

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**MONDAY, APRIL 10, 2023**

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JOURNAL OF THE SENATE

Monday, April 10, 2023.

Met at twenty-one minutes past eleven o'clock A.M. (Ms. Comerford in the Chair).

The Chair (Ms. Comerford), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Distinguished Guests.

There being no objection, the Chair (Ms. Comerford) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced, in the Senate Gallery, the 8th grade social studies class from the Rupert A. Nock Middle School in Newburyport. The students were on a field trip to the State House learning about the different aspects of state government. The class was led by their teacher Kyle Boudreau. The Senate welcomed them with applause and they withdrew from the Gallery. They were also guests of Representative Dawne Shand of Newburyport.

Rupert A. Nock Middle School,-- 8th grade.

Communication.

Communication from the Department of Public Health relative to its plans of correction for the Bridgewater State Hospital inspection on March 16 and 17, 2023 and Suffolk County House of Correction inspection on February 13, 2023 (received April 6, 2023),-- was placed on file.

DPH,-- plans of correction. SD2556

Reports.

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

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspections of Bristol County Jail, Ash Street Facility and MCI Concord (received April 6, 2023);

DPH,-- facility inspections. SD2557

Report of the Plymouth County Sheriff's Department (pursuant to Section 40 of Chapter 126 of the General Laws) submitting its report reflecting the aggregate data on the population of the Plymouth County Correctional Facility for the first quarter of 2023 (received April 7, 2023); and

Plymouth Sheriff,-- criminal justice report. SD2558

Report of the Department of Mental Health (pursuant to Section 79 of Chapter 177 of the Acts of 2022) submitting its report on strategies to reduce wait times and enhance access to behavioral health services (received April 7, 2023).

DMH,-- BH wait times report. SD2559

Committees Discharged.

Ms. Kennedy, for the committee on Children, Families and Persons with Disabilities, reported, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 115) of Mark C. Montigny for legislation to increase the personal care allowance for long term care residents,-- and recommending that the same be referred to the committee on Elder Affairs; and

Long term care,-- allowance.

Of the petition (accompanied by bill, Senate, No. 121) of Susan L. Moran, James B. Eldridge, Carmine Lawrence Gentile and Jacob R. Oliveira that provisions be made to revive and continue the non-emergency human services transportation task force,-- and

Non-emergency HST task force,-- extension.

recommending that the same be referred to the committee on Transportation.

Ms. Rausch, for the committee on Environment and Natural Resources, reported, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 515) of Jason M. Lewis, Patrick M. O'Connor, Joanne M. Comerford and Julian Cyr for legislation to protect public health and reduce health care costs,-- and recommending that the same be referred to the committee on Public Health; and

Health care cost,-- assessment.

Of the petition (accompanied by bill, Senate, No. 566) of Pavel M. Payano and Steven Owens for legislation to support better commuting,-- and recommending that the same be referred to the committee on Transportation.

Carbon reduction,-- carpooling.

**Severally, under Senate Rule 36, the reports were considered forthwith and accepted**

**Severally sent to the House for concurrence.**

PAPERS FROM THE HOUSE.

A message from Her Excellency the Governor recommending legislation relative to providing for the terms of certain bonds to be issued by the Commonwealth (House, No. 3737),-- **was referred, in concurrence, to the committee on Bonding, Capital Expenditures and State Assets.**

Bonds and notes,-- terms.

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. 3750) of Marcus S. Vaughn relative to cannabis marketing;

Cannabis,-- marketing.

**To the committee on Cannabis Policy.**

Petition (accompanied by bill, House, No. 3753) of Shirley B. Arriaga relative to youth and athletics and establishing the PLAY trust fund to be administered by the Department of Elementary and Secondary Education;

Youth athletics,-- PLAY trust fund.

Petition (accompanied by bill, House, No. 3754) of Danielle W. Gregoire relative to school bullying;

School,-- bullying.

Petition (accompanied by bill, House, No. 3755) of David Henry Argosky LeBoeuf for legislation to address workforce shortages in early education through educational coursework and apprenticeship participation; and

Workforce shortages,-- apprenticeship.

Petition (accompanied by bill, House, No. 3756) of Margaret R. Scarsdale relative to providing for full funding of regional school district transportation;

Regional school district,-- transportation.

