monday next at eleven o'clock A.M.