**Severally to the committee on Education.**

Petition (accompanied by bill, House, No. 3757) of Sally P. Kerans relative to prohibiting insurers from requiring annual re-authorizations for certain prescription drugs;

Prescription drugs,-- re-authorizations.

Petition (accompanied by bill, House, No. 3758) of Sally P. Kerans relative to ensuring sufficient notice to homeowners by insurance companies prior to inspections; and

Insurance notice,-- homebuyers.

Petition (accompanied by bill, House, No. 3759) of Sarah K. Peake relative to ATM receipts;

ATM receipts.

**Severally to the committee on Financial Services.**

Petition (accompanied by bill, House, No. 3760) of Simon Cataldo, Pavel M. Payano and others relative to higher education admissions; and

Higher education,-- admissions.

Petition (accompanied by bill, House, No. 3761) of Mindy Domb and Bud L. Williams for legislation to establish an open educational resource trust fund;

College tuition,-- cost reduction.

**Severally to the committee on Higher Education.**

Petition (accompanied by bill, House, No. 3762) of Daniel J. Hunt relative to establishing a penalty for the sale, preparation, manufacturing, or distribution of kratom

Kratom,-- penalties.

products that are contaminated with dangerous non-kratom substances; and

Petition (accompanied by bill, House, No. 3763) of Howard Caras relative to healthcare proxy information;

Healthcare proxy,-- information.

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

Petition (accompanied by bill, House, No. 3764) of Tram T. Nguyen and Andres X. Vargas relative to parental notification about student health evaluations; and

Student,-- health evaluations.

Petition (accompanied by bill, House, No. 3765) of Todd M. Smola for legislation to further regulate community-based health initiative requirements for the construction of certain nursing facilities;

Nursing facilities,-- construction requirements.

**Severally to the committee on Public Health.**

Petition (accompanied by bill, House, No. 3766) of Carol A. Doherty and others for legislation to establish an income tax credit for parents contributing to college tuitions; and

College tuition,-- tax credit.

Petition (accompanied by bill, House, No. 3767) of Francisco E. Paulino relative to the senior circuit breaker tax credit;

Senior circuit breaker,-- tax credit.

**Severally to the committee on Revenue.**

Petition (accompanied by bill, House, No. 3769) of David Henry Argosky LeBoeuf and others for legislation to promote the transition to electric school buses;

School buses,-- electric.

**To the committee on Transportation.**

Petition (accompanied by bill, House, No. 3768) of Carmine Lawrence Gentile and others for the adoption of resolutions memorializing the Congress of the United States to pass and send to the states for ratification a constitutional amendment to restore the first amendment and fair elections to the people;

Fair elections.

**To the committee on Veterans and Federal Affairs.**

Petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No. 3721) of Vanna Howard and Rodney M. Elliott (with the approval of the city council) that the city of Lowell be authorized to fill vacancies in certain elective bodies in said city;

Lowell,-- elective bodies.

**To the committee on Election Laws.**

Petition (accompanied by bill, House, No. 3722) of Manny Cruz and Joan B. Lovely (with the approval of the mayor and city council) relative to a condominium conversion ordinance in the city of Salem; and

Salem,-- condo ordinance.

Petition (accompanied by bill, House, No. 3723) of Sarah K. Peake (by vote of the town) that the town of Truro be authorized to establish a year-round market rate rental housing trust in said town;

Truro,-- market rate rental.

**Severally to the committee on Housing.**

Petition (accompanied by bill, House, No. 3724) of F. Jay Barrows and Paul R. Feeney (by vote of the town) that the town of Foxborough be authorized to change the name of the board of selectmen to the select board;

Foxborough,-- board of selectmen.

Petition (accompanied by bill, House, No. 3725) of Natalie M. Blais and Joanne M. Comerford (with the approval of the mayor and city council) relative to amending the charter of the city known as the town of Greenfield;

Greenfield,-- charter.

Petition (accompanied by bill, House, No. 3726) of Dylan A. Fernandes and Julian Cyr (by vote of the town) that the town of Oak Bluffs be authorized to further regulate the rental of mopeds and motor scooters in said town;

Oak Bluffs,-- moped rentals.

Petition (accompanied by bill, House, No. 3727) of Meghan Kilcoyne (by vote of the town) for legislation to increase the membership of the select board in the town of Sterling;

Sterling,-- select board membership.

Petition (accompanied by bill, House, No. 3728) of Margaret R. Scarsdale (by vote of the town) relative to the charter of the town of Townsend; and

Townsend,-- charter.

Petition (accompanied by bill, House, No. 3729) of Donald H. Wong and Kate Lipper-Garabedian (by vote of the town) that the town of Wakefield be authorized to

Wakefield,-- land.

**UNCORRECTED PROOF.**

convey an easement in said town to the Wakefield Municipal Gas and Light Department;  
**Severally to the committee on Municipalities and Regional Government.**

Petition (accompanied by bill, House, No. 3730) of Carole A. Fiola and Michael J. Rodrigues (by vote of the town) relative to the appointment of retired police officers as special police officers in the town of Freetown;

Freetown,-- retired police officers.

Petition (accompanied by bill, House, No. 3731) of Smitty Pignatelli and Paul W. Mark (by vote of the town) that all future members of the police department of the town of Great Barrington be exempt from the civil service law; and

Great Barrington,-- police department.

Petition (accompanied by bill, House, No. 3732) of Christopher J. Worrell (with the approval of the mayor and city council) that the police department of the city of Boston be authorized to waive the maximum age requirement for police officers for Wendy Pierre-Louis;

Boston,-- Wendy Pierre-Louis.

**Severally to the committee on Public Service.**

Petition (accompanied by bill, House, No. 3733) of Manny Cruz (with the approval of the mayor and city council) relative to providing for payments in lieu of taxes by the South Essex sewerage district in the city of Salem;

South Essex,-- sewerage district.

Petition (accompanied by bill, House, No. 3734) of Mindy Domb (by vote of the town) that the city known as the town of Amherst be authorized to establish a real estate transfer fee in said town;

Amherst,-- real estate transfer fee.

Petition (accompanied by bill, House, No. 3735) of Sarah K. Peake (by vote of the town) that the town of Truro be authorized to establish a program to reduce property tax liability in exchange for volunteer services for persons with disabilities; and

Truro,-- property tax program.

Petition (accompanied by bill, House, No. 3736) of Sarah K. Peake (by vote of the town) that the town of Truro be authorized to impose a 0.5% real estate transfer fee in said town;

Truro,-- real estate transfer fee.

**Severally to the committee on Revenue.**

*Resolutions.*

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

Resolutions (filed by Mr. Brady) “congratulating Jackson Preskins on his elevation to the rank of Eagle Scout.”

Jackson Preskins.

PAPERS FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No. 3751) of Paul A. Schmid, III relative to the board of selectmen in the town of Westport;

Westport,-- board of selectmen.

**Under suspension of Joint Rule 7B, to the committee on Municipalities and Regional Government.**

Petition (accompanied by bill, House, No. 3752) of Christopher M. Markey and Mark C. Montigny for legislation to establish a sick leave bank for Jane Racine, an employee of the Department of Developmental Services;

Jane Racine,-- sick leave.

**Under suspension of Joint Rule 12, to the committee on Public Service.**

*Moment of Silence.*

At the request of the Chair (Ms. Comerford), the members, guests and staff stood in a moment of silence and reflection to the memory of former Senator Charles E. Shannon.

Moment of silence.

*Order Adopted.*

On motion of Mr. Rodrigues,--

*Ordered,* That when the Senate adjourns today, it adjourn to meet again on Thursday next at eleven o'clock A.M. in a full formal session with a calendar.

Time of meeting.

*Adjournment in Memory of Charles E. Shannon.*

The Senator from First Bristol and Plymouth, Mr. Rodrigues, moved that when the Senate adjourns today it does so in memory of former Senator Charles "Charlie" E. Shannon.

Born in 1943 in Somerville, the late-Senator Shannon, was a former Lexington police officer who served the town with honor for 20 years, Charlie was elected to the Massachusetts Senate in 1990, and he represented the 2nd Middlesex District with unparalleled distinction for over 15 years, unrivaled at helping constituents, he epitomized the nobility of public service. Though many were touched by his kindhearted advocacy, he held a special affinity for children. Although his achievements are many, his lasting legacy was the public safety "Shannon Grants" named in his honor that provides urban police departments with the resources they need to combat youth violence and also provides youth incentive prevention resources. I respectfully ask the Senate today to adjourn in his memory.

Accordingly, as a mark of respect to the memory of Charles E. Shannon, at twenty-eight minutes past eleven o'clock A.M., on motion of Mr. Rodrigues, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.